

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

*Bench-Bar Committee Meeting
October 16, 2025, at 11:00 a.m.
Kansas City, KS*

IN ATTENDANCE:

Honorable John W. Broomes, Chief Judge
Honorable Daniel D. Crabtree, Judge, Chair
Honorable Holly L. Teeter, Judge
Honorable Toby Crouse, Judge
Honorable Teresa J. James, Magistrate Judge
Honorable Angel D. Mitchell, Magistrate Judge
Skyler B. O'Hara, Clerk of Court
Ryan Kriegshauser, U.S. Attorney
Daniel Hansmeier, Federal Public Defender
Timothy M. O'Brien, Chair, Bench-Bar Committee, Kansas Bar Association
Jennifer B. Wieland, Esq.
Kate Marples Simpson, Esq.
Terelle A. Mock, Esq.
Teresa L. Shulda, Esq.
Kathryn Sheedy, Esq.
Jeffrey Kuhlman, Esq.
Branden Bell, Esq.
Misty Deaton, Courtroom Deputy
Stephanie Mickelsen, Chief Deputy Clerk

NOT PRESENT:

Honorable Dale L. Somers, Chief Bankruptcy Judge
Jennifer Hill, Esq.
Sarah Steen Ruane, Esq.

MEETING MINUTES:

1) WELCOME

Judge Daniel Crabtree welcomed the committee members. Due to time constraints, he called on Judge Toby Crouse to present the report on the court history display project.

2) COURT HISTORY DISPLAY

Judge Crouse reviewed the background and progress of the court history display project. The Court History Committee was tasked with updating the judicial and court's history panels displayed in the hallways of the three courthouses. Designers at Studio Tectonic, a firm that has helped organizations and other federal courts tell their stories, have had opportunities to meet in person with Judge Broomes, Judge Crouse, Judge Somers, and clerk's office staff, and conducted a site visit in each of the courthouses. From those visits, the designers have developed a graphical design direction that will be used in all three courthouses.

The Court History Committee reviewed a few design options, and selected the design provided in today's meeting materials – a blue modern design. Judge Crouse asked the committee to review this selection and provide input that will be shared with the board of judges at the fall meeting. The proposed budget from Studio Tectonic for the next phases of the project will be provided to the committee later.

Judge Crabtree asked about the timeline for installation. Judge Crouse estimated that content and specifications for fabrication may be developed in FY 2026, and fabrication and installation may begin in FY 2027.

3) OPENING REMARKS AND INTRODUCTIONS

Judge Crabtree thanked the committee for their flexibility in meeting in KC while the federal government is shutdown. Committee members introduced themselves. Judge Crabtree recognized Judge Teresa James's service on the bench and the Bench-Bar Committee, as she prepares to retire in early 2026.

4) BAR FUND UPDATE

Skyler O'Hara directed the committee's attention to the FY 2025 Budget to Actual Report. She observed that revenue was higher than budgeted this past year, as we saw more attorneys reinstate after not filing their annual registration in FY 2024, when the registration system was replaced. She shared that a placeholder in the FY 2025 budget for estimated expenses of \$250,000 in the court history display project is not carried forward into the Proposed FY 2026 Budget. Instead, we will await estimates from Studio Tectonic for upcoming phases of the project, seek the committee's approval, and update the budget as needed at that time.

Ms. O'Hara asked that the committee review the Proposed FY 2026 Budget. Kate Simpson moved to approve, Terrelle Mock seconded the motion, and the motion passed unanimously.

5) CHIEF JUDGE REPORT

Chief Judge John W. Broomes introduced himself to the committee, shared his professional history, and expressed his respect for and support of the Bench-Bar Committee. He said that the court is eagerly awaiting information about nominees for three openings on the district court bench, for Judges Robinson, Melgren, and Crabtree, who are in senior judge status. He said we may not see confirmations for those positions until Spring or Summer 2026.

Judge Broomes shared that the work to fill Judge James's position has begun. The court empaneled a selection committee and identified interviews scheduled for later this month. The judges' interviews will be in November and a candidate will be identified at that time, so they are ready to take over once Judge James retires in January 2026.

Judge Broomes shared an update on the government shutdown. The court is at the end of Phase 1 and expected to enter Phase 2 next week. The court is out of money to pay salaries and is cutting out non-essential events. Jennifer Wieland asked about the effect of the shutdown on the court's calendar.

Judge Broomes emphasized that the court is committed to pressing forward on all essential and nascent needs, including criminal cases and emergency civil matters. The court is trying to balance the work with employee needs and use furloughs to provide flexibility during a time of no pay, including keeping Fridays open to every extent possible. Magistrate judges have moved to a Monday-Thursday docket.

Judge Broomes stressed the need for civil discourse, and the importance of peaceful, respectful, productive discussions, even when we might disagree.

6) APPROVAL OF APRIL 25, 2025, MEETING MINUTES

Terrelle Mock moved to approve the minutes as written, and Jeffrey Kuhlman seconded the motion, and the motion passed unanimously.

7) LOCAL RULES AND AI SUBCOMMITTEE UPDATE

Judge Angel Mitchell provided an update on the status of a few local rules discussed at the April Bench-Bar Committee meeting:

- a) **Rule 5.1 Form and Pleading of Papers**—proposed changes were approved by the board of judges.
- b) **Comments on the Scheduling Order**—proposed change to language for summary judgment process will not be adopted.
- c) **Rule 6.1 Time**—judges are continuing to discuss Rule 29 stipulations.
- d) **Rule 79.4 Sealed Files and Documents in Civil Cases**—the committee proposed suspending this rule in the April meeting. Judges approved and issued Standing Order 25-03.

Judge Mitchell reported that the Artificial Intelligence (AI) Sub-Committee, consisting of Judge Mitchell, Judge Rachel Schwartz, Jennifer Wieland, and Jennifer Hill, met about AI issues in the federal court system. The sub-committee will be providing proposed language in the form of a

Standing Order for the next board of judges meeting. The order would caution litigants that the court has the prerogative to impose consequences on litigants whose filings contain fake citations. A Standing Order would provide flexibility for addressing an issue and provide a warning of the risks of using of AI and entering confidential information into AI tools. A judge *sua sponte* could strike an offending pleading, or require a certification that citations were verified. The sub-committee is considering adding language to protective orders about AI sourcing.

The committee discussed how the court identifies the use of AI. Judges shared that the use is most evident with pro se filers, who might not know that information they have submitted is incorrect. Committee members shared that Johnson County and Shawnee County have implemented certification requirements regarding AI but noted that it is not easy to determine what AI is—for example, some people view certain Westlaw tools and Spellcheck functions AI. Judge Mitchell described recent sanctions issued to junior and senior partners in cases where incorrect information was filed, after relying on AI. Judge Mitchell offered that asking filers to certify that they checked the accuracy of their work might prove more useful than asking filers to certify whether an AI tool was used to draft a document.

8) ACCESS, SERVICE, & MANAGEMENT OF SEALED DOCUMENTS

Skyler O'Hara shared that the court recently entered Standing Order 25-04 IN RE: Access, Service, and Management of Sealed Documents in response to a cyber-attack on the national filing system, CM/ECF. The clerk's office has been providing paper notice of service due to the change in processing sealed filings. We have reviewed the legal consequences attendant to service of process, including the federal rule that directs the use of the electronic filing system for noticing, or, alternatively, to request and provide consent for noticing in every case. We reviewed the acknowledgments in the PACER registration process, where attorneys and non-attorneys' consent to service by electronic means. Ms.

O'Hara solicited the committee's thoughts about relying on that acknowledgment to use electronic notice of service. Members of the committee responded that the PACER acknowledgment seems to allow the court to provide notice of service electronically. Judge Broomes said he would share that response with the board of judges.

Ms. O'Hara described other challenges with recent changes to the sealed document storage and retrieval processes—filers continue to file sealed documents as they normally do, but difficulties arise from the process that the court uses to provide sealed orders to parties.

9) ATTORNEY RENEWAL UPDATE

Skyler O'Hara shared that we have nearly 5,000 attorneys registered as members of the federal bar in Kansas.

10) KBA UPDATE

Chair of the Bench-Bar Committee at the Kansas Bar Association (KBA) Tim O'Brien shared updates on activities of the KBA. A primary focus of the KBA and the Kansas Rural Justice Initiative is working to address the extreme shortage of rural lawyers. This initiative is concentrating on a rural attorney training program, tuition reimbursement incentives, student loan repayment, and providing other resources, including mentors to rural lawyers. The effort includes collaborating with the University of Kansas and Washburn University law schools to encourage students to practice in Western Kansas. The KBA is also working on the referendum deciding whether Kansas should change the method for selecting Kansas supreme court justices.

11) SELECTION OF NEW MEMBERS

Judge Crabtree outlined the process for selecting new members of the committee, including that the discussion is kept confidential. The committee discussed the applications submitted and shared their thoughts for Judge Crabtree to convey to the board of judges.

12) RECOGNITION OF DEPARTING MEMBERS

Judge Crabtree presented certificates and expressed his thanks to committee members whose terms expire in December: Jennifer Wieland, Kate Simpson, and Jennifer Hill.

The meeting was adjourned at 2:00 p.m.

Respectfully submitted,

Stephanie Mickelsen