

IN THE SUPREME COURT OF THE STATE OF KANSAS

Administrative Order

2020-RL-127

Rules Relating to District Courts

FILED

December 9, 2020

DOUGLAS T. SHIMA
CLERK OF APPELLATE COURTS

The attached new Supreme Court Rule 106A is hereby adopted, effective the date of this order.

Dated this 9th day of December 2020.

FOR THE COURT



MARLA LUCKERT
Chief Justice

Rule 106A

ACCESSIBILITY OF CHILD IN NEED OF CARE COURT RECORD

- (a) **Applicability.** This section applies to all district court cases filed under the Revised Kansas Code for Care of Children, K.S.A. 38-2201 et seq.
- (b) **Definitions.**
 - (1) "Court record" means all contents of a court case file, regardless of physical form, characteristic, or means of transmission, made or received by a district court, including documents and filings; transcripts filed with the clerk; exhibits made part of the court record; and electronic recordings, such as videotapes, tape recordings, or stenographic tapes of other proceedings filed with the clerk.
 - (2) "Events index" means items listed in a chronological index of filings, actions, and events in a specific case, which may be identifying information of the parties and counsel; a brief description or summary of the filings, actions, and events; and other case information. The events index, also referred to as the register of actions, is created and maintained by the judicial branch only for administrative purposes and is not part of the court record.
 - (3) "Nonpublic court record" means any court record designated by statute, caselaw, Supreme Court rule, or court order as not accessible to the public.
- (c) **Accessibility.**
 - (1) K.S.A. 38-2209 classifies certain documents and filings in a case filed under the Revised Kansas Code for Care of Children as constituting the official file or the social file. K.S.A. 38-2211 identifies persons and entities having access to the official and social files.
 - (2) The court record in a case filed under the Revised Kansas Code for Care of Children must be designated as a nonpublic court record.
 - (3) The events index of a case filed under the Revised Kansas Code for Care of Children must not be accessible by the public.

- (4) When state or federal law requires disclosure of information in a case filed under the Revised Kansas Code for Care of Children, the information designated by the state or federal law must be disclosed in strict compliance with the law's requirements.