

FIRST REGULAR SESSION

# HOUSE BILL NO. 435

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES ELMER (Sponsor), AUSTIN, COX, CORNEJO, BARNES,  
HOUGH, WHITE, DIEHL AND HAAHR (Co-sponsors).

1244L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 478.073, 478.075, 478.077, 478.080, 478.085, 478.087, 478.090, 478.093, 478.095, 478.097, 478.100, 478.103, 478.105, 478.107, 478.110, 478.113, 478.115, 478.117, 478.120, 478.123, 478.125, 478.127, 478.130, 478.133, 478.135, 478.137, 478.140, 478.143, 478.145, 478.147, 478.150, 478.153, 478.155, 478.157, 478.160, 478.163, 478.165, 478.167, 478.170, 478.173, 478.175, 478.177, 478.180, 478.183, 478.185, 478.186, and 487.010, RSMo, and to enact in lieu thereof two new sections relating to the alteration of judicial boundaries by the supreme court, with an effective date for certain sections.

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

Section A. Sections 478.073, 478.075, 478.077, 478.080, 478.085, 478.087, 478.090,  
2 478.093, 478.095, 478.097, 478.100, 478.103, 478.105, 478.107, 478.110, 478.113, 478.115,  
3 478.117, 478.120, 478.123, 478.125, 478.127, 478.130, 478.133, 478.135, 478.137, 478.140,  
4 478.143, 478.145, 478.147, 478.150, 478.153, 478.155, 478.157, 478.160, 478.163, 478.165,  
5 478.167, 478.170, 478.173, 478.175, 478.177, 478.180, 478.183, 478.185, 478.186, and 487.010,  
6 RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections  
7 478.073 and 487.010, to read as follows:

478.073. [The state is divided into the judicial circuits numbered and described in the  
2 following sections.] **1. By January 1, 2015, and January first every ten years thereafter, the**  
3 **geographical boundaries and territorial jurisdiction of the circuit and appellate courts**  
4 **shall be altered by the supreme court as the administration of justice may require, subject**

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.

5 to the requirements set forth in article V of the Constitution of Missouri. The supreme  
6 court shall establish rules and standards with respect thereto.

7 **2. The supreme court shall use the following criteria when redrawing the judicial**  
8 **boundaries:**

9 **(1) Analysis of a judicial workload study;**

10 **(2) Whether litigants in the current circuits and appellate districts have adequate**  
11 **access to the courts;**

12 **(3) Populations of the circuits and appellate districts;**

13 **(4) Judicial duties and travel time;**

14 **(5) Historical connections between counties in the circuits and appellate districts;**

15 **and**

16 **(6) Other criteria that the supreme court deems relevant.**

17 **3. The total number of circuits and appellate districts in existence as of December**  
18 **31, 2014, shall not be altered, and any supreme court order creating or reducing the**  
19 **number of circuits or appellate districts shall be null and void.**

487.010. 1. [There is hereby created in the circuit court of the following judicial circuits  
2 of the state, a division or divisions to be designated as provided in sections 487.010 to 487.190,  
3 which shall be the family court:

4 (1) Circuit number seven, consisting of the county of Clay;

5 (2) Circuit number thirteen, consisting of Callaway and Boone;

6 (3) Circuit number sixteen, consisting of the county of Jackson;

7 (4) Circuit number twenty-one, consisting of the county of St. Louis;

8 (5) Circuit number twenty-two, consisting of the city of St. Louis;

9 (6) Circuit number thirty-one, consisting of the county of Greene; and

10 (7) Any other circuit which chooses, by local court rule, to have a family court as  
11 provided in sections 487.010 to 487.190.

12 2.] The majority of the circuit judges and associate circuit judges en banc, in the circuit,  
13 may designate, by local court rule, a family court in a county in the circuit as provided in sections  
14 487.010 to 487.190.

15 [3.] 2. The presiding judge of each circuit where the circuit or a county in the circuit has  
16 a family court shall designate the division or divisions of the circuit court that shall be the family  
17 court. In those circuits with split venue, a division shall be designated in each venue.

18 [4.] 3. In each circuit having more than one division designated as the family court, the  
19 presiding judge shall designate from the divisions so designated an administrative judge of the  
20 family court.

21 [5.] 4. In any circuit with a county with split venue, there shall be at least one circuit  
 22 judge assigned to the family court for each block of one hundred sixty thousand persons, or  
 23 portion of such block, based upon the latest decennial national census.

24 [6.] 5. Notwithstanding any other provision of this chapter to the contrary, the judges of  
 25 the court en banc may remove a judge from his duties as a family court judge and may assign a  
 26 new judge to sit as the family court judge.

27 **6. This section shall not be construed as eliminating any family courts in existence**  
 28 **as of December 31, 2014.**

2 [478.075. Circuit number one shall consist of the counties of Clark,  
 3 Schuyler and Scotland.]

2 [478.077. Circuit number two shall consist of the counties of Adair,  
 3 Knox and Lewis.]

2 [478.080. Circuit number three shall consist of the counties of Grundy,  
 3 Harrison, Mercer and Putnam.]

2 [478.085. Circuit number four shall consist of the counties of Holt,  
 3 Atchison, Gentry, Nodaway and Worth.]

2 [478.087. Circuit number five shall consist of the counties of Buchanan  
 3 and Andrew.]

2 [478.090. Circuit number six shall consist of the county of Platte.]

2 [478.093. Circuit number seven shall consist of the county of Clay.]

2 [478.095. Circuit number eight shall consist of the counties of Carroll  
 3 and Ray.]

2 [478.097. Circuit number nine shall consist of the counties of Chariton,  
 3 Linn and Sullivan.]

2 [478.100. Circuit number ten shall consist of the counties of Marion,  
 3 Monroe and Ralls.]

2 [478.103. 1. Until August 28, 1991, circuit number eleven shall consist  
 3 of the counties of Lincoln, Pike and St. Charles.

4 2. Beginning August 29, 1991, circuit number eleven shall consist of the  
 5 county of St. Charles.]

2 [478.105. Circuit number twelve shall consist of the counties of Audrain,  
3 Montgomery and Warren.]

2 [478.107. Circuit number thirteen shall consist of the counties of Boone  
3 and Callaway.]

2 [478.110. Circuit number fourteen shall consist of the counties of  
3 Howard and Randolph.]

2 [478.113. Circuit number fifteen shall consist of the counties of Lafayette  
3 and Saline.]

2 [478.115. Circuit number sixteen shall consist of the county of Jackson.]

2 [478.117. Circuit number seventeen shall consist of the counties of Cass  
3 and Johnson.]

2 [478.120. Circuit number eighteen shall consist of the counties of Cooper  
3 and Pettis.]

2 [478.123. Circuit number nineteen shall consist of the county of Cole.]

2 [478.125. Circuit number twenty shall consist of the counties of Franklin,  
3 Gasconade and Osage.]

2 [478.127. Circuit number twenty-one shall consist of the county of St.  
3 Louis.]

2 [478.130. Circuit number twenty-two shall consist of the city of St.  
3 Louis.]

2 [478.133. Circuit number twenty-three shall consist of Jefferson County.]

2 [478.135. Circuit number twenty-four shall consist of the counties of  
3 Madison, St. Francois, Ste. Genevieve and Washington.]

2 [478.137. Circuit number twenty-five shall consist of the counties of  
3 Maries, Phelps, Pulaski and Texas.]

2 [478.140. Circuit number twenty-six shall consist of the counties of  
3 Camden, Laclede, Miller, Moniteau and Morgan.]

2 [478.143. Circuit number twenty-seven shall consist of the counties of  
3 Bates, Henry and St. Clair.]

2 [478.145. Circuit number twenty-eight shall consist of the counties of  
3 Barton, Cedar, Dade and Vernon.]

2 [478.147. Circuit number twenty-nine shall consist of the county of  
3 Jasper.]

2 [478.150. Circuit number thirty shall consist of the counties of Benton,  
3 Dallas, Hickory, Polk and Webster.]

2 [478.153. Circuit number thirty-one shall consist of the county of  
3 Greene.]

2 [478.155. Circuit number thirty-two shall consist of the counties of Perry,  
3 Bollinger and Cape Girardeau.]

2 [478.157. Circuit number thirty-three shall consist of the counties of  
3 Mississippi and Scott.]

2 [478.160. Circuit number thirty-four shall consist of the counties of New  
3 Madrid and Pemiscot.]

2 [478.163. Circuit number thirty-five shall consist of the counties of  
3 Dunklin and Stoddard.]

2 [478.165. Circuit number thirty-six shall consist of the counties of Butler  
3 and Ripley.]

2 [478.167. Circuit number thirty-seven shall consist of the counties of  
3 Carter, Howell, Oregon and Shannon.]

2 [478.170. Circuit number thirty-eight shall consist of the counties of  
3 Christian and Taney.]

2 [478.173. Circuit number thirty-nine shall consist of the counties of  
3 Barry, Lawrence and Stone.]

2 [478.175. Circuit number forty shall consist of the counties of McDonald  
3 and Newton.]

2 [478.177. Circuit number forty-one shall consist of the counties of  
3 Macon and Shelby.]

2 [478.180. Circuit number forty-two shall consist of the counties of  
3 Crawford, Dent, Iron, Reynolds and Wayne.]

2 [478.183. Circuit number forty-three shall consist of the counties of  
3 Clinton, Caldwell, Daviess, Livingston, and DeKalb.]

2 [478.185. Circuit number forty-four shall consist of the counties of  
3 Douglas, Ozark, and Wright.]

2 [478.186. 1. Beginning August 29, 1991, circuit number forty-five shall  
3 consist of the counties of Lincoln and Pike.

4 2. The circuit court judge who sat in division three of the eleventh  
5 judicial circuit on August 28, 1991, shall beginning August 29, 1991, be the  
6 circuit judge of the forty-fifth judicial circuit and shall hold office for the  
7 remainder of the term to which he was elected or appointed, and until his  
8 successor is elected and qualified.]

2 Section B. The repeal of sections 478.075, 478.077, 478.080, 478.085, 478.087, 478.090,  
3 478.093, 478.095, 478.097, 478.100, 478.103, 478.105, 478.107, 478.110, 478.113, 478.115,  
4 478.117, 478.120, 478.123, 478.125, 478.127, 478.130, 478.133, 478.135, 478.137, 478.140,  
5 478.143, 478.145, 478.147, 478.150, 478.153, 478.155, 478.157, 478.160, 478.163, 478.165,  
6 478.167, 478.170, 478.173, 478.175, 478.177, 478.180, 478.183, 478.185, 478.186, and the  
6 repeal and reenactment of section 487.010 shall become effective December 31, 2014.

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