



Kansas Justice Institute Defends Newspaper's First Amendment Right to Access Court Records

Kansas Justice Institute submits brief in Linn County District Court supporting newspaper

Mound City, Kansas – Kansas Justice Institute (KJI) authored a brief in support of the Linn County News, defending the newspaper's First Amendment right to access certain court records.

In December 2025, a reporter from the Linn County News requested access to routine court records in a high-profile criminal case involving the death of a teenage boy. But the request was denied under a recently enacted state statute, K.S.A. § 60-2617(a). The statute requires the automatic sealing of all criminal complaints, irrespective of the facts, and without exception, until an arrest warrant is returned. The statute prevents court personnel from even acknowledging the existence of such cases. The statute also directly contradicts Kansas Supreme Court Rule 22(d)(15), which requires criminal complaints to remain open to the public by default.

"Kansas's automatic-sealing statute violates the First Amendment. For more than forty years, the United States Supreme Court has declared that courtrooms must remain open to the public. Automatically sealing court records, irrespective of the facts, violates the First Amendment," said Sam MacRoberts, KJI Litigation Director.

"This case is important because openness and transparency are necessary components of a well-functioning criminal justice system," MacRoberts continued.

KJI's [brief](#) can be found here.

KJI is a free public-interest law firm committed to protecting constitutional rights and fighting government overreach. KJI's First Amendment work includes successfully suing the State of Kansas over its raw milk advertising prohibition, and suing the City of Salina because it prevented The Cozy Inn from finishing its UFO-themed mural.

KJI's brief was submitted in Walker Publishing v. Smith, et al, LN-2026-CV-000031, which is being argued by attorney Max Kautsch. The district court has not issued a public ruling on whether to accept the amicus brief.

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