

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
**SENATE BILL NO. 218**  
**103RD GENERAL ASSEMBLY**

0780H.04C

JOSEPH ENGLER, Chief Clerk

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**AN ACT**

To repeal sections 455.010, 455.035, 455.513, 476.806, 476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313, 477.650, 478.001, 478.330, 478.690, 478.710, 488.040, 494.455, 575.095, and 575.260, RSMo, and to enact in lieu thereof twenty-one new sections relating to court operations, with penalty provisions.

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

Section A. Sections 455.010, 455.035, 455.513, 476.806, 476.1300, 476.1302, 2 476.1304, 476.1306, 476.1308, 476.1310, 476.1313, 477.650, 478.001, 478.330, 478.690, 3 478.710, 488.040, 494.455, 575.095, and 575.260, RSMo, are repealed and twenty-one new 4 sections enacted in lieu thereof, to be known as sections 455.010, 455.035, 455.513, 476.806, 5 476.1025, 476.1300, 476.1302, 476.1304, 476.1306, 476.1308, 476.1310, 476.1313, 477.650, 6 478.001, 478.330, 478.690, 478.710, 488.040, 494.455, 575.095, and 575.260, to read as 7 follows:

455.010. As used in this chapter, unless the context clearly indicates otherwise, the 2 following terms shall mean:

3 (1) "Abuse", includes but is not limited to the occurrence of any of the following acts, 4 attempts or threats against a person who may be protected pursuant to this chapter, except 5 abuse shall not include abuse inflicted on a child by accidental means by an adult household 6 member or discipline of a child, including spanking, in a reasonable manner:

7 (a) "Abusing a pet", purposely or knowingly causing, attempting to cause, or 8 threatening to cause physical injury to a pet with the intent to control, punish, intimidate, or 9 distress the petitioner;

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.

- 10 (b) "Assault", purposely or knowingly placing or attempting to place another in fear  
11 of physical harm;
- 12 (c) "Battery", purposely or knowingly causing physical harm to another with or  
13 without a deadly weapon;
- 14 (d) "Coercion", compelling another by force or threat of force to engage in conduct  
15 from which the latter has a right to abstain or to abstain from conduct in which the person has  
16 a right to engage;
- 17 (e) "Harassment", engaging in a purposeful or knowing course of conduct involving  
18 more than one incident that alarms or causes distress to an adult or child and serves no  
19 legitimate purpose. The course of conduct must be such as would cause a reasonable adult or  
20 child to suffer substantial emotional distress and must actually cause substantial emotional  
21 distress to the petitioner or child. Such conduct might include, but is not limited to:
- 22 a. Following another about in a public place or places;
- 23 b. Peering in the window or lingering outside the residence of another; but does not  
24 include constitutionally protected activity;
- 25 (f) "Sexual assault", causing or attempting to cause another to engage involuntarily in  
26 any sexual act by force, threat of force, duress, or without that person's consent;
- 27 (g) "Unlawful imprisonment", holding, confining, detaining or abducting another  
28 person against that person's will;
- 29 (2) "Adult", any person [~~seventeen~~] **eighteen** years of age or older or otherwise  
30 emancipated;
- 31 (3) "Child", any person under [~~seventeen~~] **eighteen** years of age unless otherwise  
32 emancipated;
- 33 (4) "Court", the circuit or associate circuit judge or a family court commissioner;
- 34 (5) "Domestic violence", abuse or stalking committed by a family or household  
35 member, as such terms are defined in this section;
- 36 (6) "Ex parte order of protection", an order of protection issued by the court before  
37 the respondent has received notice of the petition or an opportunity to be heard on it;
- 38 (7) "Family" or "household member", spouses, former spouses, any person related by  
39 blood or marriage, persons who are presently residing together or have resided together in the  
40 past, any person who is or has been in a continuing social relationship of a romantic or  
41 intimate nature with the victim, and anyone who has a child in common regardless of whether  
42 they have been married or have resided together at any time;
- 43 (8) "Full order of protection", an order of protection issued after a hearing on the  
44 record where the respondent has received notice of the proceedings and has had an  
45 opportunity to be heard;

46 (9) "Order of protection", either an ex parte order of protection or a full order of  
47 protection;

48 (10) "Pending", exists or for which a hearing date has been set;

49 (11) "Pet", a living creature maintained by a household member for companionship  
50 and not for commercial purposes;

51 (12) "Petitioner", a family or household member who has been a victim of domestic  
52 violence, or any person who has been the victim of stalking or sexual assault, or a person  
53 filing on behalf of a child pursuant to section 455.503 who has filed a verified petition  
54 pursuant to the provisions of section 455.020 or section 455.505;

55 (13) "Respondent", the family or household member alleged to have committed an act  
56 of domestic violence, or person alleged to have committed an act of stalking or sexual assault,  
57 against whom a verified petition has been filed or a person served on behalf of a child  
58 pursuant to section 455.503;

59 (14) "Sexual assault", as defined under subdivision (1) of this section;

60 (15) "Stalking", is when any person purposely engages in an unwanted course of  
61 conduct that causes alarm to another person, or a person who resides together in the same  
62 household with the person seeking the order of protection when it is reasonable in that  
63 person's situation to have been alarmed by the conduct. As used in this subdivision:

64 (a) "Alarm", to cause fear of danger of physical harm; and

65 (b) "Course of conduct", two or more acts that serve no legitimate purpose including,  
66 but not limited to, acts in which the stalker directly, indirectly, or through a third party  
67 follows, monitors, observes, surveils, threatens, or communicates to a person by any action,  
68 method, or device.

455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to  
2 455.085 and for good cause shown in the petition, the court may immediately issue an ex  
3 parte order of protection. An immediate and present danger of domestic violence to the  
4 petitioner or the child on whose behalf the petition is filed shall constitute good cause for  
5 purposes of this section. An ex parte order of protection entered by the court shall take effect  
6 when entered and shall remain in effect until there is valid service of process and a hearing is  
7 held on the motion. The court shall deny the ex parte order and dismiss the petition if the  
8 petitioner is not authorized to seek relief pursuant to section 455.020.

9 2. Failure to serve an ex parte order of protection on the respondent shall not affect  
10 the validity or enforceability of such order. If the respondent is less than ~~seventeen~~ **eighteen**  
11 years of age, unless otherwise emancipated, service of process shall be made upon a custodial  
12 parent or guardian of the respondent, or upon a guardian ad litem appointed by the court,  
13 requiring that the person appear and bring the respondent before the court at the time and  
14 place stated.

15           3. If an ex parte order is entered and the respondent is less than ~~[seventeen]~~ **eighteen**  
16 years of age, the court shall transfer the case to juvenile court for a hearing on a full order of  
17 protection. The court shall appoint a guardian ad litem for any such respondent not  
18 represented by a parent or guardian.

          455.513. 1. The court may immediately issue an ex parte order of protection upon the  
2 filing of a verified petition under sections 455.500 to 455.538, for good cause shown in the  
3 petition, and upon finding that:

4           (1) No prior order regarding custody involving the respondent and the child is  
5 pending or has been made; or

6           (2) The respondent is less than ~~[seventeen]~~ **eighteen** years of age.

7

8 An immediate and present danger of domestic violence, including danger to the child's pet,  
9 stalking, or sexual assault to a child shall constitute good cause for purposes of this section.  
10 An ex parte order of protection entered by the court shall be in effect until the time of the  
11 hearing. The court shall deny the ex parte order and dismiss the petition if the petitioner is not  
12 authorized to seek relief pursuant to section 455.505.

13           2. Upon the entry of the ex parte order of protection, the court shall enter its order  
14 appointing a guardian ad litem or court-appointed special advocate to represent the child  
15 victim.

16           3. If the allegations in the petition would give rise to jurisdiction under section  
17 211.031, the court may direct the children's division to conduct an investigation and to  
18 provide appropriate services. The division shall submit a written investigative report to the  
19 court and to the juvenile officer within thirty days of being ordered to do so. The report shall  
20 be made available to the parties and the guardian ad litem or court-appointed special  
21 advocate.

22           4. If the allegations in the petition would give rise to jurisdiction under section  
23 211.031 because the respondent is less than ~~[seventeen]~~ **eighteen** years of age, the court may  
24 issue an ex parte order and shall transfer the case to juvenile court for a hearing on a full order  
25 of protection. Service of process shall be made pursuant to section 455.035.

          476.806. 1. Interpreters and translators in civil, juvenile, and criminal proceedings  
2 shall be allowed a reasonable fee approved by the court and necessary travel expenses not to  
3 exceed state rates. Interpreters shall not be compensated for travel time.

4           2. If the person requiring an interpreter or translator during the proceeding is a party  
5 to or a witness in ~~[any criminal]~~ **the** proceeding, such fees and expenses shall be payable by  
6 the state from funds appropriated for such purpose.

7           3. In all cases not included in subsection 2 of this section, such fees and expenses may  
8 be taxed as costs by the court to the parties. Prior to any proceeding requiring an interpreter

9 or translator, the court may order either party, or both, to deposit money with the court in an  
10 amount reasonably necessary to cover such fees and expenses. Upon disposition of the  
11 proceeding the court may order such costs paid from such deposit and shall return any portion  
12 of the deposit not used for such court costs to the parties.

**476.1025. A parent, spouse, child, or personal representative of a person who  
2 was convicted of a misdemeanor offense may file a motion with the court in which the  
3 person was convicted to have the record of such offense made confidential in any  
4 automated case management system if such person has been deceased for six months or  
5 more. Upon such motion accompanied by a copy of the death certificate of the deceased  
6 person, the court shall make the case confidential. Prior to making the case  
7 confidential, the court shall determine whether any person would be unfairly prejudiced  
8 by making such record confidential in any automated case management system.**

476.1300. 1. Sections 476.1300 to [~~476.1310~~] **476.1313** shall be known and may be  
2 cited as the "Judicial Privacy Act".

3 2. As used in sections 476.1300 to [~~476.1310~~] **476.1313**, the following terms mean:

4 (1) **"Court-related officer", an actively employed, a formerly employed, or a  
5 retired:**

6 (a) **Justice of the Supreme Court of the United States;**

7 (b) **Judge of the United States Court of Appeals;**

8 (c) **Judge or magistrate judge of the United States District Courts;**

9 (d) **Judge of the United States Bankruptcy Court;**

10 (e) **Judge of the supreme court of Missouri;**

11 (f) **Judge of the Missouri court of appeals;**

12 (g) **Judge or commissioner of the Missouri circuit courts, including of the  
13 divisions of a circuit court;**

14 (h) **Prosecuting or circuit attorney, or assistant prosecuting or circuit attorney;**

15 (i) **Circuit clerk, court administrator, deputy circuit clerk, division clerk, or  
16 municipal clerk; and**

17 (j) **Juvenile officer or chief deputy juvenile officer;**

18 (2) **"Government agency", all agencies, authorities, boards, commissions,  
19 departments, institutions, offices, and any other bodies politic and corporate of the state  
20 created by the constitution or statute, whether in the executive, judicial, or legislative branch;  
21 all units and corporate outgrowths created by executive order of the governor or any  
22 constitutional officer, by the supreme court, or by resolution of the general assembly;  
23 agencies, authorities, boards, commissions, departments, institutions, offices, and any other  
24 bodies politic and corporate of a political subdivision, including school districts; and any  
25 public governmental body as that term is defined in section 610.010;**

26           ~~[(2)]~~ (3) "Home address", a ~~[judicial]~~ **court-related** officer's permanent residence and  
 27 any secondary residences affirmatively identified by the ~~[judicial]~~ **court-related** officer, but  
 28 does not include a ~~[judicial]~~ **court-related** officer's work address;

29           ~~[(3)]~~ (4) "Immediate family", a ~~[judicial]~~ **court-related** officer's spouse, child,  
 30 adoptive child, foster child, parent, or any unmarried companion of the ~~[judicial]~~ **court-**  
 31 **related** officer or other familial relative of the ~~[judicial]~~ **court-related** officer or the ~~[judicial]~~  
 32 **court-related** officer's spouse who lives in the same residence;

33           ~~[(4)]~~ "Judicial officer", ~~actively employed, formerly employed, or retired:~~

34           ~~(a) Justices of the Supreme Court of the United States;~~

35           ~~(b) Judges of the United States Court of Appeals;~~

36           ~~(c) Judges and magistrate judges of the United States District Courts;~~

37           ~~(d) Judges of the United States Bankruptcy Court;~~

38           ~~(e) Judges of the Missouri supreme court;~~

39           ~~(f) Judges of the Missouri court of appeals;~~

40           ~~(g) Judges and commissioners of the Missouri circuit courts, including of the~~  
 41 ~~divisions of a circuit court; and~~

42           ~~(h) Prosecuting or circuit attorney, or assistant prosecuting or circuit attorney;]~~

43           (5) "Personal information", a home address, home telephone number, mobile  
 44 telephone number, pager number, personal email address, Social Security number, federal tax  
 45 identification number, checking and savings account numbers, credit card numbers, marital  
 46 status, and identity of children under eighteen years of age;

47           (6) "Publicly available content", any written, printed, or electronic document or  
 48 record that provides information or that serves as a document or record maintained,  
 49 controlled, or in the possession of a government agency that may be obtained by any person  
 50 or entity, from the internet, from the government agency upon request either free of charge or  
 51 for a fee, or in response to a request pursuant to chapter 610 or the federal Freedom of  
 52 Information Act, 5 U.S.C. Section 552, as amended;

53           (7) "Publicly post or display", to communicate to another or to otherwise make  
 54 available to the general public;

55           (8) "Written request", written or electronic notice signed by:

56           (a) A state ~~[judicial]~~ **court-related** officer and submitted to the clerk of the Missouri  
 57 supreme court or the clerk's designee; or

58           (b) A federal ~~[judicial]~~ **court-related** officer and submitted to that ~~[judicial]~~ **court-**  
 59 **related** officer's clerk of the court or the clerk's designee;

60

61 that is transmitted by the applicable clerk to a government agency, person, business, or  
 62 association ~~[to request such government agency, person, business, or association refrain from~~

63 ~~posting or displaying publicly available content that includes the judicial officer's personal~~  
64 ~~information].~~

476.1302. 1. A government agency shall not publicly post or display publicly  
2 available content that includes a ~~[judicial]~~ **court-related** officer's personal information,  
3 provided that the government agency has received a written request that the agency refrain  
4 from disclosing the ~~[judicial]~~ **court-related** officer's personal information. After a  
5 government agency has received a written request, the government agency shall remove  
6 the ~~[judicial]~~ **court-related** officer's personal information from publicly available content  
7 within five business days. After the government agency has removed the ~~[judicial]~~ **court-**  
8 **related** officer's personal information from publicly available content, the government  
9 agency shall not publicly post or display the ~~[judicial]~~ **court-related** officer's personal  
10 information and the ~~[judicial]~~ **court-related** officer's personal information shall be exempted  
11 from the provisions of chapter 610, unless the government agency has received a written  
12 ~~[consent from the judicial officer]~~ **request** to make the personal information available to the  
13 public.

14 2. If a government agency fails to comply with a written request to refrain from  
15 disclosing personal information, the ~~[judicial]~~ **court-related** officer may bring an action  
16 seeking injunctive or declaratory relief in any court of competent jurisdiction. If the court  
17 grants injunctive or declaratory relief, the court may award costs and reasonable attorney's  
18 fees to the ~~[judicial]~~ **court-related** officer.

19 3. The provisions of ~~[subsection 1 of]~~ this section shall not apply to any government  
20 agency created under section 43.020 **or to a court-related officer's personal information**  
21 **present in records of proceedings of any court of this state contained within any**  
22 **statewide court automation system, which shall be governed by rules promulgated by**  
23 **the supreme court.**

476.1304. 1. No person, business, or association shall publicly post or display on the  
2 internet publicly available content that includes a ~~[judicial]~~ **court-related** officer's personal  
3 information, provided that the ~~[judicial officer has made a written request to the]~~ person,  
4 business, or association **has received a written request** that it refrain from disclosing the  
5 personal information.

6 2. No person, business, or association shall solicit, sell, or trade on the internet a  
7 ~~[judicial]~~ **court-related** officer's personal information for purposes of tampering with a  
8 ~~[judicial]~~ **court-related** officer in violation of section 575.095 or with the intent to pose an  
9 imminent and serious threat to the health and safety of the ~~[judicial]~~ **court-related** officer or  
10 the ~~[judicial]~~ **court-related** officer's immediate family.

11 3. As prohibited in this section, persons, businesses, or associations posting,  
12 displaying, soliciting, selling, or trading a ~~[judicial]~~ **court-related** officer's personal

13 information on the internet includes, but is not limited to, internet phone directories, internet  
14 search engines, internet data aggregators, and internet service providers.

476.1306. 1. After a person, business, or association has received a written request  
2 ~~[from a judicial officer]~~ to protect the privacy of the **court-related** officer's personal  
3 information, that person, business, or association shall have five business days to remove the  
4 personal information from the internet.

5 2. After a person, business, or association has received a written request ~~[from a~~  
6 ~~judicial officer]~~ **to protect the privacy of the court-related officer's personal information**,  
7 that person, business, or association shall ensure that the ~~[judicial]~~ **court-related** officer's  
8 personal information is not made available on any website or subsidiary website controlled by  
9 that person, business, or association.

10 3. After receiving a ~~[judicial officer's]~~ written request **to protect the privacy of the**  
11 **court-related officer's personal information**, no person, business, or association shall make  
12 available the ~~[judicial]~~ **court-related** officer's personal information to any other person,  
13 business, or association through any medium.

476.1308. A ~~[judicial]~~ **court-related** officer whose personal information is made  
2 public as a result of a violation of sections 476.1304 to 476.1306 may bring an action seeking  
3 injunctive or declaratory relief in any court of competent jurisdiction. If the court grants  
4 injunctive or declaratory relief, the person, business, or association responsible for the  
5 violation shall be required to pay the ~~[judicial officer's]~~ costs and reasonable attorney's fees **of**  
6 **the court-related officer**.

476.1310. 1. No government agency, person, business, or association shall be found  
2 to have violated any provision of sections 476.1300 to ~~[476.1310]~~ **476.1313** if the ~~[judicial~~  
3 ~~officer fails to submit]~~ **government agency, person, business, or association has not**  
4 **received a valid** written request calling for the protection of the ~~[judicial]~~ **court-related**  
5 officer's personal information.

6 2. A written request shall be valid if:

7 (1) The ~~[judicial]~~ **court-related** officer sends a written request directly to a  
8 government agency, person, business, or association; or

9 (2) The ~~[judicial]~~ **court-related** officer complies with a Missouri supreme court rule  
10 for a state ~~[judicial]~~ **court-related** officer to file the written request with the clerk of the  
11 Missouri supreme court or the clerk's designee to notify government agencies and such notice  
12 is properly delivered by mail or electronic format.

13 3. In each quarter of a calendar year, the clerk of the Missouri supreme court or the  
14 clerk's designee shall provide a list of all state ~~[judicial]~~ **court-related** officers who have  
15 submitted a written request under this section to the appropriate officer with ultimate  
16 supervisory authority for a government agency. The officer shall promptly provide a copy of



17 the list to all government agencies under his or her supervision. Receipt of the written request  
 18 list compiled by the clerk of the Missouri supreme court or the clerk's designee by a  
 19 government agency shall constitute a written request to that government agency for the  
 20 purposes of sections 476.1300 to ~~476.1310~~ **476.1313**.

21 4. The chief clerk or circuit clerk of the court where the ~~judicial~~ **court-related**  
 22 officer serves may submit a written request on the ~~judicial~~ **court-related** officer's behalf,  
 23 provided that the ~~judicial~~ **court-related** officer gives written consent to the clerk and  
 24 provided that the clerk agrees to furnish a copy of that consent when a written request is  
 25 made. The chief clerk or circuit clerk shall submit the written request as provided by  
 26 subsection 2 of this section.

27 5. A ~~judicial~~ **court-related** officer's written request shall specify what personal  
 28 information shall be maintained as private. If a ~~judicial~~ **court-related** officer wishes to  
 29 identify a secondary residence as a home address, the designation shall be made in the written  
 30 request. A ~~judicial~~ **court-related** officer shall disclose the identity of his or her immediate  
 31 family and indicate that the personal information of those members of the immediate family  
 32 shall also be excluded to the extent that it could reasonably be expected to reveal the personal  
 33 information of the ~~judicial~~ **court-related** officer. A ~~judicial~~ **court-related** officer shall  
 34 make reasonable efforts to identify specific publicly available content in the possession of a  
 35 government agency.

36 6. A ~~judicial~~ **court-related** officer's written request is valid until the ~~judicial~~  
 37 **court-related** officer provides the government agency, person, business, or association with  
 38 written consent to release the personal information. A ~~judicial~~ **court-related** officer's  
 39 written request expires on such ~~judicial~~ **court-related** officer's death.

40 7. The provisions of sections 476.1300 to ~~476.1310~~ **476.1313** shall not apply to any  
 41 disclosure of personal information of a ~~judicial~~ **court-related** officer or a member of a  
 42 ~~judicial~~ **court-related** officer's immediate family as required by Article VIII, Section 23 of  
 43 the Missouri Constitution, sections 105.470 to 105.482, section 105.498, and chapter 130.

476.1313. 1. Notwithstanding any other provision of law to the contrary, a recorder  
 2 of deeds shall meet the requirements of the provisions of sections 476.1300 to 476.1310 by  
 3 complying with this section. As used in this section, the following terms mean:

4 (1) "Eligible documents", documents or instruments that are maintained by and  
 5 located in the office of the recorder of deeds that are accessed electronically;

6 (2) ~~["Immediate family" shall have the same meaning as in section 476.1300;~~

7 ~~(3) "Indexes", indexes maintained by and located in the office of the recorder of~~  
 8 ~~deeds that are accessed electronically;~~

9 ~~[(4) "Judicial officer" shall have the same meaning as in section 476.1300;~~

10 ~~(5) (3) "Recorder of deeds" shall have the same meaning as in section 59.005;~~

11           ~~[(6)]~~ (4) "Shield", "shielded", or "shielding", a prohibition against the general public's  
12 electronic access to eligible documents and the ~~[unique identifier]~~ **document locator**  
13 **number, address, property description**, and recording date contained in indexes for eligible  
14 documents; **except that, nothing in this definition shall prohibit a recorder of deeds from**  
15 **attaching a notice to the grantor's name in the indexes indicating a document is**  
16 **shielded;**

17           ~~[(7)]~~ (5) "Written request", written or electronic notice signed by:

18           (a) A state ~~[judicial]~~ **court-related** officer and submitted to the clerk of the Missouri  
19 supreme court or the clerk's designee; or

20           (b) A federal ~~[judicial]~~ **court-related** officer and submitted to that ~~[judicial]~~ **court-**  
21 **related** officer's clerk of the court or the clerk's designee;

22

23 that is transmitted electronically by the applicable clerk to a recorder of deeds to request that  
24 eligible documents be shielded.

25           2. Written requests transmitted to a recorder of deeds shall only include information  
26 specific to eligible documents maintained by that county. Any written request transmitted to a  
27 recorder of deeds shall include the requesting ~~[judicial]~~ **court-related** officer's full legal name  
28 or legal alias and a document locator number for each eligible document for which the  
29 ~~[judicial]~~ **court-related** officer is requesting shielding. If the ~~[judicial]~~ **court-related** officer  
30 is not a party to the instrument but is requesting shielding for an eligible document in which  
31 an immediate family member is a party to the instrument, the full legal name or legal alias of  
32 the immediate family member shall also be provided.

33           3. Not more than five business days after the date on which the recorder of deeds  
34 receives the written request, the recorder of deeds shall shield the eligible documents listed in  
35 the written request. Within five business days of receipt, the recorder of deeds shall  
36 electronically reply to the written request with a list of any document locator numbers  
37 submitted under subsection 2 of this section not found in the records maintained by that  
38 recorder of deeds.

39           4. If the full legal name or legal alias of the ~~[judicial]~~ **court-related** officer or  
40 immediate family member provided does not appear on an eligible document listed in the  
41 written request, the recorder of deeds may electronically reply to the written request with this  
42 information. The recorder of deeds may delay shielding such eligible document until  
43 electronic confirmation is received from the applicable court clerk or ~~[judicial]~~ **court-related**  
44 officer.

45           5. In order to shield subsequent eligible documents, the ~~[judicial]~~ **court-related**  
46 officer shall present to the recorder of deeds at the time of recording a copy of his or her

47 written request. The recorder of deeds shall ensure that the eligible document is shielded  
48 within five business days.

49         6. Eligible documents shall remain shielded until the recorder of deeds receives a  
50 court order or notarized affidavit signed by the ~~[judicial]~~ **court-related** officer directing the  
51 recorder of deeds to terminate shielding.

52         7. The provisions of this section shall not prohibit access to a shielded eligible  
53 document by **a party to the instrument or** an individual or entity that provides to the  
54 recorder of deeds a court order or notarized affidavit signed by the ~~[judicial]~~ **court-related**  
55 officer.

56         8. No recorder of deeds shall be liable for any damages under this section, provided  
57 the recorder of deeds made a good faith effort to comply with the provisions of this section.  
58 No recorder of deeds shall be liable for the release of any eligible document or any data from  
59 any eligible document that was released or accessed prior to the eligible document being  
60 shielded pursuant to this section.

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

9         2. Funds in the basic civil legal services fund shall be allocated annually and  
10 expended to provide legal representation to eligible low-income persons in the state in civil  
11 matters. Moneys, funds, or payments paid to the credit of the basic civil legal services fund  
12 shall, at least as often as annually, be distributed to the legal services organizations in this  
13 state which qualify for Federal Legal Services Corporation funding. The funds so distributed  
14 shall be used by legal services organizations in this state solely to provide legal services to  
15 eligible low-income persons as such persons are defined by the Federal Legal Services  
16 Corporation's Income Eligibility Guidelines. Fund money shall be subject to all restrictions  
17 imposed on such legal services organizations by law. Funds shall be allocated to the  
18 programs according to the funding formula employed by the Federal Legal Services  
19 Corporation for the distribution of funds to this state. Notwithstanding the provisions of  
20 section 33.080, any balance remaining in the basic civil legal services fund at the end of any  
21 year shall not be transferred to the state's general revenue fund. Moneys in the basic civil  
22 legal services fund shall not be used to pay any portion of a refund mandated by Article X,  
23 Section ~~[45]~~ **18** of the Missouri Constitution. State legal services programs shall represent

24 individuals to secure lawful state benefits, but shall not sue the state, its agencies, or its  
25 officials, with any state funds.

26 3. Contracts for services with state legal services programs shall provide eligible low-  
27 income Missouri citizens with equal access to the civil justice system, with a high priority on  
28 families and children, domestic violence, the elderly, and qualification for benefits under the  
29 Social Security Act. State legal services programs shall abide by all restrictions,  
30 requirements, and regulations of the Legal Services Corporation regarding their cases.

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

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

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

45 ~~[7. The provisions of this section shall expire on December 31, 2025.]~~

478.001. 1. For purposes of sections 478.001 to 478.009, the following terms shall  
2 mean:

3 (1) "Adult treatment court", a treatment court focused on addressing the substance use  
4 disorder or co-occurring disorder of defendants charged with a criminal offense;

5 (2) "Community-based substance use disorder treatment program", an agency  
6 certified by the department of mental health as a substance use disorder treatment provider;

7 (3) "Co-occurring disorder", the coexistence of both a substance use disorder and a  
8 mental health disorder;

9 (4) "DWI court", a treatment court focused on addressing the substance use disorder  
10 or co-occurring disorder of defendants who have pleaded guilty to or been found guilty of  
11 driving while intoxicated or driving with excessive blood alcohol content;

12 (5) "Family treatment court", a treatment court focused on addressing a substance use  
13 disorder or co-occurring disorder existing in families in the juvenile court, family court, or  
14 criminal court in which a parent or other household member has been determined to have a

15 substance use disorder or co-occurring disorder that impacts the safety and well-being of the  
16 children in the family;

17 (6) "Juvenile treatment court", a treatment court focused on addressing the substance  
18 use disorder or co-occurring disorder of juveniles in the juvenile court;

19 (7) "Medication-assisted treatment", the use of pharmacological medications, in  
20 combination with counseling and behavioral therapies, to provide a whole-patient approach to  
21 the treatment of substance use disorders;

22 (8) "Mental health disorder", any organic, mental, or emotional impairment that has  
23 substantial adverse effects on a person's cognitive, volitional, or emotional function and that  
24 constitutes a substantial impairment in a person's ability to participate in activities of normal  
25 living;

26 (9) **"Mental health treatment court", a treatment court focused on addressing**  
27 **the mental health disorder or co-occurring disorder of defendants charged with a**  
28 **criminal offense;**

29 (10) "Risk and needs assessment", an actuarial tool, approved by the treatment courts  
30 coordinating commission and validated on a targeted population of drug-involved adult  
31 offenders, scientifically proven to determine a person's risk to recidivate and to identify  
32 criminal risk factors that, when properly addressed, can reduce that person's likelihood of  
33 committing future criminal behavior;

34 [~~(10)~~] (11) "Substance use disorder", the recurrent use of alcohol or drugs that causes  
35 clinically significant impairment, including health problems, disability, and failure to meet  
36 major responsibilities at work, school, or home;

37 [~~(11)~~] (12) "Treatment court commissioner", a person appointed by a majority of the  
38 circuit and associate circuit judges in a circuit to preside as the judicial officer in the treatment  
39 court division;

40 [~~(12)~~] (13) "Treatment court division", a specialized, nonadversarial court division  
41 with jurisdiction over cases involving substance-involved offenders and making extensive use  
42 of comprehensive supervision, drug or alcohol testing, and treatment services. Treatment  
43 court divisions include, but are not limited to, the following specialized courts: adult  
44 treatment court, DWI court, family treatment court, juvenile treatment court, **mental health**  
45 **treatment court**, veterans treatment court, or any combination thereof;

46 [~~(13)~~] (14) "Treatment court team", the following members who are assigned to the  
47 treatment court: the judge or treatment court commissioner, treatment court administrator or  
48 coordinator, prosecutor, public defender or member of the criminal defense bar, a  
49 representative from the division of probation and parole, a representative from law  
50 enforcement, substance use disorder **or mental health disorder** treatment providers, and any  
51 other person selected by the treatment court team;

52            ~~[(14)]~~ **(15)** "Veterans treatment court", a treatment court focused on substance use  
53 disorders, co-occurring disorders, or mental health disorders of defendants charged with a  
54 criminal offense who are military veterans or current military personnel.

55            2. A treatment court division shall be established, prior to August 28, 2021, by any  
56 circuit court pursuant to sections 478.001 to 478.009 to provide an alternative for the judicial  
57 system to dispose of cases which stem from, or are otherwise impacted by, a substance use  
58 **disorder or mental health disorder**. The treatment court division may include, but not be  
59 limited to, cases assigned to an adult treatment court, DWI court, family treatment court,  
60 juvenile treatment court, **mental health treatment court**, veterans treatment court, or any  
61 combination thereof. A treatment court shall combine judicial supervision, drug or alcohol  
62 testing, and treatment of participants. Except for good cause found by the court, a treatment  
63 court making a referral for substance use disorder **or mental health disorder** treatment, when  
64 such program will receive state or federal funds in connection with such referral, shall refer  
65 the person only to a program which is certified by the department of mental health, unless no  
66 appropriate certified treatment program is located within the same county as the treatment  
67 court. Upon successful completion of the treatment court program, the charges, petition, or  
68 penalty against a treatment court participant may be dismissed, reduced, or modified, unless  
69 otherwise stated. **Except for those costs waived pursuant to section 488.016**, any fees  
70 received by a court from a defendant as payment for ~~[substance]~~ treatment programs shall not  
71 be considered court costs, charges or fines.

72            3. An adult treatment court may be established by any circuit court ~~[under sections~~  
73 ~~478.001 to 478.009]~~ to provide an alternative for the judicial system to dispose of cases which  
74 stem from substance use.

75            4. ~~[Under sections 478.001 to 478.009,]~~ A DWI court may be established by any  
76 circuit court to provide an alternative for the judicial system to dispose of cases that stem  
77 from driving while intoxicated.

78            5. A family treatment court may be established by any circuit court. The juvenile  
79 division of the circuit court or the family court, if one is established under section 487.010,  
80 may refer one or more parents or other household members subject to its jurisdiction to the  
81 family treatment court if he or she has been determined to have a substance use disorder or  
82 co-occurring disorder that impacts the safety and well-being of the children in the family.

83            6. A juvenile treatment court may be established by the juvenile division of any  
84 circuit court. The juvenile division may refer a juvenile to the juvenile treatment court if the  
85 juvenile is determined to have committed acts that violate the criminal laws of the state or  
86 ordinances of a municipality or county and a substance use disorder or co-occurring disorder  
87 contributed to the commission of the offense.

88           7. The general assembly finds and declares that it is the public policy of this state to  
89 encourage and provide an alternative method for the disposal of cases for military veterans  
90 and current military personnel with substance use disorders, mental health disorders, or co-  
91 occurring disorders. In order to effectuate this public policy, a veterans treatment court may  
92 be established by any circuit court, or combination of circuit courts upon agreement of the  
93 presiding judges of such circuit courts, to provide an alternative for the judicial system to  
94 dispose of cases that stem from a substance use disorder, mental health disorder, or co-  
95 occurring disorder of military veterans or current military personnel. A veterans treatment  
96 court shall combine judicial supervision, drug or alcohol testing, and substance use and  
97 mental health disorder treatment to participants who have served or are currently serving the  
98 United States Armed Forces, including members of the Reserves or National Guard, with  
99 preference given to individuals who have combat service. For the purposes of this section,  
100 combat service shall be shown through military service documentation that reflects service in  
101 a combat theater, receipt of combat service medals, or receipt of imminent danger or hostile  
102 fire pay or tax benefits. Except for good cause found by the court, a veterans treatment court  
103 shall make a referral for substance use or mental health disorder treatment, or a combination  
104 of substance use and mental health disorder treatment, through the Department of Defense  
105 health care, the Veterans Administration, or a community-based substance use disorder  
106 treatment program. Community-based programs utilized shall receive state or federal funds  
107 in connection with such referral and shall only refer the individual to a program certified by  
108 the department of mental health, unless no appropriate certified treatment program is located  
109 within the same circuit as the veterans treatment court.

110           **8. A mental health treatment court may be established by any circuit court to**  
111 **provide an alternative for the judicial system to dispose of cases that stem from a mental**  
112 **health disorder or co-occurring disorder.**

478.330. 1. When an annual judicial performance report submitted pursuant to  
2 section 477.405 indicates for three consecutive calendar years the need for two or more full-  
3 time judicial positions in any judicial circuit there shall be one additional circuit judge  
4 position authorized in such circuit, subject to ~~appropriations~~ **an initial appropriation** made  
5 for that purpose. **The clerk of the supreme court shall notify the Missouri revisor of**  
6 **statutes of any new circuit judgeships authorized under this section, and the Missouri**  
7 **revisor of statutes shall publish a footnote to this section listing the authorized**  
8 **judgeships and corresponding judicial circuits.**

9           2. Except in circuits where circuit judges are selected under the provisions of  
10 **Sections 25(a) to 25(g) of Article V of the Missouri Constitution, a circuit judge**  
11 **authorized under subsection 1 of this section shall be elected at the next general election**  
12 **after the authorization, and every six years thereafter. Such judicial position shall not**

13 **be considered vacant or filled by appointment until January first next following the**  
14 **authorization.** Except in circuits where circuit judges are selected under the provisions of  
15 Sections 25(a) to 25(g) of Article V of the Missouri Constitution, the election of circuit judges  
16 authorized by this section shall be conducted in accordance with chapter 115.

478.690. 1. There shall be ~~[two]~~ **three** circuit judges in the twenty-fourth judicial  
2 circuit ~~[consisting of the counties of Madison, St. Francois, Ste. Genevieve and Washington].~~  
3 These judges shall sit in divisions numbered one ~~[and]~~, two, **and three.**

4 2. The circuit judges in divisions one and two shall be elected in 1982. **The governor**  
5 **shall appoint a circuit judge for division three, and that circuit judge shall serve until**  
6 **January 1, 2031. A circuit judge for division three shall be elected in 2030, and every six**  
7 **years thereafter.**

478.710. 1. There shall be ~~[two]~~ **three** circuit judges in the thirty-second judicial  
2 circuit ~~[consisting of the counties of Perry, Bollinger and Cape Girardeau].~~ These judges  
3 shall sit in ~~[two]~~ **three** divisions numbered one ~~[and]~~, two, **and three.**

4 2. The circuit judge in division two shall be elected in 1982. The circuit judge in  
5 division one shall be elected in 1984. **The governor shall appoint a circuit judge for**  
6 **division three and that circuit judge shall serve until January 1, 2029. A circuit judge**  
7 **for division three shall be elected in 2028.**

488.040. ~~[+]~~ Each grand and petit juror shall ~~[, pursuant to the provisions of section~~  
2 ~~494.455, receive six dollars per day for every day he or she may actually serve as such and~~  
3 ~~seven cents for every mile he or she may necessarily travel going from his or her place of~~  
4 ~~residence to the courthouse and returning, to be paid from funds of the county or a city not~~  
5 ~~within a county.~~

6 2. ~~Provided that a county or a city not within a county authorizes daily compensation~~  
7 ~~payable from county or city funds for jurors who serve in that county pursuant to subsection 3~~  
8 ~~of this section in the amount of at least six dollars per day in addition to the amount required~~  
9 ~~by subsection 1 of this section, a person shall receive an additional six dollars per day,~~  
10 ~~pursuant to the provisions of section 494.455, to be reimbursed by the state of Missouri so~~  
11 ~~that the total compensation payable shall be at least eighteen dollars, plus mileage as~~  
12 ~~indicated in subsection 1 of this section, for each day that the person actually serves as a petit~~  
13 ~~juror in a particular case; or for each day that a person actually serves as a grand juror during~~  
14 ~~a term of a grand jury. The state shall reimburse the county for six dollars of the additional~~  
15 ~~juror compensation provided by this subsection.~~

16 3. ~~The governing body of each county or a city not within a county may authorize~~  
17 ~~additional daily compensation and mileage allowance for jurors, which additional~~  
18 ~~compensation shall be paid from the funds of the county or a city not within a county.~~  
19 ~~The governing body of each county or a city not within a county may authorize additional~~



20 ~~daily compensation and mileage allowance for jurors attending a coroner's inquest. Jurors~~  
21 ~~may receive the additional compensation and mileage allowance authorized by this subsection~~  
22 ~~only if the governing body of the county or the city not within a county authorizes the~~  
23 ~~additional compensation. The provisions of this subsection authorizing additional~~  
24 ~~compensation shall terminate upon the issuance of a mandate by the Missouri supreme~~  
25 ~~court which results in the state of Missouri being obligated or required to pay any such~~  
26 ~~additional compensation even if such additional compensation is formally approved or~~  
27 ~~authorized by the governing body of a county or a city not within a county.~~

28 4. ~~When each panel of jurors summoned and attending court has completed its~~  
29 ~~service, the board of jury commissioners shall cause to be submitted to the governing body of~~  
30 ~~the county or a city not within a county a statement of fees earned by each juror. Within thirty~~  
31 ~~days of the submission of the statement of fees, the governing body shall cause payment to be~~  
32 ~~made to those jurors summoned the fees earned during their service as jurors] receive daily~~  
33 **compensation and mileage allowance in the amount provided by law pursuant to section**  
34 **494.455.**

494.455. 1. ~~[Each county or city not within a county may elect to compensate its~~  
2 ~~jurors pursuant to subsection 2 of this section except as otherwise provided in subsection 3 of~~  
3 ~~this section.~~

4 2.] Each grand and petit juror shall receive a **minimum of** six dollars per day, for  
5 every day ~~[he or she]~~ **the juror** may actually serve as ~~[such]~~ **a juror**, and ~~[seven cents]~~ **the**  
6 **mileage rate as provided by section 33.095 for state employees** for every mile ~~[he or she]~~  
7 **the juror** may necessarily travel going from ~~[his or her]~~ **the juror's** place of residence to the  
8 courthouse and returning, to be paid from funds of the county or a city not within a county.  
9 **Each county or city not within a county may elect to compensate its jurors pursuant to**  
10 **subsection 2 of this section, except as otherwise provided in subsection 3 of this section.**

11 2. The governing body of each county or a city not within a county may authorize  
12 additional daily compensation and mileage allowance for jurors, which additional  
13 compensation shall be paid from the funds of the county or a city not within a county.  
14 The governing body of each county or a city not within a county may authorize additional  
15 daily compensation and mileage allowance for jurors attending a coroner's inquest. Jurors  
16 may receive the additional compensation and mileage allowance authorized by this subsection  
17 only if the governing body of the county or the city not within a county authorizes the  
18 additional compensation. The provisions of this subsection authorizing additional  
19 compensation shall terminate upon the issuance of a mandate by the Missouri supreme  
20 court which results in the state of Missouri being obligated or required to pay any such  
21 additional compensation even if such additional compensation is formally approved or  
22 authorized by the governing body of a county or a city not within a county. Provided that a

23 county or a city not within a county authorizes daily compensation payable from county or  
24 city funds for jurors who serve in that county pursuant to this subsection in the amount of at  
25 least six dollars per day in addition to the amount required by ~~[this]~~ subsection **1 of this**  
26 **section**, a person shall receive an additional six dollars per day to be reimbursed by the state  
27 of Missouri so that the total compensation payable shall be at least eighteen dollars, plus  
28 mileage for each day that the person actually serves as a petit juror in a particular case; or for  
29 each day that a person actually serves as a grand juror during a term of a grand jury. The state  
30 shall reimburse the county for six dollars of the additional juror compensation provided by  
31 this subsection.

32 3. ~~[In any county of the first classification without a charter form of government and~~  
33 ~~with a population of at least two hundred thousand inhabitants, no grand or petit juror shall~~  
34 ~~receive compensation for the first two days of service, but shall receive fifty dollars per day~~  
35 ~~for the third day and each subsequent day he or she may actually serve as such, and seven~~  
36 ~~cents for every mile he or she may necessarily travel going from his or her place of residence~~  
37 ~~to the courthouse and returning, to be paid from funds of the county.] Notwithstanding the~~  
38 **provisions of subsection 1 or 2 of this section, by a majority vote, the governing body of**  
39 **a county or city not within a county may adopt a system for juror compensation in the**  
40 **county or city not within a county as follows: each grand or petit juror shall receive fifty**  
41 **dollars per day for the third day the juror may actually serve as a juror and for each**  
42 **subsequent day of actual service, and the mileage rate as provided by section 33.095 for**  
43 **state employees for every mile the juror may necessarily travel from the juror's place of**  
44 **residence to the courthouse and returning, to be paid from funds of the county or city**  
45 **not within a county, provided that no grand or petit juror shall receive compensation for**  
46 **the first two days the juror may actually serve as such.**

47 4. When each panel of jurors summoned and attending court has completed its  
48 service, the board of jury commissioners shall cause to be submitted to the governing body of  
49 the county or a city not within a county a statement of fees earned by each juror. Within thirty  
50 days of the submission of the statement of fees, the governing body shall cause payment to be  
51 made to those jurors summoned the fees earned during their service as jurors.

575.095. 1. A person commits the offense of tampering with a judicial officer if, with  
2 the purpose to harass, intimidate or influence a judicial officer in the performance of such  
3 officer's official duties, such person:

4 (1) Threatens or causes harm to such judicial officer or members of such judicial  
5 officer's family;

6 (2) Uses force, threats, or deception against or toward such judicial officer or  
7 members of such judicial officer's family;

8 (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such  
9 judicial officer or such judicial officer's family;

10 (4) Engages in conduct reasonably calculated to harass or alarm such judicial officer  
11 or such judicial officer's family, including stalking pursuant to section 565.225 or 565.227;

12 (5) Disseminates through any means, including by posting on the internet, the judicial  
13 officer's or the judicial officer's family's personal information. For purposes of this section,  
14 "personal information" includes a home address, home or mobile telephone number, personal  
15 email address, Social Security number, federal tax identification number, checking or savings  
16 account number, marital status, and identity of a child under eighteen years of age.

17 2. A judicial officer for purposes of this section shall be a judge or commissioner of a  
18 state or federal court, arbitrator, special master, juvenile officer, deputy juvenile officer, state  
19 prosecuting or circuit attorney, state assistant prosecuting or circuit attorney, juvenile court  
20 commissioner, state probation or parole officer, or referee.

21 3. A judicial officer's family for purposes of this section shall be:

22 (1) Such officer's spouse; or

23 (2) Such officer or such officer's spouse's ancestor or descendant by blood or  
24 adoption; or

25 (3) Such officer's stepchild, while the marriage creating that relationship exists.

26 4. The offense of tampering with a judicial officer is a class D felony.

27 5. If a violation of this section results in death or bodily injury to a judicial officer or a  
28 member of the judicial officer's family, the offense is a class B felony.

29 **6. No person convicted under this section shall be eligible for parole, probation,**  
30 **or conditional release.**

575.260. 1. A person commits the offense of tampering with a judicial proceeding if,  
2 with the purpose to influence the official action of a judge, juror, special master, referee,  
3 arbitrator, state prosecuting or circuit attorney, state assistant prosecuting or circuit attorney,  
4 or attorney general in a judicial proceeding, he or she:

5 (1) Threatens or causes harm to any person or property; or

6 (2) Engages in conduct reasonably calculated to harass or alarm such official or juror;  
7 or

8 (3) Offers, confers, or agrees to confer any benefit, direct or indirect, upon such  
9 official or juror.

10 2. The offense of tampering with a judicial proceeding is a class D felony. **No person**  
11 **convicted under this section shall be eligible for parole, probation, or conditional**  
12 **release.**