

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

IN RE:)
) STANDING ORDER 26-02
CRIMINAL INITIAL APPEARANCES)

STANDING ORDER

This standing order memorializes this district's approach to initial appearances in criminal cases.

The District of Kansas has historically offered criminal dockets in three divisions: Kansas City; Topeka; and Wichita. Federal Rules of Criminal Procedure 5 and 32.1 place the burden on a person making an arrest to take a defendant before a magistrate judge "without unnecessary delay[.]" Although defendants in this district often have had their initial appearances in the division to which the case is assigned, the rules do not require that a defendant appear in a specific division. Newly arrested defendants may have their initial appearances in any division necessary to ensure compliance with the Federal Rules. After the initial appearance, any subsequent detention hearing generally will occur in the division to which the case is assigned.

Each division's criminal dockets may vary weekly depending on the on-duty magistrate judge and location, but an initial appearance docket generally will be available in the district on all days when court is open. When a new arrest occurs that requires an initial appearance, the United States Attorney's Office must ensure that the appropriate magistrate judge's courtroom deputy clerk ("CRD") and defense counsel (if already assigned or Criminal Justice Act Resource Counsel if not) are promptly notified of the date, time, and courthouse for the anticipated appearance, the estimated time the defendant will arrive at the courthouse and any interpreter needs. Each CRD may respond to this initial email with additional information regarding the initial appearance.

Finally, consistent with the district's Criminal Justice Act Plan ("CJA Plan"), if the defendant intends to ask the court to appoint counsel, it will be defense counsel's responsibility to provide the defendant's completed and signed financial affidavit to the appropriate magistrate judge's CRD in advance of the initial appearance. *See, e.g.*, CJA Plan § IV(B)(1)(c)(ii).

This order will remain in effect until further order of the Court.

IT IS SO ORDERED this 12th day of February, 2026.

s/John W. Broomes
JOHN W. BROOMES
CHIEF UNITED STATES DISTRICT JUDGE