

HB 2863 -- TRANSFER OF APPEALS

SPONSOR: Anderson

Currently, any person aggrieved by a judgment in a civil case tried without a jury before an associate circuit judge shall have the right of a trial de novo in all cases tried before a municipal court or in actions in small claims court or certain landlord-tenant actions. This bill provides that any person aggrieved by a final judgment entered in a civil case, summarily or involuntarily, with prejudice, before an associate circuit judge, and in all cases disposed of summarily or involuntarily, with prejudice, or tried without a jury, before a municipal court, cases in small claims court, and landlord-tenant actions shall have the right of either a trial de novo or a direct appeal upon the record to the appropriate appellate court.

Additionally, this bill provides that appeals will go directly to the court or district having jurisdiction in all proceedings reviewable on appeal by trial de novo by the Missouri Supreme Court or the Missouri Court of Appeals. Further, this bill provides that lack of jurisdiction shall not be grounds for dismissal and any such proceeding shall be transferred to the circuit or appellate court having jurisdiction. An original action filed in a court lacking jurisdiction or venue shall be transferred to the appropriate court.

This bill is the same as SB 940 (2022).