

IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS

ADMINISTRATIVE ORDER NO. 2020-19

RE: Court Trustee Enforcement Fee for Child Support and Maintenance Orders

Whereas, by rule adopted by the judges of the Tenth Judicial District, there has been established the Office of the District Court Trustee for the Tenth Judicial District; and,


Whereas, K.S.A. 2020 Supp. 20-380 and Local Rule 26 adopted by the judges of the Tenth Judicial District allow the charging of a fee, not to exceed five percent (5%), to be deducted from support collected from obligors to defray the expenses of operation of the District Court Trustee Office; and,

Whereas, K.S. A. 2020 Supp. 20-380 and Local Rule 26 adopted by the judges of the Tenth Judicial District specify that it is the administrative duty of the Chief Judge to determine the fee to be charged to defray the expenses of the operation of the District Court Trustee Office; and

Whereas, the two and one-half percent (2.5%) fee up to a \$30 cap/month presently charged on Non IV-D enforcement cases is determined to be insufficient to defray the expenses incurred by the District Court Trustee Office for Non IV-D support monitoring and enforcement functions for both child support and maintenance orders;

NOW THEREFORE, it is determined that effective February 1, 2021, the fee charged to defray the expenses of the Tenth Judicial District Court Trustee Office shall be changed and increased to deduct three and one-half percent (3.5%) up to a cap of \$70.00 per month from support collected for both child support and maintenance. The fee shall be assessed equally to the parties, with the obligor's 1.75% share of the fee added to the monthly support obligation. Upon payment, the Kansas Payment Center shall withhold the full 3.5% fee which shall constitute the obligor's 1.75% share of the fee as well as the obligee's 1.75% share of the fee, prior to disbursement to the obligee. The increase to obligor shall constitute a judgment enforceable by the District Court Trustee. All new or modified support orders after the effective date shall contain language that states Obligor is assessed one half (1/2) of the applicable enforcement fee for both child support and maintenance. If orders and/or worksheets fail to assess the enforcement fee equally or do not include the correct fee, the Trustee shall add the appropriate amount to obligor's order. For past support orders that do not assess or had not equalized the fee, the Trustee shall assess and equalize fees by *ex parte* order.

IT IS SO ORDERED this 29th day of December, 2020.


THOMAS KELLY RYAN
Chief Judge, 10th Judicial District