

CCS SCS HCS HB 613 -- COURT PROCEDURES

This bill revises court procedures. In its main provisions, the bill:

(1) Allows the State Highway Patrol to establish procedures for receiving criminal history requests from courts and other entities and allows those entities to pay for them by electronic means (Section 43.530, RSMo);

(2) Imposes a time limit on handing down Judicial Finance Commission opinions (Section 50.640);

(3) Repeals duplicate language moved to another chapter (Section 57.290);

(4) Requires the Division of Family Services to notify only one parent of an alleged abused child prior to interviewing the child and prohibits the division from meeting with the child at the child's school or child care facility (Section 210.145);

(5) Requires in a dissolution of marriage proceeding that an entry of appearance filed by the respondent be notarized (Section 452.311);

(6) Deletes duplicate language requiring that income-withholding orders be filed with circuit clerks in child support cases (Section 454.505);

(7) Provides that filing fees will not be assessed to petitioners in actions seeking protective orders (Sections 455.027 and 455.504);

(8) 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 (Section 455.030);

(9) Modifies the types of case dispositions that must be reported to the Missouri Uniform Law Enforcement System (Section 455.516);

(10) Requires moneys received in connection with the preparation of court transcripts to be deposited in the court administration revolving fund (Section 476.058);

(11) Amends the process for filling vacancies of any unexpired term on the executive council of the judicial conference (Section 476.340);

(12) Allows the fine collection center to accept littering tickets (Section 476.385);

(13) Modifies the annual report of the Judicial Finance Commission to include separate information on all divisions of the circuit court of each county, including the probate division (Section 477.600);

(14) Removes a duplicate requirement of notifying the Office of State Courts Administrator when a circuit court chooses to modify its law library surcharge (Section 488.426);

(15) Allows moneys collected as court costs for the purpose of maintaining a law library to be used for courtroom renovation and technology enhancement in Butler and Ripley counties (Section 488.429);

(16) Provides that judgments collected in juvenile proceedings are payable to the family services and justice fund. Surcharges will not be assessed to petitioners in adult abuse cases, but may be assessed against respondents (Section 488.2300);

(17) Clarifies incorrect cross-references (Sections 488.4014 and 488.5320);

(18) Corrects a provision regarding a surcharge assessed in criminal cases for the Crime Victims' Compensation Fund. Legislation in 2001 raised this surcharge from \$5 to \$7.50. This section, which also refers to the surcharge, was mistakenly omitted from that bill (Section 488.5339);

(19) Allows witnesses a fee of \$25 per day plus mileage. Under current law, witness fees are determined by guidelines promulgated by the Missouri Supreme Court (Section 491.280);

(20) 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 (Section 494.410);

(21) Amends the statute on time computation in civil cases to exactly match the corresponding Supreme Court rule (Section 506.060);

(22) Allows for legislative continuances in court during special and veto sessions and during interim committee assignments (Section 510.120);

(23) Prohibits administrative agencies from amending or modifying judgments or decrees entered by courts of competent

jurisdiction (Section 511.350);

(24) Makes grammatical and technical clarifications (Sections 511.510 and 512.180);

(25) Changes from \$8,000 to \$15,000 the value of the exemption of a homestead from attachment (Section 513.475);

(26) 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 bill also allows the agency or any party to intervene in an enforcement action (Section 536.077); and

(27) Requires that names of grand jurors be chosen from the master jury list instead of the old grand jury list (Section 540.021).