

HCS HB 613 -- COURT PROCEDURES

SPONSOR: Byrd

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Judiciary by a vote of 18 to 0.

This substitute changes various provisions relating to court procedures. In its main provisions, the substitute:

- (1) Amends the statute on time computation in civil cases to exactly match the corresponding Supreme Court rule;
- (2) Amends the process for filling vacancies of any unexpired term on the executive council of the judicial conference;
- (3) Allows for legislative continuances in court during special and veto sessions and during interim committee assignments;
- (4) Eliminates, effective January 1, 2004, any requirement that petitioners for protection orders provide their Social Security numbers on petitions or case documents, although courts may require petitioners to provide the number on confidential case sheets;
- (5) Allows a party to a contested case with a state agency to apply to a court for enforcement of a subpoena. Current law allows only the agency to seek court enforcement. The substitute also allows the agency or any party to intervene in an enforcement action;
- (6) Removes the requirement that a transcript judgment be filed with the circuit clerk before a judgment entered by an associate division of the circuit court becomes a lien on real property; and
- (7) Requires, beginning July 1, 2004, that the names on the master jury list be chosen from certain source lists. The names of potential jurors on the list are public record.

FISCAL NOTE: Estimated Net Income to Statewide Court Automated Fund of \$3,708,333 in FY 2004, \$4,450,000 in FY 2005, and \$0 in FY 2006.

PROPOSERS: Supporters say that the bill removes a lot of redundancy and confusion from various court procedure provisions.

Testifying for the bill were Representative Byrd; Missouri Coalition Against Domestic Violence; and Supreme Court of Missouri.

OPPOSITION: There was no opposition voiced to the committee.

Julie Jinkens McNitt, Legislative Analyst