

FIRST REGULAR SESSION

HOUSE BILL NO. 788

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE POCHE.

1518H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 211.351, RSMo, and to enact in lieu thereof one new section relating to appointments in juvenile courts.

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

Section A. Section 211.351, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 211.351, to read as follows:

211.351. 1. The court or the family court administrator in circuits where a family court administrator has been appointed to act as the appointing authority under section 487.060 shall appoint a juvenile officer and other necessary juvenile court personnel to serve under the direction of the court in each county of the first and second class and the circuit judge in circuits comprised of third and fourth class counties:

(1) May appoint a juvenile officer and other necessary personnel to serve the judicial circuit; or

(2) Circuit judges of any two or more adjoining circuits may by agreement, confirmed by judicial order, appoint a juvenile officer and other necessary personnel to serve their respective judicial circuits and, in such a case, the juvenile officers and other persons appointed shall serve under the joint direction of the judges so agreeing.

2. The presiding judge of the circuit shall ensure that any case in the family court or juvenile court division in which a juvenile officer is a participant is not heard by a judge who is the appointing authority for the juvenile officer or other necessary juvenile employees.

3. In the event a juvenile officer and other juvenile court personnel are appointed to serve as provided in subdivisions (1) and (2) of subsection 1 of this section, the total cost to the counties for the compensation of these persons shall be prorated among the several

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.

18 counties and upon a ratio to be determined by a comparison of the respective populations of
19 the counties.

20 4. In each judicial circuit, a grievance review committee shall be appointed by the
21 circuit court en banc to serve as final administrative authority of a grievance regarding
22 personnel policy or action that negatively affects an employee of the family court and/or
23 juvenile court who is not governed by the Missouri circuit court personnel system. The
24 grievance review committee may be comprised of either the circuit court en banc, a
25 committee of not less than three circuit or associate circuit judges, or other body established
26 by local court rule.

27 **5. The governing body of any county, with the consent of the county's**
28 **prosecuting attorney, may, by order, transfer the appointment authority provided in**
29 **subsection 1 of this section to the prosecuting attorney, in which case the juvenile officer,**
30 **any deputy juvenile officer, and other necessary personnel shall be considered**
31 **employees of the prosecuting attorney, and subsection 4 of this section and section**
32 **211.361 shall not apply.**

33 **6. Notwithstanding any provision of law, the prosecuting attorney in a county**
34 **transferring authority as provided in subsection 5 of this section shall assume all**
35 **nonjudicial duties related to the juvenile officer, any deputy juvenile officer, and other**
36 **necessary personnel previously held by the court or family court administrator. The**
37 **juvenile officer, any deputy juvenile officer, and other necessary personnel shall be at-**
38 **will employees, and the prosecuting attorney shall have full administrative control and**
39 **discretion related to the juvenile officer, any deputy juvenile officer, and other necessary**
40 **personnel.**

✓