

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND Senate Bill No. 735, Page 1, In the Title, Line 3, by deleting the phrase "office space for  
2 the state public defender" and inserting in lieu thereof the phrase "judicial proceedings"; and  
3

4 Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line  
5 the following:  
6

7 "476.055. 1. There is hereby established in the state treasury the "Statewide Court  
8 Automation Fund". All moneys collected pursuant to section 488.027, as well as gifts,  
9 contributions, devises, bequests, and grants received relating to automation of judicial record  
10 keeping, and moneys received by the judicial system for the dissemination of information and sales  
11 of publications developed relating to automation of judicial record keeping, shall be credited to the  
12 fund. Moneys credited to this fund may only be used for the purposes set forth in this section and as  
13 appropriated by the general assembly. Any unexpended balance remaining in the statewide court  
14 automation fund at the end of each biennium shall not be subject to the provisions of section 33.080  
15 requiring the transfer of such unexpended balance to general revenue; except that, any unexpended  
16 balance remaining in the fund on September 1, [2018] 2023, shall be transferred to general revenue.  
17

18 2. The statewide court automation fund shall be administered by a court automation  
19 committee consisting of the following: the chief justice of the supreme court, a judge from the  
20 court of appeals, four circuit judges, four associate circuit judges, four employees of the circuit  
21 court, the commissioner of administration, two members of the house of representatives appointed  
22 by the speaker of the house, two members of the senate appointed by the president pro tem of the  
23 senate, the executive director of the Missouri office of prosecution services, the director of the state  
24 public defender system, and two members of the Missouri Bar. The judge members and employee  
25 members shall be appointed by the chief justice. The commissioner of administration shall serve ex  
26 officio. The members of the Missouri Bar shall be appointed by the board of governors of the  
27 Missouri Bar. Any member of the committee may designate another person to serve on the  
28 committee in place of the committee member.

29 3. The committee shall develop and implement a plan for a statewide court automation  
30 system. The committee shall have the authority to hire consultants, review systems in other  
31 jurisdictions and purchase goods and services to administer the provisions of this section. The  
32 committee may implement one or more pilot projects in the state for the purposes of determining the  
33 feasibility of developing and implementing such plan. The members of the committee shall be  
34 reimbursed from the court automation fund for their actual expenses in performing their official  
35 duties on the committee.

36 4. Any purchase of computer software or computer hardware that exceeds five thousand  
dollars shall be made pursuant to the requirements of the office of administration for lowest and best  
Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 bid. Such bids shall be subject to acceptance by the office of administration. The court automation  
2 committee shall determine the specifications for such bids.

3 5. The court automation committee shall not require any circuit court to change any  
4 operating system in such court, unless the committee provides all necessary personnel, funds and  
5 equipment necessary to effectuate the required changes. No judicial circuit or county may be  
6 reimbursed for any costs incurred pursuant to this subsection unless such judicial circuit or county  
7 has the approval of the court automation committee prior to incurring the specific cost.

8 6. Any court automation system, including any pilot project, shall be implemented, operated  
9 and maintained in accordance with strict standards for the security and privacy of confidential  
10 judicial records. Any person who knowingly releases information from a confidential judicial  
11 record is guilty of a class B misdemeanor. Any person who, knowing that a judicial record is  
12 confidential, uses information from such confidential record for financial gain is guilty of a class E  
13 felony.

14 7. On the first day of February, May, August and November of each year, the court  
15 automation committee shall file a report on the progress of the statewide automation system with:

- 16 (1) The chair of the house budget committee;
- 17 (2) The chair of the senate appropriations committee;
- 18 (3) The chair of the house judiciary committee; and
- 19 (4) The chair of the senate judiciary committee.

20 8. Section 488.027 shall expire on September 1, [2018] 2023. The court automation  
21 committee established pursuant to this section may continue to function until completion of its  
22 duties prescribed by this section, but shall complete its duties prior to September 1, [2020] 2025.

23 9. This section shall expire on September 1, [2020] 2025.

24 477.650. 1. There is hereby created in the state treasury the "Basic Civil Legal Services  
25 Fund", to be administered by, or under the direction of, the Missouri supreme court. All moneys  
26 collected under section 488.031 shall be credited to the fund. In addition to the court filing  
27 surcharges, funds from other public or private sources also may be deposited into the fund and all  
28 earnings of the fund shall be credited to the fund. The purpose of this section is to increase the  
29 funding available for basic civil legal services to eligible low-income persons as such persons are  
30 defined by the Federal Legal Services Corporation's Income Eligibility Guidelines.

31 2. Funds in the basic civil legal services fund shall be allocated annually and expended to  
32 provide legal representation to eligible low-income persons in the state in civil matters. Moneys,  
33 funds, or payments paid to the credit of the basic civil legal services fund shall, at least as often as  
34 annually, be distributed to the legal services organizations in this state which qualify for Federal  
35 Legal Services Corporation funding. The funds so distributed shall be used by legal services  
36 organizations in this state solely to provide legal services to eligible low-income persons as such  
37 persons are defined by the Federal Legal Services Corporation's Income Eligibility Guidelines.  
38 Fund money shall be subject to all restrictions imposed on such legal services organizations by law.  
39 Funds shall be allocated to the programs according to the funding formula employed by the Federal  
40 Legal Services Corporation for the distribution of funds to this state. Notwithstanding the  
41 provisions of section 33.080, any balance remaining in the basic civil legal services fund at the end  
42 of any year shall not be transferred to the state's general revenue fund. Moneys in the basic civil  
43 legal services fund shall not be used to pay any portion of a refund mandated by Article X, Section  
44 15 of the Missouri Constitution. State legal services programs shall represent individuals to secure  
45 lawful state benefits, but shall not sue the state, its agencies, or its officials, with any state funds.

46 3. Contracts for services with state legal services programs shall provide eligible low-  
47 income Missouri citizens with equal access to the civil justice system, with a high priority on  
48 families and children, domestic violence, the elderly, and qualification for benefits under the Social

1 Security Act. State legal services programs shall abide by all restrictions, requirements, and  
2 regulations of the Legal Services Corporation regarding their cases.

3 4. The Missouri supreme court, or a person or organization designated by the court, is the  
4 administrator and shall administer the fund in such manner as determined by the Missouri supreme  
5 court, including in accordance with any rules and policies adopted by the Missouri supreme court  
6 for such purpose. Moneys from the fund shall be used to pay for the collection of the fee and the  
7 implementation and administration of the fund.

8 5. Each recipient of funds from the basic civil legal services fund shall maintain appropriate  
9 records accounting for the receipt and expenditure of all funds distributed and received pursuant to  
10 this section. These records must be maintained for a period of five years from the close of the fiscal  
11 year in which such funds are distributed or received or until audited, whichever is sooner. All funds  
12 distributed or received pursuant to this section are subject to audit by the Missouri supreme court or  
13 the state auditor.

14 6. The Missouri supreme court, or a person or organization designated by the court, shall,  
15 by January thirty-first of each year, report to the general assembly on the moneys collected and  
16 disbursed pursuant to this section and section 488.031 by judicial circuit.

17 7. The provisions of this section shall expire on December 31, [2018] 2025."; and

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19 Further amend said bill by amending the title, enacting clause, and intersectional references  
20 accordingly.