# 2016 MUNICIPAL COURT JUDGES CONFERENCE Wichita Marriott Hotel

#### SUNDAY, APRIL 17

4:00-6:00 p.m.

Conference Registration

Foyer

6:00-7:00 p.m.

Welcome Reception

Ballroom

7:00 p.m.

Kansas Municipal Judges Association (KMJA) Welcome Suite

Suite 205

#### MONDAY, APRIL

7:30-8:30 a.m.

Conference Registration

Foyer

7:30-8:30 a.m.

KMJA Executive Board Meeting

Sedgwick

7:30-8:30 a.m.

Breakfast

Wichita Ballroom

8:30 am

WELCOME:

Ballroom

Hon. Fred W. Johnson, President, Kansas Municipal Judges Association

8:40-10:55 a.m.

INTUITIONS, IMPLICIT JUDGMENTS AND DECISION-MAKING IN THE COURTROOM

Professor Jeffrey J. Rachlinski, Cornell School of Law

Human judgment arises two types of mental process, intuition and deliberation. Although both processes are essential to good judgment and human intuition is surprisingly accurate, people commonly rely too heavily on intuition alone. Judgments made in the courtroom are no different. Research on judges demonstrates that judges implicitly use intuition to evaluate legal issues, even when it leads them to make judgments that are erroneous or hard to defend. This can be particularly troublesome when invidious unconscious biases about the race or gender of parties are the source of intuitive judgments. This session will review the evidence and research on how unconscious, or implicit, sources of intuition can affect judgment in the courtroom and beyond, and how to facilitate more deliberative, and more accurate judgments.

(Break at 9:30 - 9:40 a.m.)

10:55-11:05 a.m.

Break

11:05-11:55 a.m.

BONDS

12-4211

Hon. Katherine McElhinney, Olathe

Judge McElhinney will outline the requirements Kansas municipal judges should follow when setting bonds. What are the different kinds of bonds that are acceptable? When can a municipal judge forfeit a bond? What is the procedure? What, if any, sureties or bonding companies do municipal judges have to allow? Is there a process for the approval of sureties? When do sureties get to relinquish or surrender bonds and what is the procedure? What happens to a bond once a case has been adjudicated?

Noon

Luncheon and KMJA Business Meeting

Ballroom

Ballroom

#### MONDAY, APRIL 18 (continued)

1:15-2:30 p.m.

ALL YOU NEED TO KNOW ABOUT MUNICIPAL APPEALS, AND THEN SOME

Hon, Karen Torline, Roeland Park

Judge Torline will discuss all aspects of municipal appeals, including notice to defendants, setting bonds, and what happens in district court that controls whether the case will come back

to municipal court.

2:30-2:45 p.m.

Break

2:45-3:35 p.m.

DRIVERS SOLUTIONS UPDATE

Jessica Ross, Drivers Solutions Manager, Division of Motor Vehicles

An overview of recent legislation regarding DMV procedures. Time will be allotted for questions from participants.

3:35-3:45 p.m.

Break

3:45-5:00 p.m.

LEGISLATIVE UPDATE AND NUTS AND BOLTS SESSION

Moderator: Hon. Brenda Stoss, Salina

Panelists:

Hon. John Barker, Abilene

Hon. Ted Griffith, Wichita Hon, Jason Maxwell, Liberal Hon. Debra Anderson, Almena

This session will begin with a review of the 2016 legislative bills of interest to municipal courts. The panel will then discus questions submitted from conference participants regarding proper municipal court procedures. The panel will discuss these questions and provide feedback to judges regarding specific problem areas.

### TUESDAY, APRIL 19

8:00-9:00 a.m.

Breakfast

Wichita Ballroom

Ballroom

9:00-10:50 a.m.

CELL PHONE DISTRACTED DRIVING -

A NATIONAL PUBLIC HEALTH AND SAFETY EPIDEMIC

Hon, Fred W. Johnson, Oswego David Teater, Spring Lake, MI

This program will address the following:

- Kansas distracted driving law.
- The serious threat of vehicle crashes and their impact on society.
- The science of driver distraction and how mobile device use while driving degrades driver performance.

(Break at 9:50 - 10:00 a.m.)

10:50-11:00 a.m.

Break

## TUESDAY, APRIL 19 (continued)

11:00-11:50 a.m.

COLLATERAL CONSEQUENCES AND PLEA ADVISEMENTS

Hon. James Campbell, Ottawa Hon. Taylor Wine, Lyndon

To determine if a plea is knowing and voluntarily entered, the court is required to inquire of a defendant to insure the defendant understands their rights. After Padilla v. Commonwealth of Kentucky, 559 U.S. 356 (2010), there has been significant litigation in the lower courts about whether courts and attorneys are required to advise defendants about other consequences of convictions.

This presentation will discuss the implications of Padilla on Kansas municipal courts and provide guidance on the court's requirements when accepting a plea from a defendant and other possible consequences of a finding of guilt.

11:50 a.m.

Lunch

Wichita Ballroom

1:00-1:50 p.m.

THE ANATOMY OF A COMPLAINT

Stan Hazlett, Disciplinary Administrator

Stan Hazlett will provide an overview of the Kansas attorney disciplinary process from beginning to end, including:

Purpose of the lawyer disciplinary system Where complaints come from (Rule 209) Investigation of complaints Formal hearings Supreme Court hearings

1:50-2:00 p.m.

Break

2:00-2:50 p.m.

THE RULE OF LAW, THE JUSTICE SYSTEM AND THEIR ROLE IN CONSTITUTIONAL DEMOCRACY

Hon. Karen Arnold-Burger, Court of Appeals

The preamble to the Code of Professional Responsibility states that a lawyer, as a member of the legal profession "is a public citizen having special responsibility for the quality of justice." As a public citizen "a lawyer should seek improvement of the law, access to the legal system, the administration of justice and the quality of service rendered by the legal profession. In that capacity, a lawyer should "further the public's understanding of and confidence in the rule of law and the justice system because legal institutions in a constitutional democracy depend on popular participation and support to maintain their authority." This is an aspirational goal of all lawyers. In that regard, this presentation will help train lawyers to further the public's understanding and confidence in the rule of law by explaining the founding fathers' vision for the judicial branch of government.

2:50 p.m.

CONFERENCE ADJOURNS