

HB 1609 -- ASSIGNMENTS BY A PRESIDING JUDGE

SPONSOR: Diehl

COMMITTEE ACTION: Voted "do pass by consent" by the Committee on Judiciary by a vote of 12 to 0.

Currently, the presiding judge of the circuit court must certify a case for assignment when a party files a petition, counterclaim, cross claim, or third-party claim that independently exceeds the jurisdiction of cases triable under Chapter 517, RSMo, or when a consolidation of cases appear proper and the consolidation would result in a claim exceeding the jurisdictional limit of the division. This bill removes that requirement and allows the presiding judge to certify a case for assignment.

FISCAL NOTE: No impact on state funds in FY 2011, FY 2012, and FY 2013.

PROPOSERS: Supporters say that judges want to make this currently mandatory provision a discretionary provision.

Testifying for the bill were Representative Diehl; Judicial Conference of Missouri; and Missouri Associate Circuit Judge Voluntary Fund.

OPPOSERS: There was no opposition voiced to the committee.