

IN THE DISTRICT COURT OF DOUGLAS COUNTY, KANSAS

ADMINISTRATIVE ORDER NO. 22-15

Order Affecting Assignment of Cases
Under Local Court Rule No. 1

WHEREAS, it is the responsibility of the Chief Judge to determine case assignments or reassignments in this district in accordance with our local rules; and

WHEREAS, this district has determined that it best serves the interests of justice, the administration of law and the interests of our community to administer certain specialty courts, which, at the time of this order, includes Behavioral Health Court (“BHC”)(presently Division Two) and Drug Court (presently Division Three); and

WHEREAS, this district has likewise determined that cases involving the care and treatment of persons pursuant to K.S.A. 59-2945, *et seq.* (concerning, the care and treatment of persons with mental illness) and/or K.S.A. 59-29b45, *et seq.*, (concerning the care and treatment of persons with alcohol or other substance abuse problems) are most comprehensively administered and monitored by assigning them to a single division; and

WHEREAS, this district has determined that when Protection From Abuse cases pursuant to K.S.A. 60-3101, *et seq.* (“PFA”) or Protection from Stalking cases pursuant to K.S.A. 60-31a01, *et seq.*, (“PFS”) are filed between parties who have divorce or paternity cases actively pending in this district are most comprehensively administered and monitored by assigning them to the division where the divorce is pending;

NOW, THEREFORE, the clerk is hereby directed that in assigning or reassigning cases pursuant to the directive of Local Court Rule No. 1, the following applies:

- 1) Cases filed pursuant to the care and treatment of persons pursuant to either K.S.A. 59-2945, *et seq.*, or 59-29b45, *et seq.*, (“CT cases”) shall be assigned to Division Five, except that when the District Attorney’s office provides notice to the clerk at the time of filing that the proposed patient has or had a case (past or present) assigned to BHC, the clerk shall assign the case to Division Two.

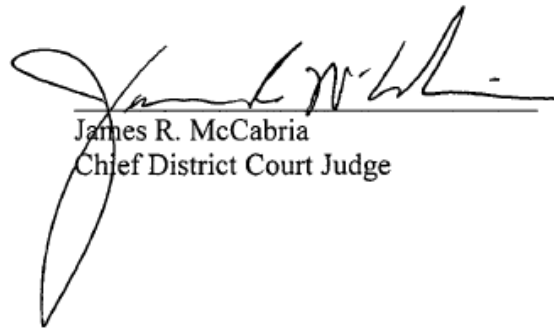
For any CT case assigned to Division Five, if that division discovers that the person had/has a current or prior BHC case with Division Two, upon the direction of the Division Five judge, the clerk shall reassign the case to Division Two.

- 2) When any defendant is accepted for participation in either BHC or Drug Court, the original division judge (if different from the division administering that specialty court) shall notify the clerk of that acceptance and the clerk shall then reassign the case to the division where the specialty court program is being administered.

If it is determined that the defendant who was accepted is no longer qualified to participate in the program, the division judge administering the program may direct the clerk to reassign the case to the division where it originated or keep the case for resolution.

- 3) When any petition is filed in a PFA or PFS case, and the parties named in the petition have a pending divorce or paternity case within this District, the duty judge reviewing any such petition may notify the clerk that the case is being reassigned to the Division where the divorce or paternity case is pending and the clerk shall so assign the case without further order or review by the Chief Judge.

IT IS SO ORDERED this 18th day of April, 2022.



James R. McCabria
Chief District Court Judge