

HJR 5 -- MISSOURI COURT PLAN

SPONSOR: Loy

Upon voter approval, this proposed Constitutional amendment would change the way judges are selected. Currently, when a judicial vacancy occurs in the Missouri Supreme Court, the Court of Appeals, or in the office of circuit or associate circuit judge within the City of St. Louis or Jackson County, a nonpartisan judicial commission nominates three qualified individuals and submits their names to the Governor, who then must appoint one of the three within 60 days. If the Governor fails to appoint one of the three within 60 days, the Judicial Commission appoints one of its nominees. This bill proposes an amendment to eliminate the Judicial Commission and have the Governor appoint a judge, by and with the advice and consent vote of the Senate.

In judicial circuits outside the City of St. Louis and Jackson County, qualified voters may, at any general election but not more often than every four years, vote to have the circuit and associate circuit judges in their circuit appointed by the Governor, by and with the advice and two-thirds consent vote of the Senate. They may also vote to discontinue such appointment. If a majority of the votes cast are in favor of discontinuing the appointment, the circuit and associate judges of that circuit shall be appointed as otherwise prescribed by law.

This bill is similar to HJR 47 (2018).