

HCS HB 3289 -- COURT OPERATIONS

SPONSOR: Parker

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 8 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 10 to 0.

The following is a summary of the House Committee Substitute for HB 3289.

The bill makes technical changes to the Statewide Court Automation Fund, and it makes changes to the makeup of the Court Automation Committee, including:

- (1) Requiring the judicial members of the Committee to be appointed by the Chief Justice of the Missouri Supreme Court;
- (2) Adding two members of the Missouri Bar appointed by the governors of the Missouri Bar. The bill repeals a provision designating the two members from the Bar as ex-officio members of the Committee;
- (3) Clarifying that, of the members on the Committee from the Senate and the House of Representatives, one member from each chamber must be from the majority party and one must be from the minority party;
- (4) Adding two ex officio members: one being the Chief Justice of the Missouri Supreme Court or his or her designee, and the other being the Commissioner of Administration or his or her designee.

The bill specifies that members of the Committee will serve for two-year terms and will be reimbursed from the Statewide Court Automation Fund for their actual expenses in performing their official committee duties. The bill authorizes the Committee to implement pilot projects in the State at any time. The Committee is required to submit a report on the progress of the court automation system electronically by the 15th of January of each year to the chairs of the specified committees or their successor committees.

The bill creates definitions for the statutes related to court records and the statewide court automation system. The definitions include, among others, "case record", "confidential

information", and "minor child". The bill requires confidential information and confidential records in a case record to be inaccessible to the general public, as provided under Missouri Supreme Court Rules.

This bill requires judicial circuits that have a treatment court division but no treatment court administrator or commissioner to employ a treatment court administrator, subject to appropriations or other available funds. If the compensation of an administrator employed under these provisions is provided from funds other than state funds, the source of the funds will pay to and reimburse the state for the actual costs of the salary and benefits of the administrator.

The bill makes changes to the information that must be redacted from court documents, including pleadings, attachments, and exhibits.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this bill is a technical cleanup to address statutes that are out of date by changing terminology to reflect what the courts now use. This bill does not change the makeup of the Missouri Court Automation Committee or how members are appointed; this just reorganizes its structure to clarify certain aspects. The redaction pieces also don't change the process, but they are streamlined. This legislation meant to ease some of the burdens and answer some of the questions that came about when the Supreme Court promulgated the changes. The change removes pleadings provisions just because it is misplaced.

Testifying in person for the bill were Representative Parker; and Eric D. Jennings, Judicial Conference of Missouri.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.