

FIRST REGULAR SESSION

HOUSE BILL NO. 747

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DIXON.

Read 1st time March 9, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1888L.011

AN ACT

To repeal section 487.020, RSMo, and to enact in lieu thereof one new section relating to appointment of an additional family court commissioner in the thirty-first judicial circuit.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 487.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 487.020, to read as follows:

487.020. 1. In each circuit or a county having a family court, a majority of the circuit and associate circuit judges en banc, in the circuit, may appoint commissioners, subject to appropriations, to hear family court cases and make findings as provided for in sections 487.010 to 487.190. Any person serving as a commissioner of the juvenile division of the circuit court on August 28, 1993, shall become a commissioner of the family court. In each circuit or a county therein having a family court, a majority of the circuit and associate circuit judges en banc may appoint, in addition to those commissioners serving as commissioners of the juvenile division and becoming commissioners of the family court pursuant to the provisions of sections 487.020 to 487.040, no more than three additional commissioners to hear family court cases and make findings and recommendations as provided in sections 487.010 to 487.190. The number of additional commissioners added as a result of the provisions of sections 487.010 to 487.190 may be appointed only to the extent that the state is reimbursed for the salaries of the commissioners as provided in sections 487.010 to 487.190 or by federal or county funds or by gifts or grants made for such purposes. A commissioner shall be appointed for a term of four years. Commissioners appointed pursuant to sections 487.020 to 487.040 shall serve in addition to circuit judges, associate circuit court judges and commissioners authorized to hear actions

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 classified under section 487.080.

18 2. The circuit court in the eleventh judicial circuit may, in substitution of a family court
19 commissioner currently appointed pursuant to this section whose salary is reimbursable, appoint
20 one family court commissioner whose compensation shall be payable by the state without
21 necessity of reimbursement. The provisions of this subsection shall not be construed to allow
22 appointment of a family court commissioner in addition to the number of such family court
23 commissioners holding office in the eleventh judicial circuit as of January 1, 1999, and the
24 appointment of the state-paid commissioner shall be subject to appropriations for such purpose.

25 3. Each commissioner of the family court shall possess the same qualifications as a
26 circuit judge. The compensation and retirement benefits of each commissioner shall be the same
27 as that of an associate circuit judge, payable in the same manner and from the same source as that
28 of an associate circuit judge.

29 **4. The circuit court in the thirty-first judicial circuit may, in addition to the**
30 **allowable number of family court commissioners appointed under the provisions of**
31 **subsection 1 of this section, appoint a family court commissioner whose sole responsibility**
32 **shall be the adjudication of child support cases brought under Title IV-D of the Social**
33 **Security Act and whose compensation shall be payable by the division of family services.**
34 **The funding for such appointment shall be solely from federal funds received by the state.**