Chief justice gives update on plan to reinstate time limitations and deadlines for court proceedings

TOPEKA—Chief Justice Marla Luckert said today she has adjusted her plan to reinstate statutes of limitation and statutory time standards or deadlines that apply to conducting or processing of judicial proceedings.

Luckert had announced June 29 she planned to reinstate most time requirements effective August 3, based on the assumption that all district courts would be providing in-person service at that time.

Due to rising numbers of COVID-19 cases in some jurisdictions, some courts have closed offices to the public. In response, Luckert is adjusting her timeline and now plans to provide an update on August 3 about a projected date to reinstate some time limits, deadlines, and time standards. She emphasized reinstatement will not be before August 17.

“My actions to suspend some deadlines and time limitations at the beginning of the pandemic were to uphold peoples’ legal and constitutional rights while courts made changes to case processing to adhere to public health guidelines,” Luckert said. “All district courts are now able to process cases remotely, but I need to be sure all courts can also provide some level of in-person service before I reinstate timelines and deadlines.”

Luckert said she’s providing this update because she wants to be sure Kansans and their attorneys have adequate notice of her plan to reinstate statutes of limitation and statutory time standards or deadlines. Once reinstated, courts, attorneys, and self-represented

parties must be ready to move cases forward or accept consequences for missing deadlines or statutes of limitations, which can cause cases to be dismissed.

Luckert plans to continue the suspension of some time limitations. Those would include statutory speedy trial deadlines in criminal cases, the time requirements for filing actions under K.S.A. 60-1501 and K.S.A. 60-1507, and the time requirements for processing limited actions cases in K.S.A. 61-3002(b).

Even while statutes of limitation and statutory time standards or deadlines have been suspended, courts have continued to process cases. All state courts are conducting many types of proceedings using teleconferencing technology, greatly reducing the need for in-person hearings.

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