

(Vetoed by the Governor)

This bill changes the laws regarding judicial circuits. The bill:

(1) Allows Buchanan County to prosecute and punish violations of its county orders in the Circuit Court of Buchanan County or in the county municipal court if the creation of a county municipal court is approved by order of the Buchanan County Commission;

(2) Specifies that any juvenile court employee in a single county circuit that changed from a multi-county circuit on or after August 28, 2015, must be considered a state employee; receive state-provided benefits, including retirement benefits from the state retirement plan; and not be subject to the rules regarding multi-county circuit court juvenile officers;

(3) Allows the presiding judge of a circuit with a diagnostic and reception center operated by the Department of Corrections and a mental health facility operated by the Department of Mental Health as of January 1, 2015, that houses individuals found not guilty of a crime by reason of mental disease or defect and provides sex offender rehabilitation and treatment services to appoint a circuit court marshal;

(4) Divides the current 38th Judicial Circuit into two circuits. Beginning January 1, 2017, Christian County will remain within the 38th Judicial Circuit while Taney County will be in the newly created 46th Judicial Circuit. Each circuit must have one circuit judge. The circuit judge in the 46th Judicial Circuit must be elected in 2016 for a two-year term and thereafter in 2018 for a full six-year term;

(5) Specifies that when an annual judicial performance report indicates for three consecutive years a judicial circuit with a population of 100,000 people or more is in need of four or more full-time judicial positions, there must be one additional circuit judge position authorized in that circuit, subject to appropriations;

(6) Moves Division 12 in the 16th Judicial Circuit from Kansas City to the City of Independence;

(7) Requires, by September 1, 2015, the presiding judge of the circuit court in which the municipal division is located to report its name and address and any other requested information to the Clerk of the Missouri Supreme Court. If a municipality elects to abolish or establish a municipal division, the presiding judge of

the circuit court in which the municipal division is located must notify the clerk, and the presiding judge of any new municipal division must complete the required report within 90 days of its establishment;

(8) Requires the Supreme Court to develop rules regarding conflict of interest rules for any prosecutor, defense attorney, or judge that has a pending case before the municipal division of any circuit court;

(9) Requires a surcharge of up to \$10, in addition to all court fees and costs, to be assessed in each court proceeding filed in any court within any judicial circuit composed of a single non-charter county in all civil and criminal cases with specified exceptions to fund the development of a justice center in the county. The moneys collected from the surcharge must be deposited into a justice center fund and only be used for the costs associated with the land assemblage and purchase, planning, construction, maintenance, and operation of any county or municipal judicial facility or justice center. The bill repeals the provision of law requiring any funds not needed for the operating costs of the county or municipal judicial facility to be transferred quarterly to the political subdivision's general revenue fund and requires the political subdivision to maintain records identifying all funds received and expenditures made from its justice center fund;

(10) Creates the Jasper County Judicial Fund for the purpose of funding a county juvenile center and the county judicial facility in Jasper County. Court proceedings in the 29th Judicial Circuit must have a specified surcharge assessed in all civil cases, misdemeanor criminal cases, and felony criminal cases, with specified exceptions, with those moneys being deposited into the fund. The judge presiding over the case may waive the surcharge if the defendant is found to be indigent and unable to pay the costs. These provisions expire on August 28, 2025;

(11) Specifies that in addition to all other court costs, a surcharge of up to \$10 must be assessed as costs in each civil or criminal proceeding, excluding violations of traffic laws or ordinances, filed in Howell County except in any proceeding when the proceeding or defendant has been dismissed by the court or the costs are to be paid by the state, county, or municipality. For violations of the criminal laws of the state or county ordinances, including infractions, a surcharge must not be collected unless it is authorized by the municipal government where the violation occurred. The moneys collected from the surcharge must be deposited into a justice center fund and only used for the costs associated with the land assemblage and purchase, planning,

construction, maintenance, and operation of any county or municipal judicial facility or justice center. These provisions expire on August 28, 2025;

(12) Specifies that in addition to all other court costs, a surcharge of up to \$10 must be assessed as costs in each criminal or civil proceeding, excluding violations of traffic laws or ordinances filed in Cape Girardeau County except in any proceeding when the proceeding or defendant has been dismissed by the court or the costs are to be paid by the state, county, or municipality. For violations of the criminal laws of the state or county ordinances, including infractions, a surcharge must not be collected unless it is authorized by the municipal government where the violation occurred. The moneys collected from the surcharge must be deposited into a justice center fund and only be used for the costs associated with the land assemblage and purchase, planning, construction, maintenance, and operation of any county or municipal judicial facility or justice center;

(13) Extends the deadline when the Director of the Missouri State Public Defender System must implement a plan to establish district offices that align with judicial circuit boundaries from December 31, 2018, to December 31, 2021;

(14) Specifies that the Director of the Missouri State Public Defender System may delegate the legal representation of an eligible person to any member of the Missouri Bar. Currently, the director may delegate the legal representation of any individual to any member of the Missouri Bar; and

(15) Repeals the provisions regarding the appointment of a janitor-messenger in the circuit court of the City of St. Louis.