

## CHAPTER IX. MUNICIPAL COURT

### Article 1. General Provisions

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#### ARTICLE 1. GENERAL PROVISIONS

- 9-101. MUNICIPAL COURT ESTABLISHED. There is hereby established a municipal court for the City of Roeland Park, Kansas. The municipal court shall have jurisdiction to hear and determine cases involving violations of the ordinances of the city. Search warrants shall not issue out of the municipal court. (Code 1977, 8-101; Code 1986)
- 9-102. SAME; OFFICERS. The officers of the municipal court shall be the municipal judge, the chief of police and the law enforcement officers of the city. (Code 1977, 8-102)
- 9-103. SAME; LOCATION. The municipal court shall be held at City Hall at 4600 West 51st Street, Roeland Park, Kansas. (Code 1977, 8-120)
- 9-104. SAME; PRACTICE AND PROCEDURE. The Kansas code of procedure for municipal courts, as set forth in K.S.A. 12-4101 et seq. and all acts amendatory or supplemental thereto shall govern the practice and procedure in all cases in the municipal court. (Code 1986)
- 9-105. MUNICIPAL JUDGE; ELECTION; COMPENSATION. The municipal court shall be presided over by a municipal judge. The judge of the municipal court shall be elected as provided in Chapter VI, Article 1. The municipal judge shall receive a salary as shall be fixed by ordinance. (Code 1986)
- 9-106. SAME; POWERS AND DUTIES. The municipal judge shall have such powers and duties as set forth in the Kansas code of procedure for municipal courts (K.S.A. 12-4101 et seq.) and all acts amendatory or supplemental thereto. (Code 1986)
- 9-107. SAME; ABSENCE; VACANCY; PRO TEM. In the event the municipal judge is temporarily unable to preside due to absence, illness or disqualification, the duly appointed municipal judge pro tempore shall perform the duties of the municipal judge as set forth herein. The judge pro tempore shall receive compensation as shall be provided by ordinance, payable in the same manner as the compensation of the regular municipal judge. In the event a vacancy shall occur in the office of municipal judge, the position shall be filled as provided in Charter Ordinance No. 5. (Code 1977, 8-110; Code 1986)
- 9-108. ATTENDANCE REQUIRED OF LAW ENFORCEMENT OFFICERS. The chief of police, by himself or herself, or deputy, shall attend all sessions of the municipal court. Law enforcement officers shall attend the sessions when the business of court requires attendance. (Code 1977, 8-104:5)

- 9-109. MUNICIPAL COURT BANK ACCOUNT. The municipal judge is hereby authorized to establish a bank account for the use of the municipal court which shall be separate and apart from any other bank account of the city, but which shall be subject to audit by the city treasurer and auditor. The municipal judge is further authorized to establish the necessary bookkeeping system and docket system in order to properly handle the money, cases and business of the court.  
(Code 1977, 8-106:107)
- 9-110. CLERK OF THE MUNICIPAL COURT. The governing body may provide for the office of clerk of the municipal court. The municipal judge shall appoint such clerk or if no clerk is provided for, the judge shall also serve as clerk. The clerk shall issue all process of the court, administer oaths, file and preserve all papers, docket cases and set same for trial and shall perform such further acts as may be necessary to carry out the duties and responsibilities of the court. The clerk shall receive, account for and pay to the city treasurer monthly all fines and forfeited bonds paid into the court. The clerk shall make reports to the judicial administrator and furnish the information when requested by that office.  
(Code 1977, 8-111; Code 1986)
- 9-111. COST. (a) No person shall be assessed costs for administration of justice in any municipal court case, except for witness fees and mileage as set forth in K.S.A. 12-4411.  
(b) There shall be taxed as costs the following fees:  
(1) Each witness shall receive the sum of \$2.50 for each day's attendance at any trial.  
(2) Such fees as may be charged by the sheriff of Johnson County for the execution of warrants issued by the municipal judge to be served outside Johnson County.  
(Code 1977, 8-113)
- 9-112. FAILURE TO APPEAR. (a) It shall be unlawful for any person, firm or corporation to fail to appear before the municipal court, when so required, as defined in this section.  
(b) For purposes of this section, failure to appear shall be defined as willfully incurring a forfeiture of an appearance bond and failure to surrender oneself within 30 days following the date of such forfeiture by one who is charged with a violation of the laws of the city and has been released on bond for appearance before the municipal court for trial or other proceeding prior to conviction, or willfully incurring a forfeiture of an appearance bond and failing to surrender oneself within 30 days after his or her conviction of a violation of the laws of the city, has become final by one who has been released on an appearance bond by any court of this state.  
(c) Any person who is released upon his or her own recognizance, without surety, or who fails to appear in response to a summons, notice to appear, or traffic citation duly served upon him or her personally shall be deemed a person released on bond for appearance within the meaning of subsection (b) of this section.  
(d) Failure to appear, upon conviction thereof, shall be punishable by incarceration for up to 30 days and/or a fine of up to \$250.00.  
(Code 1986)