

Rule 8.01

TRANSFER TO SUPREME COURT ON CERTIFICATE

- (a) **Court of Appeals May Request Transfer.** The Court of Appeals may request that an undetermined case pending before it be transferred to the Supreme Court for final determination.
- (b) **Form and Content of Request.** A request for transfer under this rule must be by certificate of the chief judge of the Court of Appeals and filed with the clerk of the appellate courts. The certificate must:
 - (1) state the nature of the case;
 - (2) demonstrate that the case is within the jurisdiction of the Supreme Court; and
 - (3) show the existence of one or more of the grounds for transfer specified in K.S.A. 20-3016(a) by specifying:
 - (A) the issue or issues not within the jurisdiction of the Court of Appeals, with citation to controlling constitutional, statutory, or case authority;
 - (B) the subject matter of the case that has significant public interest;
 - (C) the particular legal question raised that has major public significance; or
 - (D) sufficient data concerning the state of the docket of the Court of Appeals and of the Supreme Court to demonstrate that the expeditious administration of justice requires the transfer.

[History: Restyled rule effective July 1, 2012; Am. (b) effective December 19, 2016.]