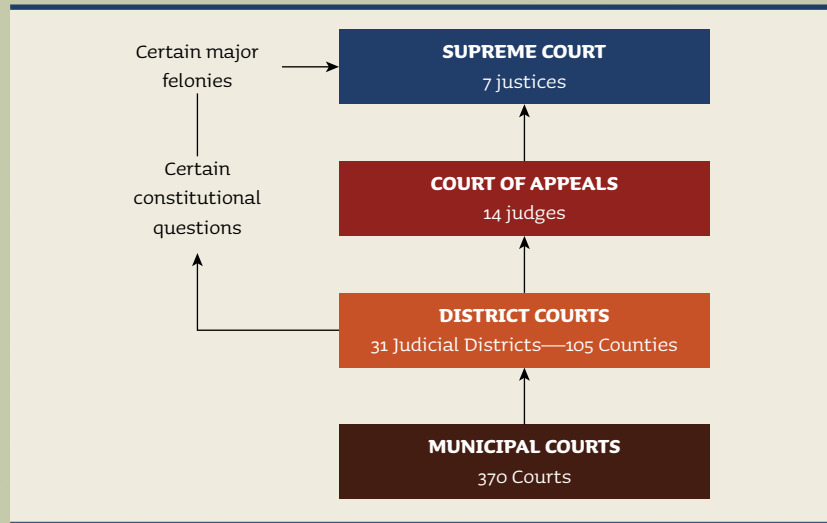


TEXAS VS KANSAS

Kansas Court System



Source: Kansas Judicial Branch, <http://www.kscourts.org/pdf/ctchart.pdf> (accessed July 2, 2014).

While the Texas court system is multi-layered and complex as a result of the many different types of courts and courts with concurrent jurisdiction, the court system in Kansas is much less challenging to understand. For example, the Kansas court system contains only four types of courts: municipal, district, a court of appeal, and a supreme court. Compare this to Texas with its municipal courts, justice of the peace courts, county courts, district courts, fourteen courts of appeal, and two supreme courts. Unlike in Texas, courts in Kansas typically have exclusive jurisdiction over cases. Thus, jurisdiction in Kansas's court system is much more straightforward than that of Texas.

The lowest level of court in Kansas is the municipal court. Like Texas, municipal courts in Kansas exist to try cases arising from violations of city ordinances, such as traffic violations. These courts lack juries to assist in deciding the cases. There are over 370 such courts in Kansas, compared to 926 in Texas. At the next level are district courts, which serve as original jurisdiction courts for violations of state law, both civil and criminal. District courts in Kansas have exclusive jurisdiction over cases involving minors and domestic relations, even when they arise under municipal ordinances, and they hear appeals from municipal courts. Cases at the district level are typically heard by a jury. There are thirty-one district courts, each covering one or more counties in Kansas. Approximately 250 judges serve these courts. District courts in Texas have original jurisdiction over divorces, land title claims, slander, and contested elections. Compared to Kansas, however, their jurisdiction is much less clear, since they have concurrent jurisdiction with both justice of the peace courts and county courts and their jurisdiction can vary depending on what other courts are in the area.

The next level of court in Kansas is the court of appeals. Unlike Texas, which has fourteen courts of appeal that hear cases from lower courts in specific geographic areas of Texas, Kansas has a single court that hears appeals from all district courts across the state. The only cases that this court does not hear are cases involving the death penalty and other major felonies. As in Texas, these cases are appealed from the district court directly to the state's highest court. Significant questions of rights of citizens and powers of the state government are appealed directly from the district court to the Kansas Supreme Court as well. A total of fourteen judges sit on

the Kansas Court of Appeals, hearing cases in panels that are usually comprised of three judges.

Unlike the Texas system, which has separate top courts for civil and criminal appeals, Kansas has a single supreme court. The Kansas Supreme Court hears both civil and criminal appeals from the Kansas Court of Appeals as well as death penalty cases appealed from district court. The court contains seven justices who sit en banc, meaning all seven justices sit for all cases that the court hears. The court also hears appeals on decisions made by administrative agencies of the state. For example, a decision by the Kansas Department of Health to deny a child from a low-income family access to the state's insurance program would be appealed to the Kansas Supreme Court.

The figure in this box shows the organizational structure of the Kansas court system. Compare this box with how Texas Government Works on page 224, which illustrates the complexity of the Texas court system.

THINKING Critically

- ★ What advantages exist to the simplistic structure of the Kansas court system?
- ★ What disadvantages exist to the complex structure of the Texas court system?
- ★ Is Texas better served by having two high courts, or is Kansas better served by having a single supreme court?