



STATE OF KANSAS

Office of the Attorney General

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Curt T. Schneider
Attorney General

August 29, 1978

ATTORNEY GENERAL OPINION NO. 78- 276

Ms. Kathern E. Krier
Clerk of the District Court
Osborne County Courthouse
Osborne, Kansas 67473

Re: Libraries--Law Library Funds--Expenditures

Synopsis: Monies in the law library fund derived from registration fees and other monies provided by law for the operation and maintenance of the law library may not be expended to defray the costs of a luncheon held by members of the bar of a county to honor a newly appointed district judge.

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Dear Ms. Krier:

As Clerk of the District Court for Osborne County, and as treasurer of the Osborne County law library, you inquire concerning a statement which has been presented to you for payment from the law library fund.

As you state, Charles E. Worden was recently appointed district judge of the Seventeenth Judicial District, to succeed Judge Marvin Meyer. The attorneys of Osborne County sponsored a luncheon honoring Judge Worden upon his first day in Osborne County, and the bill for that luncheon was subsequently presented to you for payment from the law library fund. You indicate that some of the attorneys who serve as trustees for the library believe that the bill may be paid from that fund, and that some do not.

Accordingly, you request my opinion on the question. There appears to be at least three separate statutory enactments under

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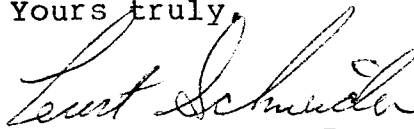
which county law libraries may be established, including K.S.A. 19-1308 *et seq.*, K.S.A. 19-1314 *et seq.*, and K.S.A. 19-1319 *et seq.* K.S.A. 19-1309 *e.g.*, directs that all "fees paid by attorneys for registration, and all other sums donated or provided by law" shall be used "for the purpose of establishing and maintaining a library in the county courthouse or other suitable place" K.S.A. 19-1318 likewise makes similar provision:

"All fees paid by the attorneys as a registration fee, and all other fees paid as a filing fee, and all sums donated, or provided by law, shall be used by said trustees for the purpose of acquiring, purchasing, establishing, maintaining, providing and operating a law library"

K.S.A. 19-1320 contains a virtually identical provision.

It is difficult to discern the remotest relation between a luncheon by members of the county bar honoring a newly appointed district judge, and the operation and maintenance of the law library. The law library fund is just that, and not a hospitality fund. It must be devoted exclusively to the operation and maintenance of the law library. In my judgment, monies in the law library fund derived from registration fees and other monies provided by law for that fund may not be used to pay the expenses of the luncheon in question.

Yours truly,


CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj