

## Rule 8.02

### TRANSFER TO SUPREME COURT ON MOTION

- (a) **Party May Request Transfer.** A party may request under K.S.A. 20-3017 that an undetermined case pending in the Court of Appeals be transferred to the Supreme Court for final determination.
- (b) **Timing and Content of Motion.** A motion for transfer must be filed with the clerk of the appellate courts no later than 30 days after service of the notice of appeal. The motion must:
  - (1) state the nature of the case;
  - (2) demonstrate that the case is within the jurisdiction of the Supreme Court; and
  - (3) show the existence of one or more of the grounds for transfer specified in K.S.A. 20-3016(a) by specifying:
    - (A) the issue or issues not within the jurisdiction of the Court of Appeals, with citation to controlling constitutional, statutory, or case authority;
    - (B) the subject matter of the case that has significant public interest;
    - (C) the particular legal question raised that has major public significance; or
    - (D) sufficient data concerning the state of the docket of the Court of Appeals and of the Supreme Court to demonstrate that the expeditious administration of justice requires the transfer.

**[History:** Am. effective July 1, 2011; Restyled rule effective July 1, 2012; Am. (b) effective December 19, 2016.]