



STATE OF KANSAS

## Office of the Attorney General

1st Floor, State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

**Curt T. Schneider**  
Attorney General

June 10, 1977

ATTORNEY GENERAL OPINION NO. 77- 189

Mr. Vernon D. Grassie  
Assistant County Attorney  
Judicial Center  
Fourth and Pine  
Pittsburg, Kansas 66762

Re: Courts--Fees--Criminal Cases

Synopsis: Under K.S.A. 1976 Supp. 28-172a(c), the balance of the docket fee remaining after payment of statutory charges for judges' retirement, stenographer, law library and bar docket fee are to be paid into the county general fund, and not into separate funds of either the sheriff or the district court clerk.

\* \* \*

Dear Mr. Grassie:

K.S.A. 1976 Supp. 28-172a provides for the docket fee to be taxed in criminal cases. Subsection (c) provides in pertinent part thus:

*"Statutory charges for judges' retirement, stenographer, law library and the bar docket fee shall be paid from the docket fee, and the balance of such fee shall be paid to the county general fund for reimbursement for the services of the clerk and the sheriff."*  
[Emphasis supplied.]

You inquire whether the balance which is to be paid to the general fund "for reimbursement for the services of the clerk and sheriff"

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is to be paid to the general fund, or whether it is to be credited to the offices of the sheriff and district court clerk. In my opinion, the balance is to be paid into the general fund of the county as reimbursement to the county for the services of the clerk and sheriff, and not as reimbursement to the clerk and sheriff themselves.

Yours truly,

A handwritten signature in cursive script, appearing to read "Curt Schneider".

CURT T. SCHNEIDER  
Attorney General

CTS:JRM:kj