



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

January 17, 1975

Opinion No. 75- 17

Mr. Jim W. Ryan
County Attorney
509 Court Street
Clay Center, Kansas 67432

Dear Mr. Ryan:

We have your letter of January 13, enclosing a copy of your opinion of the same date addressed to the Board of County Commissioners of Clay County, concerning the salary of the Clay County Probate Judge. In your opinion, you set out the applicable facts and statutory law with brevity and great clarity. Your conclusion is manifestly correct.

We have had occasion during recent months to issue a number of opinions concerning salaries of probate judges in a number of counties. Some confusion has resulted from the error in ch. 361, § 53, L. 1974, amending K.S.A. 1973 Supp. 59-215, as applicable to counties with populations of more than 15,000 and not more than 24,000. We have concluded in each instance that the sum of \$13,000 is payable to probate judges in counties with populations of more than 10,000 and not more than 24,000. Clay County being adjacent to a county in which there is located all or in part an active military establishment which results in added duties for the probate judge, the authorized increment is applicable, as you concluded. If further questions should arise concerning this matter, please feel free to call upon us.

Yours very truly,

CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj