

HB 3423 -- JUDGES

SPONSOR: Chappell

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Emerging Issues by a vote of 9 to 3. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 7 to 3.

Currently, a person cannot serve in a judicial or quasi-judicial capacity if the person is related to any party, to the extent specified in the bill.

This bill also prohibits a judge from sitting on any proceeding before the court where the judge received any thing of value from a party or attorney of record involved in the proceeding. A judge who violates these provisions is precluded from receiving his or her retirement benefits.

The bill also requires any member of a commission appointed or operating under Article V, Section 25(d) of the Missouri Constitution to file a financial interest statement with the Missouri Ethics Commission.

PROPOSERS: Supporters say that the provisions of this bill focus entirely on a set of ethical standards that should apply to all public officials, including judges. This will in turn ensure a fair, just, and transparent judiciary that operates for the good of all people.

Testifying in person for the bill were Representative Chappell; Associated Industries of Missouri; Missouri Chamber of Commerce and Industry; and Arnie Dienoff.

OPPOSERS: Those who oppose the bill say that there are already laws in place that regulate this very type of thing, which means that additional rules are unnecessary. Opponents further state that those judges who must seek elective office could be unfairly affected by this bill.

Testifying in person against the bill were The Missouri Bar; Brouck Jacobs, Missouri Circuit Judges' Association; Missouri Association of Trial Attorneys; and Missouri Organization of Defense Lawyers.

OTHERS: Others testifying on the bill say that if this bill is enacted, someone could give a small donation to a judge with the

specific intent to get that particular judge recused from the case.

Testifying in person on the bill was Eric D. Jennings, Judicial Conference of Missouri.

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.