

SECOND REGULAR SESSION

# HOUSE BILL NO. 1962

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES MONACO, CROWELL, SMITH, HOSMER, WILLOUGHBY,  
VILLA (Co-sponsors), JOHNSON (90) AND MAYER.

Read 1<sup>st</sup> time February 14, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4713L.01I

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### AN ACT

To repeal sections 50.333, 57.290, 67.133, 429.032, 429.080, 429.080, 429.090, 429.120, 429.160, 429.270, 429.460, 429.470, 429.490, 429.540, 454.505, 455.027, 455.060, 455.067, 455.075, 455.504, 455.508, 476.058, 476.385, 478.725, 488.012, 488.2300, 488.4014, 488.5320, 491.300, 494.410, 494.415, 494.420, 511.350, 511.510, 517.141, 517.151, 577.051 and 595.045, RSMo, relating to courts, and to enact in lieu thereof thirty-four new sections relating to the same subject, with penalty provisions.

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

Section A. Sections 50.333, 57.290, 67.133, 429.032, 429.080, 429.080, 429.090, 2 429.120, 429.160, 429.270, 429.460, 429.470, 429.490, 429.540, 454.505, 455.027, 455.060, 3 455.067, 455.075, 455.504, 455.508, 476.058, 476.385, 478.725, 488.012, 488.2300, 488.4014, 4 488.5320, 491.300, 494.410, 494.415, 494.420, 511.350, 511.510, 517.141, 517.151, 577.051 5 and 595.045, RSMo, are repealed and thirty-four new sections enacted in lieu thereof, to be 6 known as sections 50.333, 429.032, 429.080, 429.090, 429.120, 429.160, 429.270, 429.460, 7 429.470, 429.490, 429.540, 454.505, 455.027, 455.060, 455.067, 455.075, 455.504, 476.058, 8 476.061, 476.385, 488.012, 488.2300, 488.4014, 488.5021, 488.5320, 491.300, 494.410, 9 494.415, 494.420, 511.350, 511.510, 517.151, 577.051 and 595.045, to read as follows:

50.333. 1. There shall be a salary commission in every nonchartered county.

2 2. The **county** clerk [of the circuit court of the judicial circuit] in which such county is  
3 located shall set a date, time and place for the salary commission meeting and serve as temporary  
4 chairman of the salary commission until the members of the commission elect a chairman from  
5 their number. Upon written request of a majority of the salary commission members the **county**

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

6 clerk [of the circuit court] shall forthwith set the earliest date possible for a meeting of the salary  
7 commission. The [circuit] **county** clerk shall give notice of the time and place of any meeting  
8 of the salary commission. Such notice shall be published in a newspaper of general circulation  
9 in such county at least five days prior to such meeting. Such notice shall contain a general  
10 description of the business to be discussed at such meeting.

11 3. The members of the salary commission shall be:

12 (1) The recorder of deeds if the recorder's office is separate from that of the circuit clerk;

13 (2) The county clerk;

14 (3) The prosecuting attorney;

15 (4) The sheriff;

16 (5) The county commissioners;

17 (6) The collector or treasurer ex officio collector;

18 (7) The treasurer or treasurer ex officio collector;

19 (8) The assessor;

20 (9) The auditor;

21 (10) The public administrator; and

22 (11) The coroner.

23

24 Members of the salary commission shall receive no additional compensation for their services  
25 as members of the salary commission. A majority of members shall constitute a quorum.

26 4. Notwithstanding the provisions of sections 610.021 and 610.022, RSMo, all meetings  
27 of a county salary commission shall be open meetings and all votes taken at such meetings shall  
28 be open records. Any vote taken at any meeting of the salary commission shall be taken by  
29 recorded yeas and nays.

30 5. In every county, the salary commission shall meet at least once before November  
31 thirtieth of each odd-numbered year. The salary commission may meet as many times as it  
32 deems necessary and may meet after November thirtieth and prior to December fifteenth of any  
33 odd-numbered year if the commission has met at least once prior to November thirtieth of that  
34 year. At any meeting of the salary commission, the members shall elect a chairman from their  
35 number. The county clerk shall present a report on the financial condition of the county to the  
36 commission once the chairman is elected, and shall keep the minutes of the meeting.

37 6. For purposes of this section, the 1988 base compensation is the compensation paid on  
38 September 1, 1987, plus the same percentage increase paid or allowed, whichever is greater, to  
39 the presiding commissioner or the sheriff, whichever is greater, of that county for the year  
40 beginning January 1, 1988. Such increase shall be expressed as a percentage of the difference  
41 between the maximum allowable compensation and the compensation paid on September 1,

42 1987. At its meeting in 1987 and at any meeting held in 1988, the salary commission shall  
43 determine the compensation to be paid to every county officer holding office on January 1, 1988.  
44 The salary commission shall establish the compensation for each office at an amount not greater  
45 than that set by law as the maximum compensation. If the salary commission votes to increase  
46 compensation, but not to pay the maximum amount authorized by law for any officer or office,  
47 then the increase in compensation shall be the same percentage increase for all officers and  
48 offices and shall be expressed as a percentage of the difference between the maximum allowable  
49 compensation and the compensation being received at the time of the vote. If two-thirds of the  
50 members of the salary commission vote to decrease the compensation being received at the time  
51 of the vote below that compensation, all officers shall receive the same percentage decrease. The  
52 commission may vote not to increase or decrease the compensation and that compensation shall  
53 continue to be the salary of such offices and officers during the subsequent term of office.

54 7. For the year 1989 and every second year thereafter, the salary commission shall meet  
55 in every county as many times as it deems necessary on or prior to November thirtieth of any  
56 such year for the purpose of determining the amount of compensation to be paid to county  
57 officials. For each year in which the commission meets, the members shall elect a chairman  
58 from their number. The county clerk shall present a report on the financial condition of the  
59 county to the commission once the chairman is elected, and shall keep minutes of the meeting.  
60 The salary commission shall then consider the compensation to be paid for the next term of  
61 office for each county officer to be elected at their next general election. If the commission votes  
62 not to increase or decrease the compensation, the salary being paid during the term in which the  
63 vote was taken shall continue as the salary of such offices and officers during the subsequent  
64 term of office. If the salary commission votes to increase the compensation, all officers or  
65 offices whose compensation is being considered by the commission at that time, shall receive  
66 the same percentage of the maximum allowable compensation. However, for any county in  
67 which all offices' and officers' salaries have been set at one hundred percent of the maximum  
68 allowable compensation, the commission may vote to increase the compensation of all offices  
69 except that of full-time prosecuting attorneys at that or any subsequent meeting of the salary  
70 commission without regard to any law or maximum limitation established by law. Such increase  
71 shall be expressed as a percentage of the compensation being paid during the term of office when  
72 the vote is taken, and each officer or office whose compensation is being established by the  
73 salary commission at that time shall receive the same percentage increase over the compensation  
74 being paid for that office during the term when the vote is taken. This increase shall be in  
75 addition to any increase mandated by an official's salary schedule because of changes in assessed  
76 valuation during the current term. If the salary commission votes to decrease the compensation,  
77 a vote of two-thirds or more of all the members of the salary commission shall be required before

78 the salary or other compensation of any county office shall be decreased below the compensation  
79 being paid for the particular office on the date the salary commission votes, and all officers and  
80 offices shall receive the same percentage decrease.

81 8. The salary commission shall issue, not later than December fifteenth of any year in  
82 which it meets, a report of compensation to be paid to each officer and the compensation so set  
83 shall be paid beginning with the start of the subsequent term of office of each officer. The report  
84 of compensation shall be certified to the clerk of the county commission for the county and shall  
85 be in substantially the following form:

86 The salary commission for ..... County hereby certifies that it has met pursuant  
87 to law to establish compensation for county officers to be paid to such officers during the next  
88 term of office for the officers affected. The salary commission reports that there shall be (no  
89 increase in compensation) (an increase of ..... percent) (a decrease of ..... percent)  
90 (county officer's salaries set at ..... percent of the maximum allowable compensation).  
91 Salaries shall be adjusted each year on the official's year of incumbency for any change in the last  
92 completed assessment that would affect the maximum allowable compensation for that office.

93 9. For the meeting in 1989 and every meeting thereafter, in the event a salary  
94 commission in any county fails, neglects or refuses to meet as provided in this section, or in the  
95 event a majority of the salary commission is unable to reach an agreement and so reports or fails  
96 to certify a salary report to the clerk of the county commission by December fifteenth of any year  
97 in which a report is required to be certified by this section, then the compensation being paid to  
98 each affected office or officer on such date shall continue to be the compensation paid to the  
99 affected office or officer during the succeeding term of office.

100 10. Other provisions of law notwithstanding, in every instance where an officer or  
101 employee of any county is paid a mileage allowance or reimbursement, the county commission  
102 shall allow or reimburse such officers or employees out of the county treasury at the highest rate  
103 paid to any county officer for each mile actually and necessarily traveled in the performance of  
104 their official duties. The county commission of any county may elect to pay a mileage allowance  
105 for any county commissioner for travel going to and returning from the place of holding  
106 commission meetings and for all other necessary travel on official county business in the  
107 personal motor vehicle of the commissioner presenting the claim. The governing body of any  
108 county of the first classification not having a charter form of government may provide by order  
109 for the payment of mileage expenses of elected and appointed county officials by payment of a  
110 certain amount monthly which would reflect the average monthly mileage expenses of such  
111 officer based on the amount allowed pursuant to state law for the payment of mileage for state  
112 employees. Any order entered for such purpose shall not be construed as salary, wages or other  
113 compensation for services rendered.

11. The term "maximum allowable compensation" as used in this section means the highest compensation which may be paid to the specified officer or office in the particular county based on the salary schedule established by law for the specified officer or office. If the salary commission at its meeting in 1987 voted for one hundred percent of the maximum allowable compensation and does not change such vote at its meeting held within thirty days after May 13, 1988, as provided in subsection 6 of this section, the one hundred percent shall be calculated on the basis of the total allowable compensation permitted after May 13, 1988.

12. At the salary commission meeting which establishes the percentage rate to be applied to county officers during the next term of office, the salary commission may authorize the further adjustment of such officers' compensation as a cost-of-living component and effective January first of each year, the compensation for county officers may be adjusted by the county commission, and if the adjustment of compensation is authorized, the percentage increase shall be the same for all county officers, not to exceed the percentage increase given to the other county employees. The compensation for all county officers may be set as a group, although the change in compensation will not become effective until the next term of office for each officer.

13. At the salary commission meeting in 1997 which establishes the salaries for those officers to be elected at the general election in 1998, the salary commission of each noncharter county may provide salary increases for associate county commissioners elected in 1996. This one-time increase is necessitated by the change from two- to four-year terms for associate commissioners pursuant to house bill 256, passed by the first regular session of the eighty-eighth general assembly in 1995.

[57.290. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their services rendered in criminal cases and in all proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case, and six dollars for each infraction, excluding cases disposed of by a traffic violations bureau established pursuant to law or supreme court rule. Such charges shall be charged and collected in the manner provided by sections 488.010 to 488.020, RSMo, and shall be payable to the county treasury.

2. The sheriff receiving any charge pursuant to subsection 1 of this section shall reimburse the sheriff of any other county or the city of St. Louis the sum of three dollars for each pleading, writ, summons, order of court or other document served in connection with the case or proceeding by the sheriff of the other county or city, and return made thereof, to the maximum amount of the total charge received pursuant to subsection 1 of this section.

3. In cities and counties having a population of three hundred thousand inhabitants and over, each deputy sheriff, not more than two, shall be allowed for each day during the term of court six dollars, to be paid by the city or county of three hundred thousand inhabitants or over.

19                   4. For the services of taking convicted offenders to the reception and  
20 diagnostic center designated by the director of the department of corrections, the  
21 sheriff, county marshal or other officers shall receive the sum of eight dollars per day  
22 for the time actually and necessarily employed in traveling to and from the reception  
23 and diagnostic center, and each guard shall receive the sum of six dollars per day for  
24 the same, and the sheriff, county marshal or other officer and guard shall receive the  
25 mileage rate prescribed by this section for the distance necessarily traveled in going  
26 to and returning from the reception and diagnostic center, the time and distance to be  
27 estimated by the most usually traveled route from the place of departure to the  
28 reception and diagnostic center; the mileage rate prescribed by this section for each  
29 mile traveled shall be allowed to the sheriff to cover all expenses on each convicted  
30 offender while being taken to the reception and diagnostic center; and all persons  
31 convicted and sentenced to imprisonment in the department of corrections at any  
32 term or sitting of the court, shall be taken to the reception and diagnostic center at the  
33 same time, unless prevented by sickness or unavoidable accident. In cities having a  
34 population of two hundred thousand inhabitants or more, convicted offenders shall  
35 be taken to the reception and diagnostic center as often as the sheriff deems  
36 necessary. When three or more convicted offenders are being taken to the reception  
37 and diagnostic center at one time, a guard may be employed, but no guard shall be  
38 employed for a less number of convicted offenders except upon the order, entered of  
39 record, of the judge of the court in which the conviction was had, and any additional  
40 guards employed by order of the judge shall, in no event, exceed one for every three  
41 convicted offenders; and before any claim for taking convicted offenders to the  
42 reception and diagnostic center is allowed, the sheriff, or other officer conveying  
43 such convicted offender, shall file with the state commissioner of administration an  
44 itemized statement of such sheriff's account, in which the sheriff shall give the name  
45 of each convicted offender conveyed and the name of each guard actually employed,  
46 with the number of miles necessarily traveled and the number of days required, which  
47 in no case shall exceed three days, and which account shall be signed and sworn to  
48 by such officer and accompanied by a certificate from the chief administrative officer  
49 or such officer's designee of the reception and diagnostic center, that such convicted  
50 offenders have been delivered at the reception and diagnostic center and were  
51 accompanied by each of the officers and guards named in the account.

52                   5. The sheriff or other officer who shall take a person, charged with a  
53 criminal offense, from the county in which the offender is apprehended to that in  
54 which the offense was committed, or who may remove a prisoner from one county  
55 to another for any cause authorized by law, or who shall have in custody or under  
56 such sheriff's or officer's charge any person undergoing an examination preparatory  
57 to such person's commitment more than one day for transporting, safekeeping and  
58 maintaining any such person, shall be allowed by the court having cognizance of the  
59 offense, three dollars and fifty cents per day for every day such sheriff or officer may  
60 have such person under such sheriff's or officer's charge, when the number of days  
61 shall exceed one, and the mileage rate prescribed by this section for every mile

necessarily traveled in going to and returning from one county to another, and the guard employed, who shall in no event exceed the number allowed the sheriff, marshal or other officer in transporting convicted offenders to the reception and diagnostic center, shall be allowed the same compensation as the officer. Three dollars and fifty cents per day, mileage same as officer, shall be allowed for board and all other expenses of each prisoner. No compensation shall be allowed under this section for taking the prisoner or prisoners from one place to another in the same county, excepting in counties which have two or more courts with general criminal jurisdiction. In such counties the sheriff shall have the same fees for conveying prisoners from the jail to place of trial as are allowed for conveying prisoners in like cases from one county to another, and the expenses incurred in transporting prisoners from one county to another, occasioned by the insufficiency of the county jail or threatened mob violence, shall be paid by the county in which such case may have originated; provided that the court is held at a place more than five miles from the jail; and no court shall allow the expense of a guard, although it may have actually been incurred, unless from the evidence of disinterested persons it shall be satisfied that a guard was necessary; provided, that when the place of conviction is remote from a railroad, upon which a convicted offender may be transported to the reception and diagnostic center, the court before which such convicted offender is sentenced may, for good cause shown, allow one guard for every two convicted offenders, such guard to receive three dollars a day and the mileage rate prescribed by this section for every mile necessarily traveled in going to and returning from the nearest depot on said railroad to the place where such convicted offender was sentenced.

6. The charges provided in subsection 1 of this section shall be taxed as other costs in criminal procedure immediately after conviction of any defendant in any criminal procedure. The clerk shall tax all the costs in the case against such defendant, which shall be collected and disbursed as provided by sections 488.010 to 488.020, RSMo; provided, that no such charge shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court; provided further, that all costs, incident to the issuing and serving of writs of scire facias and of writs of fieri facias, and of attachments for witnesses of defendant, shall in no case be paid by the state, but such costs incurred under writs of fieri facias and scire facias shall be paid by the defendant and such defendant's sureties, and costs for attachments for witnesses shall be paid by such witnesses.

7. Mileage shall be reimbursed to sheriffs, county marshals and guards for all services rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable expenses for motor vehicle use expressed as an amount per mile.]

[67.133. 1. A fee of ten dollars shall be assessed in all cases in which the defendant is convicted of a nonfelony violation of any provision of chapters 252, 301, 302, 304, 306, 307 and 390, RSMo, and any infraction otherwise provided by law, twenty-five dollars in all misdemeanor cases otherwise provided by law, and seventy-five dollars in all felony cases, in criminal cases including violations of any

county ordinance or any violation of a criminal or traffic law of the state, except that no such fees shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality. All fees collected under the provisions of this section shall be collected and disbursed in the manner provided by sections 488.010 to 488.020, RSMo, and payable to the county treasurer who shall deposit those funds in the county treasury.

2. Counties shall be entitled to a judgment in the amount of twenty-five percent of all sums collected on recognizances given to the state in criminal cases, which are or may become forfeited, if not more than five hundred dollars, and fifteen percent of all sums over five hundred dollars, to be paid out of the amount collected.]

429.032. 1. When multiple lots, tracts or parcels are the subject of one mechanic's lien created by virtue of sections 429.010 to 429.340, it shall be permissible for every mechanic or other person who has a lien upon such multiple lots, tracts or parcels to release one or more of the lots, tracts or parcels from the mechanic's lien. The lots, tracts or parcels released, and the amount of mechanic's lien debt attributable to such lot, tract or parcel so released shall be specified by the mechanic's lien claimant.

2. Whenever a mechanic's lien filed upon multiple lots, tracts or parcels is partially released as to one or more of the lots, tracts or parcels, it shall be the duty of the mechanic's lien claimant to acknowledge upon the record or the margin thereof, in the office of the [clerk of the circuit court] **recorder of deeds**, the portion of the mechanic's lien debt that is satisfied and the lots, tracts or parcels which are being released. The acknowledgment shall be sufficient if filed with the [clerk of the circuit court] **recorder of deeds** in the following form:

PARTIAL RELEASE OF MECHANIC'S LIEN

STATE OF MISSOURI)

) SS.

COUNTY OF )

COMES NOW ....., (name of lien claimant) the lien claimant and does hereby partially release its mechanic's lien filed on ....., (date lien filed) and filed for record as lien number ..... (lien number or book and page numbers)

The amount of the original mechanic's lien debt is \$ ..... .

The amount of the original mechanic's lien debt which is now satisfied is \$ ..... .

The lots, tracts or parcels which are being released are more fully described as follows:

(Legal description of lots, tracts or  
parcels which are being released)



28 .....  
29 Lien Claimant  
30 By.....  
31 (Signature of authorized representative)

32 (FOR INDIVIDUAL LIEN CLAIMANT)

33 On this ..... day of ....., 19...., before me personally appeared ....., to me  
34 known to be the person described in and who executed the foregoing instrument, and  
35 acknowledged that he/she executed the same as his/her free act and deed.

36 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal  
37 in the county and state aforesaid, the day and year first above written.

38 .....  
39 Notary Public

40 My commission expires:

41 .....

42 OR

43 (FOR CORPORATE LIEN CLAIMANT)

44 On this ..... day of ....., 19....., before me personally appeared .....,  
45 to me personally known, who, being by me duly sworn, did say that he is the ..... of  
46 ....., a Missouri corporation, and that the seal affixed to the foregoing corporation,  
47 and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and  
48 that said instrument was signed and sealed on behalf of said corporation by authority of its board  
49 of directors; and said ..... acknowledged said instrument to be the free act and deed of  
50 said corporation.

51 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal  
52 in the county and state aforesaid, the day and year first above written.

53 .....  
54 Notary Public

55 My commission expires:

56 .....

429.080. It shall be the duty of every original contractor, every journeyman and day  
2 laborer, and every other person seeking to obtain the benefit of the provisions of sections  
3 429.010 to 429.340, within six months after the indebtedness shall have accrued to file with the  
4 [clerk of the circuit court] **recorder of deeds** of the proper county a just and true account of the  
5 demand due him or them after all just credits have been given, which is to be a lien upon such  
6 building or other improvements, and a true description of the property, or so near as to identify  
7 the same, upon which the lien is intended to apply, with the name of the owner or contractor, or

8 both, if known to the person filing the lien, which shall, in all cases, be verified by the oath of  
9 himself or some credible person for him.

429.090. It shall be the duty of the [clerk of the circuit court] **recorder of deeds** to  
2 endorse upon every account the date of its filing, and maintain an abstract thereof, containing the  
3 date of its filing, the name of the person seeking to enforce the lien, the amount claimed, the  
4 name of the person against whose property the lien is filed, and a description of the property  
5 charged with the same.

429.120. Whenever any debt, which is a lien upon any building or other improvement,  
2 shall be paid or satisfied, the creditor, if required, shall file an acknowledgment of such  
3 satisfaction with the [clerk of the circuit court] **recorder of deeds**.

429.160. Any two or more persons having filed in the [clerk's] **recorder of deeds** office  
2 mechanics' liens may assign to each other or to any other person all their right, title and interest  
3 in and to such mechanics' liens, and the assignee thereof may bring suit in his name and enforce  
4 all such assigned liens as fully as if the same had not been assigned.

429.270. Any and all liens in sections 429.010 to 429.340 provided for may be  
2 adjudicated and determined and the rights of all parties interested in the same and in the property  
3 and of any of the property against which the same is claimed may be adjudicated, determined and  
4 enforced in one action which may be brought by any such lien claimant after the statement for  
5 such lien is filed in the office of the [clerk of court] **recorder of deeds**, as herein provided, or  
6 such action may be brought by any owner or lessee of the property or any of it to be affected, or  
7 mortgagee or holder of any other encumbrance thereon. Such action shall be an equitable action  
8 for the purpose of determining the various rights, interest and liens of the various mechanics' lien  
9 claimants and claimants of other liens and owner of any interest in or leasehold upon said  
10 property and for enforcing the rights of any and all such persons in, to or against the property,  
11 being the lands and buildings and either of the same and for sale of such property, land and  
12 buildings or either of the same and for marshalling and distribution of the proceeds thereof  
13 among the parties according to their respective legal and equitable rights therein. Such action  
14 shall be an equitable action for the purpose of determining, establishing and enforcing the  
15 various and respective rights of the parties thereto and for the purpose of marshaling, applying  
16 and distributing the proceeds of the sale of such property that may be ordered and decreed in said  
17 action.

429.460. It shall be the duty of all persons claiming the benefit of such lien, within ninety  
2 days next after the completion of the work, or after the materials are furnished, to file in the  
3 office of the [circuit clerk] **recorder of deeds** of any county through which said railroad is  
4 located a just and true account of the amount due after all just credits have been given, which  
5 account shall state the amount claimed as due, the general nature of the work, amount of labor

6 performed or of materials furnished, the dates when the work was done and when materials were  
7 furnished, and the place or places at which said labor and work was performed or said materials  
8 were furnished, the name or names of the parties with whom the contract for said work or  
9 furnishing said materials was made, and also the name of the railroad against which said lien is  
10 intended to apply; and it shall be the duty of all persons claiming said lien, within said ninety  
11 days, to serve a copy of the above account on the person or corporation owning or operating or  
12 having charge of said road or of the property to which said lien attaches, which said copy of  
13 account may be served in the same manner as now provided by law for the service of summons  
14 on corporations.

429.470. It shall be the duty of the [circuit clerk] **recorder of deeds** to endorse upon  
2 every account the date of its filing, and maintain an abstract thereof, containing the date of its  
3 filing, the name of the person seeking to enforce the lien, the amount claimed, and the name of  
4 the railroad against which the lien is filed; and it shall be the duty of [circuit clerks] **the recorder**  
5 **of deeds** in whose office such accounts and liens may be filed, within five days thereafter, to  
6 forward to the secretary of state a true copy of said accounts and liens [and]. **It shall be the duty**  
7 **of the judgment creditor in an action filed pursuant to section 429.520, to forward to the**  
8 **secretary of state a certified copy of the** judgments [rendered thereon by the circuit courts in  
9 which the case has been tried].

429.490. Whenever any debt, which is a lien upon any building or other improvement,  
2 shall be paid and satisfied, the creditor, if required, shall file an acknowledgment of such  
3 satisfaction with the [clerk of the circuit court] **recorder of deeds**, which satisfaction shall be  
4 certified by the [clerk] **recorder** to the secretary of state within ten days after the same has been  
5 entered upon the records in his office; and the [clerks of the circuit courts] **recorder of deeds**  
6 and the secretary of state shall receive as full compensation for services performed by them as  
7 is provided for under this chapter for mechanics' liens.

429.540. In all cases where judgments have been rendered and a sale has been ordered,  
2 and the property sold to which said liens attach, the proceeds arising from such sale, if not  
3 sufficient to discharge all the liens on which judgments have been rendered before such sale shall  
4 be made, shall be distributed pro rata upon such judgments as if the filing of the said liens had  
5 been all the same date; and when such judgments have been by such sales or otherwise wholly  
6 or partially paid, and satisfied, the [clerks] **recorder** shall enter upon the records the amount or  
7 amounts so paid, with a correct description of the real property sold, and within the time and in  
8 like manner certify the same to the secretary of state, as heretofore provided.

454.505. 1. In addition to any other remedy provided by law for the enforcement of  
2 support, if a support order has been entered, the director shall issue an order directing any  
3 employer or other payor of the parent to withhold and pay over to the division, the payment

center pursuant to section 454.530 or the clerk of the circuit court in the county in which a trusteeship is or will be established, money due or to become due the obligated parent in an amount not to exceed federal wage garnishment limitations. For administrative child support orders issued pursuant to sections other than section 454.476, the director shall not issue an order to withhold and pay over in any case in which:

(1) One of the parties demonstrates, and the director finds, that there is good cause not to require immediate income withholding. For purposes of this subdivision, any finding that there is good cause not to require immediate withholding shall be based on, at least, a written determination and an explanation by the director that implementing immediate wage withholding would not be in the best interests of the child and proof of timely payments of previously ordered support in cases involving the modification of support orders; or

(2) A written agreement is reached between the parties that provides for an alternative payment arrangement.

If the income of an obligor is not withheld as of the effective date of the support order, pursuant to subdivision (1) or (2) of this subsection, or otherwise, such obligor's income shall become subject to withholding pursuant to this section, without further exception, on the date on which the obligor becomes delinquent in maintenance or child support payments in an amount equal to one month's total support obligation **or when an employer is located**.

2. An order entered pursuant to this section shall recite the amount required to be paid as continuing support, the amount to be paid monthly for arrearages and the Social Security number of the obligor if available. In addition, the order shall contain a provision that the obligor shall notify the division of child support enforcement regarding the availability of medical insurance coverage through an employer or a group plan, provide the name of the insurance provider when coverage is available, and inform the division of any change in access to such insurance coverage. A copy of section 454.460 and this section shall be appended to the order. [A copy of such order shall be filed with the circuit court in the county or city not within a county in which the judgment of dissolution or paternity was entered, or if no such judgment was entered, in the county or city not within a county where either parent or the child resides or where the order or judgment is filed or registered.]

3. An order entered pursuant to this section shall be served on the employer or other payor by certified mail, return receipt requested or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. A copy of the order and a notice of property exempt from withholding shall be mailed to the obligor at the obligor's last known address. The notice shall advise the obligor that the withholding has commenced and the procedures to contest such withholding pursuant to

40 section 454.475 on the grounds that such withholding or the amount withheld is improper due  
41 to a mistake of fact by requesting a hearing thirty days from mailing the notice. At such a  
42 hearing the certified copy of the court order and the sworn or certified statement of arrearages  
43 shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima  
44 facie case is established, the obligor may only assert mistake of fact as a defense. For purposes  
45 of this section, "mistake of fact" means an error in the amount of the withholding or an error as  
46 to the identity of the obligor. The obligor shall have the burden of proof on such issues. The  
47 obligor may not obtain relief from the withholding by paying the overdue support. The employer  
48 or other payor shall withhold from the earnings or other income of each obligor the amount  
49 specified in the order, and may deduct an additional sum not to exceed six dollars per month as  
50 reimbursement for costs, except that the total amount withheld shall not exceed the limitations  
51 contained in the federal Consumer Credit Protection Act, 15 U.S.C. 1673(b). The employer or  
52 other payor shall transmit the payments as directed in the order within seven business days of the  
53 date the earnings, money due or other income was payable to the obligor. For purposes of this  
54 section, "business day" means a day that state offices are open for regular business. The  
55 employer or other payor shall, along with the amounts transmitted, provide the date the amount  
56 was withheld from each obligor. If the order does not contain the Social Security number of the  
57 obligor, the employer or other payor shall not be liable for withholding from the incorrect  
58 obligor.

59 4. If the order is served on a payor other than an employer, it shall be a lien against any  
60 money due or to become due the obligated parent which is in the possession of the payor on the  
61 date of service or which may come into the possession of the payor after service until further  
62 order of the director, except for any deposits held in two or more names in a financial institution.

63 5. The division shall notify an employer or other payor upon whom such an order has  
64 been directed whenever all arrearages have been paid in full, and whenever, for any other reason,  
65 the amount required to be withheld and paid over to the payment center pursuant to the order as  
66 to future pay periods is to be reduced or redirected. If the parent's support obligation is required  
67 to be paid monthly and the parent's pay periods are at more frequent intervals, the employer or  
68 other payor may, at the request of the obligee or the director, withhold and pay over to the  
69 payment center, an equal amount at each pay period cumulatively sufficient to comply with the  
70 withholding order.

71 6. An order issued pursuant to subsection 1 of this section shall be a continuing order  
72 and shall remain in effect and be binding upon any employer or other payor upon whom it is  
73 directed until a further order of the director. Such orders shall terminate when all children for  
74 whom the support order applies are emancipated or deceased, or the support obligation otherwise  
75 ends, and all arrearages are paid. No order to withhold shall be terminated solely because the

76 obligor has fully paid arrearages.

77         7. An order issued pursuant to subsection 1 of this section shall have priority over any  
78 other legal process pursuant to state law against the same wages, except that where the other  
79 legal process is an order issued pursuant to this section or section 452.350, RSMo, the processes  
80 shall run concurrently, up to applicable wage withholding limitations. If concurrently running  
81 wage withholding processes for the collection of support obligations would cause the amounts  
82 withheld from the wages of the obligor to exceed applicable wage withholding limitations and  
83 includes a wage withholding from another state pursuant to section 454.932, the employer shall  
84 first satisfy current support obligations by dividing the amount available to be withheld among  
85 the orders on a pro rata basis using the percentages derived from the relationship each current  
86 support order amount has to the sum of all current child support obligations. Thereafter,  
87 arrearages shall be satisfied using the same pro rata distribution procedure used for distributing  
88 current support, up to the applicable limitation. If concurrently running wage withholding  
89 processes for the collection of support obligations would cause the amounts withheld from the  
90 wages of the obligor to exceed applicable wage withholding limitations and does not include a  
91 wage withholding from another state pursuant to section 454.932, the employer shall withhold  
92 and pay to the payment center an amount equal to the wage withholding limitations. The  
93 payment center shall first satisfy current support obligations by dividing the amount available  
94 to be withheld among the orders on a pro rata basis using the percentages derived from the  
95 relationship each current support order amount has to the sum of all current child support  
96 obligations. Thereafter, arrearages shall be satisfied using the same pro rata distribution  
97 procedure used for distributing current support, up to the applicable limitation.

98         8. No employer or other payor who complies with an order entered pursuant to this  
99 section shall be liable to the parent, or to any other person claiming rights derived from the  
100 parent, for wrongful withholding. An employer or other payor who fails or refuses to withhold  
101 or pay the amounts as ordered pursuant to this section shall be liable to the party holding the  
102 support rights in an amount equal to the amount which became due the parent during the relevant  
103 period and which, pursuant to the order, should have been withheld and paid over. The director  
104 is hereby authorized to bring an action in circuit court to determine the liability of an employer  
105 or other payor for failure to withhold or pay the amounts as ordered. If a court finds that a  
106 violation has occurred, the court may fine the employer in an amount not to exceed five hundred  
107 dollars. The court may also enter a judgment against the employer for the amounts to be  
108 withheld or paid, court costs and reasonable attorney's fees.

109         9. The remedy provided by this section shall be available where the state or any of its  
110 political subdivisions is the employer or other payor of the obligated parent in the same manner  
111 and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed one hundred fifty dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's fees, and for the amount of child support which should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If an obligor for whom an order to withhold has been issued pursuant to subsection 1 of this section terminates the obligor's employment, the employer shall, within ten days of the termination, notify the division of the termination, shall provide to the division the last known address of the obligor, if known to the employer, and shall provide to the division the name and address of the obligor's new employer, if known. When the division determines the identity of the obligor's new employer, the director shall issue an order to the new employer as provided in subsection 1 of this section.

12. If an employer or other payor is withholding amounts for more than one order issued pursuant to subsection 1 of this section, the employer or other payor may transmit all such withholdings which are to be remitted to the same circuit clerk, other collection unit or to the payment center after October 1, 1999, as one payment together with a separate list identifying obligors for whom a withholding has been made and the amount withheld from each obligor so listed, and the withholding date or dates for each obligor.

13. For purposes of this section, "income" means any periodic form of payment due to an individual, regardless of source, including wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

14. The employer shall withhold funds as directed in the notice, except if an employer receives an income withholding order issued by another state, the employer shall apply the income withholding law of the state of the obligor's principal place of employment in determining:

- (1) The employer's fee for processing an income withholding order;

- 148 (2) The maximum amount permitted to be withheld from the obligor's income;  
149 (3) The time periods within which the employer shall implement the income withholding  
150 order and forward the child support payments;  
151 (4) The priorities for withholding and allocating income withheld for multiple child  
152 support obligees; and  
153 (5) Any withholding terms and conditions not specified in the order.  
154 15. If the secretary of the Department of Health and Human Services promulgates a final  
155 standard format for an employer income withholding notice, the director shall use such notice  
156 prescribed by the secretary.

455.027. [1.] No [advance] filing fees, **court costs** or bond shall be [required for filing  
2 a petition] **assessed** in an action commenced under sections 455.010 to 455.085.

3 [2. The clerk shall advise the petitioner of his right to file a financial statement indicating  
4 the petitioner's income and liabilities. This information may be required by the court and shall  
5 be considered before assessment of court costs.

6 3. Assessment of court costs or a determination of indigency shall be considered by the  
7 court at the time of a termination of the proceeding.]

455.060. 1. After notice and hearing, the court may modify an order of protection at any  
2 time, upon subsequent motion filed by the guardian ad litem, the court-appointed special  
3 advocate or by either party together with an affidavit showing a change in circumstances  
4 sufficient to warrant the modification. All full orders of protection shall be final orders and  
5 appealable and shall be for a fixed period of time as provided in section 455.040.

6 2. Any order for child support, custody, temporary custody, visitation or maintenance  
7 entered under sections 455.010 to 455.085 shall terminate prior to the time fixed in the order  
8 upon the issuance of a subsequent order pursuant to chapter 452, RSMo, or any other Missouri  
9 statute.

10 3. No order entered pursuant to sections 455.010 to 455.085 shall be res judicata to any  
11 subsequent proceeding, including, but not limited to, any action brought under chapter 452,  
12 RSMo, 1978 as amended.

13 4. All provisions of an order of protection shall terminate upon entry of a decree of  
14 dissolution of marriage or legal separation except as to those provisions which require the  
15 respondent to participate in a court-approved counseling program or enjoin the respondent from  
16 abusing, molesting, stalking or disturbing the peace of the petitioner and which enjoin the  
17 respondent from entering the premises of the dwelling unit of the petitioner as described in the  
18 order of protection when the petitioner continues to reside in that dwelling unit unless the  
19 respondent is awarded possession of the dwelling unit pursuant to a decree of dissolution of  
20 marriage or legal separation.



21           5. Any order of protection or order for child support, custody, temporary custody,  
22 visitation or maintenance entered under sections 455.010 to 455.085 shall terminate [when the  
23 parties voluntarily consent to the termination of the order by a written consent filed with the  
24 court which entered the order] **upon the filing of a motion to terminate the order of**  
25 **protection by petitioner. However, in cases where the order grants custody of minor**  
26 **children to the respondent, the order shall terminate only upon consent of both parties or**  
27 **upon respondent's failure to object within ten days of receiving petitioner's notice of the**  
28 **filing of a motion to dismiss. If the respondent timely objects to the dismissal, the court**  
29 **shall set the motion to dismiss for hearing and both parties shall have an opportunity to**  
30 **be heard.**

31           6. The order of protection may not change the custody of children when an action for  
32 dissolution of marriage has been filed or the custody has previously been awarded by a court of  
33 competent jurisdiction.

          455.067. 1. Any order of protection issued by **a court of** any other state, **tribe**, territory  
2 or possession of the United States, the Commonwealth of Puerto Rico, or the District of  
3 Columbia, shall be given full faith and credit throughout the state in all courts, and by all law  
4 enforcement officials and agencies, and all public officials **and shall be enforceable in the same**  
5 **manner as any order of protection issued by a court in this state.**

6           2. A person entitled to protection under a foreign order of protection as described in  
7 subsection 1 of this section may file a [petition seeking registration of the foreign order] **certified**  
8 **copy of the foreign order of protection and an affidavit or sworn statement from the**  
9 **petitioner that copy of the foreign order is a true and accurate copy and has not been**  
10 **altered** in the circuit court having jurisdiction. [A certified copy of the foreign order of  
11 protection shall be attached to such petition. The petition shall set forth the date of the entry of  
12 the foreign order of protection and a record of any subsequent orders affecting such foreign order  
13 of protection, and shall state that to the best of such person's knowledge, the order filed with the  
14 petition is in effect. The court shall receive and consider such petition in the manner provided  
15 by sections 455.025 to 455.035, and its inquiry shall be limited to whether and the extent that the  
16 foreign order of protection is in effect. If the court decides such issues in the affirmative, the  
17 court shall issue an order giving full faith and credit to the foreign order of protection throughout  
18 the state, as if such foreign order was originally issued by a court of this state.] **If the foreign**  
19 **order of protection shall terminate prior to the expiration date on the order, the petitioner**  
20 **shall notify the circuit court.** A foreign order of protection as described in subsection 1 of this  
21 section shall be enforceable in this state so long as it is in effect in the issuing state.

22           3. [A copy of the Missouri court's order recognizing a foreign order of protection shall  
23 be sent by the court to the respondent by certified mail, at his last known address, with a copy

24 of the petition and foreign order of protection. At any time during the duration of the order  
25 recognizing the foreign order of protection, the respondent may move the court to modify or set  
26 aside its order recognizing the foreign order of protection. Such motion shall be heard only if  
27 a copy of the motion and a summons indicating a date and time certain for such hearing is  
28 personally served on the petitioner, and the respondent shall not be entitled to a continuance of  
29 such hearing. Such motion shall be sustained only if the respondent demonstrates to the court  
30 by clear and convincing evidence that the Missouri court's order was not issued in compliance  
31 with this section. The petitioner shall not be required to appear or to deny or rebut the  
32 allegations or evidence submitted by respondent in order for the court to deny respondent's  
33 motion.] **Filing of the foreign order of protection shall be without fee or cost.**

34 4. Registration and a Missouri court order recognizing a foreign order of protection shall  
35 not be required for the enforcement of a certified foreign order of protection in this state.

455.075. **If a full order of protection has been granted**, the court may order a [party]  
2 **respondent** to pay a reasonable amount [for the cost] to the [other party of maintaining or  
3 defending any proceeding under sections 455.010 to 455.085 and] **petitioner** for attorney's fees,  
4 including sums for legal services rendered and costs incurred prior to the commencement of the  
5 proceeding or after entry of judgment. The court shall consider all relevant factors, including the  
6 financial resources of both parties, and may order that the amount be paid directly to the attorney,  
7 who may enforce the order in his name.

455.504. 1. **The clerk of the court shall make available to the petitioner the uniform**  
2 **forms adopted by the supreme court pursuant to section 455.073. Except as provided**  
3 **pursuant to section 455.510**, clerks under the supervision of a circuit clerk shall explain to  
4 litigants not represented by counsel the procedures for filing all forms and pleadings necessary  
5 for the presentation of their petition filed pursuant to the provisions of sections 455.500 to  
6 455.538 to the court. Notice of the fact that clerks will provide such assistance shall be  
7 conspicuously posted in the clerks' offices. The location of the office where a petition can be  
8 filed shall be conspicuously posted in the court building. The performance of duties prescribed  
9 in this section shall not constitute the practice of law as defined in section 484.010, RSMo. All  
10 duties of the clerk prescribed in this section shall be performed without cost to the litigants. The  
11 supreme court may promulgate rules as necessary to govern conduct of court clerks under  
12 sections 455.500 to 455.538, and shall provide forms for petitions and written instructions on  
13 filling out all forms and pleadings necessary for the presentation of the petition to the court.

14 2. No [advance] filing fees, **court costs** or bond shall be [required for filing a petition]  
15 **assessed** in an action commenced under sections 455.500 to 455.538.

16 3. [The clerk shall advise the petitioner of his right to file a financial statement indicating  
17 the petitioner's income and liabilities. This information may be required by the court and shall

18 be considered before assessment of court costs.

19 4. Assessment of court costs or a determination of indigency shall be considered by the  
20 court at the time of a termination of the proceeding.] **The clerk shall immediately notify the**  
21 **guardian ad litem or court-appointed special advocate of appointment and shall provide**  
22 **the guardian ad litem or court-appointed special advocate with a copy of the petition for**  
23 **the order of protection for the child. The clerk shall provide the guardian ad litem or**  
24 **court-appointed special advocate with the names, addresses and telephone numbers of the**  
25 **parties within twenty-four hours of entry of the order appointing the guardian ad litem or**  
26 **court-appointed special advocate.**

2 [455.508. 1. Except as provided under section 455.510, clerks under the  
3 supervision of a circuit clerk shall explain to litigants not represented by counsel the  
4 procedures for filing all forms and pleadings necessary for the presentation of their  
5 petition to the court. The clerk shall advise the petitioner of his right to file a motion  
6 and affidavit to sue in forma pauperis pursuant to the Missouri Rules of Civil  
7 Procedure. Notice of the fact that clerks will provide such assistance shall be  
8 conspicuously posted in the clerks' offices. The location of the office where a  
9 petition can be filed shall be conspicuously posted in the court building. The  
10 performance of duties prescribed in this section shall not constitute the practice of  
11 law as defined in section 484.010, RSMo. All duties of the clerk prescribed in this  
12 section shall be performed without cost to the litigants. The supreme court may  
13 promulgate rules as necessary to govern conduct of court clerks under sections  
14 455.500 to 455.538, and shall provide forms for petitions and written instructions on  
15 filling out all forms and pleadings necessary for the presentation of the petition to the  
16 court.

17 2. The clerk shall immediately notify the guardian ad litem or court-  
18 appointed special advocate of appointment and shall provide the guardian ad litem  
19 or court-appointed special advocate with a copy of the petition for the order of  
20 protection for the child. The clerk shall provide the guardian ad litem or  
21 court-appointed special advocate with the names, addresses and telephone numbers  
22 of the parties within twenty-four hours of entry of the order appointing the guardian  
ad litem or court-appointed special advocate.]

476.058. 1. As used in this section, the term "court personnel" includes all personnel of  
2 all state courts and all divisions of the courts, including juvenile, family and municipal divisions,  
3 and clerks, deputy clerks, division clerks, official court reporters, law clerks and court  
4 administrators, but not including judges.

5 2. There is hereby established in the state treasury the "State Court Administration  
6 Revolving Fund". Any moneys received by or on behalf of the state court administrator from  
7 registration fees, grants, or any other source in connection with the training and education of  
8 court personnel provided pursuant to this section shall be deposited into the fund.

9 3. **In addition, any moneys received by or on behalf of the state courts**

10 administrator from fees, grants or any other sources in connection with the preparation  
11 of court transcripts shall be deposited in the fund provided, however, that moneys collected  
12 in the fund in connection with a particular purpose shall be segregated and shall not be  
13 disbursed for any other purpose.

14       **4.** The state treasurer shall administer the fund and shall disburse moneys from the fund  
15 to the state courts administrator pursuant to appropriations in order to provide training [and], to  
16 purchase goods and services related to the training and education of court personnel, **and to pay**  
17 **for goods and services associated with the preparation of court transcripts.**

18       **[4.] 5.** Any unexpended balance remaining in the fund at the end of each biennium shall  
19 be exempt from the provisions of section 33.080, RSMo, relating to the transfer of unexpended  
20 balances to the general revenue fund, until the amount in the state courts administration  
21 revolving fund exceeds the greater of either one-half of the expenditures from the fund during  
22 the previous year, or fifty thousand dollars.

**476.061. 1. An interpreter or translator cannot be compelled to testify as to the**  
2 **information that would otherwise be protected by attorney-client privilege as between the**  
3 **party and his or her attorney.**

4       **2. An interpreter or translator who serves in any criminal, juvenile proceeding,**  
5 **including, any investigation, interview or any other proceeding regarding the juvenile, or**  
6 **domestic violence actions commence pursuant to sections 455.010 to 455.085, RSMo, or**  
7 **sections 455.500 to 455.538, RSMo, shall be allowed a reasonable fee approved by the**  
8 **court. If the person requiring an interpreter or translator during the proceeding is a party**  
9 **to or a witness in the proceeding, such fee shall be payable by the state from funds**  
10 **appropriated to the office of the state courts administrator.**

11       **3. An interpreter or translator appointed pursuant to section 476.060 in any**  
12 **proceeding not enumerated in subsection 2 of this section is entitled to a reasonable fee for**  
13 **such provider's service.**

**476.385. 1.** The judges of the supreme court may appoint a committee consisting of at  
2 least seven associate circuit judges, who shall meet en banc and establish and maintain a  
3 schedule of fines to be paid for violations of [section] **sections 210.104, 577.070 and 577.073,**  
4 **RSMo, and chapters 252, 301, 302, 304, 306, 307 and 390, RSMo, with such fines increasing**  
5 **in proportion to the severity of the violation. The associate circuit judges of each county may**  
6 **meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant**  
7 **to this section. Notice of such adoption and participation shall be given in the manner provided**  
8 **by supreme court rule. Upon order of the supreme court, the associate circuit judges of each**  
9 **county may meet en banc and establish and maintain a schedule of fines to be paid for violations**  
10 **of municipal ordinances for cities, towns and villages electing to have violations of its municipal**

ordinances heard by associate circuit judges, pursuant to section 479.040, RSMo; and for traffic court divisions established pursuant to section 479.500, RSMo. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation.

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

(1) Any violation resulting in personal injury or property damage to another person;

(2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;

(3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;

(4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the "central violations bureau", shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of section 302.302, RSMo, and for purposes of imposing any collateral consequence of a criminal conviction provided by law. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges **by sending the written notification to the person by ordinary first class United States mail at the address of record shown on the offense citation.** The prosecutor shall not be required to sign any

47 information, ticket or indictment until the commencement of any proceeding by the prosecutor  
48 with respect to the notice of violation.

49         6. In courts adopting a schedule of fines pursuant to this section, any person receiving  
50 a notice of violation pursuant to this section shall also receive written notification of the  
51 following:

52             (1) The fine and court costs established pursuant to this section for the violation or  
53 information regarding how the person may obtain the amount of the fine and court costs for the  
54 violation;

55             (2) That the person must respond to the notice of violation by paying the prescribed fine  
56 and court costs, or pleading not guilty and appearing at trial, and that other legal penalties  
57 prescribed by law may attach for failure to appear and dispose of the violation. The supreme  
58 court may modify the suggested forms for uniform complaint and summons for use in courts  
59 adopting the procedures provided by this section, in order to accommodate such required written  
60 notifications.

61         7. Any moneys received in payment of fines and court costs pursuant to this section shall  
62 not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit  
63 of those persons or entities entitled to receive such funds pursuant to this subsection. All  
64 amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested  
65 in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260  
66 and 30.270, RSMo, and disbursed as provided by the constitution and laws of this state. Any  
67 interest earned on such fund shall be payable to the director of the department of revenue for  
68 deposit into a revolving fund to be established pursuant to this subsection. The state treasurer  
69 shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful  
70 appropriations, only to the judicial branch of state government for goods and services related to  
71 the administration of the judicial system.

72         8. Any person who receives a notice of violation subject to this section who fails to  
73 dispose of such violation as provided by this section shall be guilty of failure to appear provided  
74 by section 544.665, RSMo; and may be subject to suspension of driving privileges in the manner  
75 provided by section 302.341, RSMo. The centralized bureau shall notify the appropriate  
76 prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not  
77 guilty and request a trial within the time allotted by this section, for purposes of application of  
78 section 544.665, RSMo. The centralized bureau shall also notify the department of revenue of  
79 any failure to appear subject to section 302.341, RSMo, and the department shall thereupon  
80 suspend the license of the driver in the manner provided by section 302.341, RSMo, as if notified  
81 by the court.

82         9. In addition to the remedies provided by subsection 8 of this section, the centralized

83 bureau and the courts may use the remedies provided by sections 488.010 to 488.020, RSMo,  
84 for the collection of court costs payable to courts, in order to collect fines and court costs for  
85 violations subject to this section.

2 [478.725. When any person is, by the statutes of this state, entitled to a lien  
3 for performing any work or labor upon or furnishing any materials, fixtures, engine,  
4 boiler or machinery for any building, erection or improvement upon land, or for  
5 repairing the same, in Mason or Miller townships, in Marion County, under or by  
6 virtue of any contract with the owner or proprietor thereof, or his agent, trustee,  
7 contractor or subcontractor, and such person so entitled to such lien, wishing to avail  
8 himself of the benefit of said laws, shall file his lien in the office of the clerk of  
district number 2 of the Marion County circuit court, and not elsewhere.]

2 488.012. 1. Beginning July 1, 1997, the clerk of each court of this state responsible for  
3 collecting court costs shall collect the court costs authorized by statute, in such amounts as are  
4 authorized by supreme court rule adopted pursuant to sections 488.010 to 488.020. Court costs  
5 due and payable prior to July 1, 1997, shall not be affected by the adoption of this rule.

6 2. The supreme court shall set the amount of court costs authorized by statute, at levels  
7 to produce revenue which shall not substantially exceed the total of the proportion of the costs  
8 associated with administration of the judicial system defrayed by fees, miscellaneous charges and  
9 surcharges.

10 3. Prior to adjustment by the supreme court, the following fees, costs and charges shall  
11 be collected:

12 (1) [Five dollars for the filing of a lien, pursuant to section 429.090, RSMo;

13 (2)] Ten dollars for maintaining child support enforcement records, pursuant to section  
14 452.345, RSMo;

15 [(3)] (2) Ten dollars for a notice to a judgment creditor of a distributee, pursuant to  
16 section 473.618, RSMo;

17 [(4)] (3) Three dollars for receiving and keeping a will, pursuant to section 474.510,  
18 RSMo;

19 [(5)] (4) Seven dollars for the statewide court automation fund, pursuant to section  
20 476.053, RSMo;

21 [(6)] (5) Twelve dollars for municipal court costs, fifteen dollars for municipal ordinance  
22 violations filed before an associate circuit judge and thirty dollars for applications for a trial de  
23 novo of a municipal ordinance violation, pursuant to section 479.260, RSMo;

24 [(7)] (6) Five dollars for small claims court cases where less than one hundred dollars  
25 is in dispute, and ten dollars in all other small claims court cases, pursuant to section 482.345,  
26 RSMo;

[(8)] (7) Fifty dollars for appeals, pursuant to section 483.500, RSMo;

- 27           [(9)] **(8)** Fifteen dollars in misdemeanor cases where there is no application for trial de  
28   novo, pursuant to section 483.530, RSMo;
- 29           [(10)] **(9)** Forty-five dollars for applications for a trial de novo for misdemeanor cases,  
30   pursuant to section 483.530, RSMo;
- 31           [(11)] **(10)** Fifteen dollars for each preliminary hearing in felony cases, pursuant to  
32   section 483.530, RSMo;
- 33           [(12)] **(11)** Thirty dollars for each information or indictment filed in felony cases,  
34   pursuant to section 483.530, RSMo;
- 35           [(13)] **(12)** Fifteen dollars for each associate circuit court case filed[, and one dollar for  
36   each additional summons issued in such cases,] pursuant to section 483.530, RSMo;
- 37           [(14)] **(13)** Forty-five dollars for applications for trial de novo from small claims court  
38   and associate circuit court and forty-five dollars for filing of other cases, pursuant to section  
39   483.530, RSMo;
- 40           [(15)] **(14)** One dollar and fifty cents for a certificate of naturalization, pursuant to  
41   section 483.535, RSMo;
- 42           [(16)] **(15)** When letters are applied for in probate proceedings, pursuant to section  
43   483.580, RSMo, when the value of the estate is:
- 44           (a) Less than \$10,000 ..... \$75.00  
45           (b) From \$10,000 to \$25,000 ..... 115.00  
46           (c) From \$25,000 to \$50,000 ..... 155.00  
47           (d) From \$50,000 to 100,000 ..... 245.00  
48           (e) From \$100,000 to \$500,000 ..... 305.00  
49           (f) More than \$500,000 ..... 365.00;
- 50           [(17)] **(16)** Thirty dollars for each additional twelve months a decedent's estate remains  
51   open, pursuant to section 483.580, RSMo;
- 52           [(18)] **(17)** In proceedings regarding guardianships and conservatorships, pursuant to  
53   section 483.580, RSMo:
- 54           (a) Twenty-five dollars for each grant of letters for guardianship of a minor;  
55           (b) Fifty dollars for each grant of letters for guardianship of an incapacitated person;  
56           (c) Sixty dollars for each grant of letters for guardianship of the person and  
57   conservatorship of the estate of a minor;  
58           (d) Twenty-five dollars for each additional twelve months a conservatorship of a minor's  
59   estate case remains open;  
60           (e) Seventy-five dollars for each grant of letters in guardianship and conservatorship of  
61   incapacitated persons and their estates;  
62           (f) Thirty dollars for each additional twelve months an incapacitated person's case



63 remains open;

64 [(19)] **(18)** Fifteen dollars for issuing orders refusing to grant letters to a spouse or an  
65 unmarried minor child and thirty dollars for a certified copy of such orders, pursuant to section  
66 483.580, RSMo;

67 [(20)] **(19)** In probate proceedings, pursuant to section 483.580, RSMo:

68 (a) Thirty-five dollars for the collection of small estates;

69 (b) Thirty-five dollars for involuntary hospitalization proceedings;

70 (c) Thirty dollars for proceedings to determine heirship;

71 (d) Fifteen dollars for assessment of estate taxes where no letters are granted;

72 (e) Fifty dollars for proceedings for the sale of real estate by a nonresident conservator;

73 (f) Forty dollars for proceedings to dispense with administration;

74 (g) Twenty dollars for proceedings to dispense with conservatorship;

75 (h) Twenty-five dollars for admitting a will to probate;

76 (i) One dollar per copied page and one dollar and fifty cents per certificate;

77 [(21)] **(20)** One dollar and fifty cents per page for testimony transcription, pursuant to  
78 section 485.100, RSMo;

79 [(22)] **(21)** Fifteen dollars for court reporters, pursuant to section 485.120, RSMo;

80 [(23)] **(22)** Three dollars for witness fees per day, and four dollars when the witness must  
81 travel to another county, pursuant to section 491.280, RSMo.

488.2300. 1. A "Family Services and Justice Fund" is hereby established in each county  
2 or circuit with a family court, for the purpose of aiding with the operation of the family court  
3 divisions and services provided by those divisions. In circuits or counties having a family court,  
4 the circuit clerk shall charge and collect a surcharge of thirty dollars in all proceedings falling  
5 within the jurisdiction of the family court. The surcharge shall not be charged when no court  
6 costs are otherwise required, shall not be charged for actions filed pursuant to the provisions of  
7 chapter 455, RSMo, shall not be charged to a government agency and shall not be charged in any  
8 proceeding when costs are waived or are to be paid by the state, county or municipality.

9 2. In juvenile proceedings under chapter 211, RSMo, a judgment of up to thirty dollars  
10 may be assessed against the child, parent or custodian of the child, in addition to other amounts  
11 authorized by law, in informal adjustments made under the provisions of sections 211.081 and  
12 211.083, RSMo, and in an order of disposition or treatment under the provisions of section  
13 211.181, RSMo. The judgment may be ordered paid to the clerk of the circuit where the  
14 assessment is imposed [and shall be collected and disbursed in the manner provided by sections  
15 488.010 to 488.020].

16 3. All sums collected pursuant to this section and section 487.140, RSMo, shall be  
17 payable to the various county family services and justice funds.

18           4. Any moneys in the family services and justice fund not expended for salaries of  
19 commissioners, family court administrators and family court staff shall be used toward funding  
20 the enhanced services provided as a result of the establishment of a family court; however, it  
21 shall not replace or reduce the current and ongoing responsibilities of the counties to provide  
22 funding for the courts as required by law. Moneys collected for the family services and justice  
23 fund shall be expended for the benefit of litigants and recipients of services in the family court,  
24 with priority given to services such as mediation, counseling, home studies, psychological  
25 evaluation and other forms of alternative dispute-resolution services. Expenditures shall be  
26 made at the discretion of the presiding judge or family court administrative judge, as designated  
27 by the circuit and associate circuit judges en banc, for the implementation of the family court  
28 system as set forth in this section. No moneys from the family services and justice fund may be  
29 used to pay for mediation in any cause of action in which domestic violence is alleged.

30           5. From the funds collected pursuant to this section and retained in the family services  
31 and justice fund, each circuit or county in which a family court commissioner in addition to those  
32 commissioners existing as juvenile court commissioners on August 28, 1993, have been  
33 appointed pursuant to sections 487.020 to 487.040, RSMo, shall pay to and reimburse the state  
34 for the actual costs of that portion of the salaries of family court commissioners appointed  
35 pursuant to the provisions of sections 487.020 to 487.040, RSMo.

36           6. No moneys deposited in the family services and justice fund may be expended for  
37 capital improvements.

488.4014. 1. A fee of ten dollars, as provided in section 67.133, RSMo, shall be  
2 assessed in all cases in which the defendant [is convicted] **pleads guilty or is found guilty** of  
3 [violating] **a nonfelony violation of** any provision of chapters 252, 301, 302, 304, 306, 307 and  
4 390, RSMo, and any infraction otherwise provided by law, **a fee of** twenty-five dollars **shall be**  
5 **assessed** in all misdemeanor cases otherwise provided by law **in which the defendant pleads**  
6 **guilty or is found guilty**, and **a fee of** seventy-five dollars **shall be assessed** in all felony cases[,  
7 in criminal cases including violations of any county ordinance or any violation of a criminal or  
8 traffic law of the state] **in which the defendant pleads guilty or is found guilty**, except that no  
9 such fees shall be collected in any proceeding in any court when the proceeding or the defendant  
10 has been dismissed by the court or when costs are to be paid by the state, county or municipality.  
11 All fees collected [under the provisions of section 67.133, RSMo,] shall be collected and  
12 disbursed in the manner provided by sections 488.010 to 488.020 and payable to the county  
13 treasurer who shall deposit those funds in the county treasury.

14           2. Counties shall be entitled to a judgment in the amount of twenty-five percent of all  
15 sums collected[, pursuant to section 67.133, RSMo,] on recognizances given to the state in  
16 criminal cases, which are or may become forfeited, if not more than five hundred dollars, and

17 fifteen percent of all sums over five hundred dollars, to be paid out of the amount collected.

**488.5021. 1. In addition any other assessment authorized by law, a court may**  
2 **assess a fee of twenty dollars on each person who pays a court ordered penalty, fine or**  
3 **sanction on a time payment basis, including parking penalties, restitution and juvenile**  
4 **monetary assessments. A time payment basis shall be any penalty, fine or sanction not**  
5 **paid, in full, within thirty days of the date the court imposed the fine, penalty or sanction.**  
6 **Imposition of the time payment fee shall be in addition to any other enforcement provisions**  
7 **authorized by law.**

8 **2. Eight dollars of the time payment fee collected pursuant to this section shall be**  
9 **payable to the clerk of the court of the county from which such fee was collected, or to such**  
10 **person as is designated by local circuit court rule as treasurer of said fund, and said fund**  
11 **shall be applied and expended under the direction and order of the court en banc of any**  
12 **such county to be utilized by the court to improve, maintain and enhance the ability to**  
13 **collect and manage moneys assessed or received by the courts, to improve case processing,**  
14 **enhance court security or to improve the administration of justice. Seven dollars of the**  
15 **time payment fee shall be deposited in the statewide court automation fund pursuant to**  
16 **section 476.055, RSMo. Five dollars of the time payment fee shall be deposited in the drug**  
17 **court resources fund pursuant to section 478.009, RSMo.**

488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge[, as  
2 provided in section 57.290, RSMo,] for their services rendered in criminal cases and in all  
3 proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for  
4 each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case,  
5 and six dollars for each infraction, excluding cases disposed of by a traffic violations bureau  
6 established pursuant to law or supreme court rule. Such charges shall be charged and collected  
7 in the manner provided by sections 488.010 to 488.020 and shall be payable to the county  
8 treasury.

9 **2. The sheriff receiving any charge pursuant to [section 57.290, RSMo,] subsection 1**  
10 **of this section** shall reimburse the sheriff of any other county or the City of St. Louis the sum  
11 of three dollars for each pleading, writ, summons, order of court or other document served in  
12 connection with the case or proceeding by the sheriff of the other county or city, and return made  
13 thereof, to the maximum amount of the total charge received pursuant to [section 57.290, RSMo]  
14 **subsection 1 of this section.**

15 **3. [As provided in section 57.290, RSMo,] In cities and counties having a population of**  
16 **three hundred thousand inhabitants and over, each deputy sheriff, but not more than two deputy**  
17 **sheriffs, shall be allowed six dollars for each day during the term of court, to be paid by the city**  
18 **or county having a population of three hundred thousand inhabitants or over.**

19           4. For the services of taking convicted offenders to the reception and diagnostic center  
20 designated by the director of the department of corrections, the sheriff, county marshal or other  
21 officers shall[, as provided in section 57.290, RSMo,] receive the sum of eight dollars per day  
22 for the time actually and necessarily employed in traveling to and from the reception and  
23 diagnostic center, and each guard shall[, as provided in section 57.290, RSMo,] receive the sum  
24 of six dollars per day for the same, and the sheriff, county marshal or other officer and guard  
25 shall[, as provided in section 57.290, RSMo,] receive the mileage rate prescribed by **this** section  
26 [57.290, RSMo,] for the distance necessarily traveled in going to and returning from the  
27 reception and diagnostic center, the time and distance to be estimated by the most usually  
28 traveled route from the place of departure to the reception and diagnostic center; the mileage rate  
29 prescribed by **this** section [57.290, RSMo,] for each mile traveled shall be allowed to the sheriff  
30 to cover all expenses on each convicted offender while being taken to the reception and  
31 diagnostic center; and all persons convicted and sentenced to imprisonment in the department  
32 of corrections at any term or sitting of the court, shall be taken to the reception and diagnostic  
33 center at the same time, unless prevented by sickness or unavoidable accident. In cities having  
34 a population of two hundred thousand inhabitants or more, convicted offenders shall be taken  
35 to the reception and diagnostic center as often as the sheriff deems necessary. When three or  
36 more convicted offenders are being taken to the reception and diagnostic center at one time, a  
37 guard may be employed[, as provided in section 57.290, RSMo,] but no guard shall be employed  
38 for a less number of convicted offenders except upon the order, entered of record, of the judge  
39 of the court in which the conviction was had, and any additional guards employed by order of  
40 the judge shall, in no event, exceed one for every three convicted offenders; and before any claim  
41 for taking convicted offenders to the reception and diagnostic center is allowed, the sheriff, or  
42 other officer conveying such convicted offender, shall file with the state commissioner of  
43 administration an itemized statement of such sheriff's account, in which the sheriff shall give the  
44 name of each convicted offender conveyed and the name of each guard actually employed, with  
45 the number of miles necessarily traveled and the number of days required, which in no case shall  
46 exceed three days, and which account shall be signed and sworn to by such officer and  
47 accompanied by a certificate from the chief administrative officer or such officer's designee of  
48 the reception and diagnostic center, that such convicted offenders have been delivered at the  
49 reception and diagnostic center and were accompanied by each of the officers and guards named  
50 in the account.

51           5. The sheriff or other officer who shall take a person, charged with a criminal offense,  
52 from the county in which the offender is apprehended to that in which the offense was  
53 committed, or who may remove a prisoner from one county to another for any cause authorized  
54 by law, or who shall have in custody or under such sheriff's or officer's charge any person

55 undergoing an examination preparatory to such person's commitment more than one day for  
56 transporting, safekeeping and maintaining any such person, shall be allowed by the court having  
57 cognizance of the offense, three dollars and fifty cents per day[, as provided in section 57.290,  
58 RSMo,] for every day such sheriff or officer may have such person under such sheriff's or  
59 officer's charge, when the number of days shall exceed one, and the mileage rate prescribed by  
60 **this** section [57.290, RSMo,] for every mile necessarily traveled in going to and returning from  
61 one county to another, and the guard employed, who shall in no event exceed the number  
62 allowed the sheriff, marshal or other officer in transporting convicted offenders to the reception  
63 and diagnostic center, shall be allowed[, as provided in section 57.290, RSMo,] the same  
64 compensation as the officer. Three dollars and fifty cents per day, mileage same as officer, shall  
65 be allowed for board and all other expenses of each prisoner. No compensation shall be allowed  
66 under this section for taking the prisoner or prisoners from one place to another in the same  
67 county, excepting in counties which have two or more courts with general criminal jurisdiction.  
68 In such counties the sheriff shall have the same fees for conveying prisoners from the jail to place  
69 of trial as are allowed for conveying prisoners in like cases from one county to another, and the  
70 expenses incurred in transporting prisoners from one county to another, occasioned by the  
71 insufficiency of the county jail or threatened mob violence, shall be paid by the county in which  
72 such case may have originated; provided that the court is held at a place more than five miles  
73 from the jail; and no court shall allow the expense of a guard, although it may have actually been  
74 incurred, unless from the evidence of disinterested persons it shall be satisfied that a guard was  
75 necessary; provided, that when the place of conviction is remote from a railroad, upon which a  
76 convicted offender may be transported to the reception and diagnostic center, the court before  
77 which such convicted offender is sentenced may, for good cause shown, allow one guard for  
78 every two convicted offenders, such guard to receive three dollars a day and the mileage rate  
79 prescribed by **this** section [57.290, RSMo,] for every mile necessarily traveled in going to and  
80 returning from the nearest depot on such railroad to the place where such convicted offender was  
81 sentenced.

82         6. The charges provided in subsection 1 of this section shall be taxed as other costs in  
83 criminal [procedure] **proceedings** immediately [after conviction] **upon a plea of guilty or a**  
84 **finding of guilty** of any defendant in any criminal procedure. The clerk shall tax all the costs  
85 in the case against such defendant, which shall be collected and disbursed as provided by  
86 sections 488.010 to 488.020; provided, that no such charge shall be collected in any proceeding  
87 in any court when the proceeding or the defendant has been dismissed by the court; provided  
88 further, that all costs, incident to the issuing and serving of writs of scire facias and of writs of  
89 fieri facias, and of attachments for witnesses of defendant, shall in no case be paid by the state,  
90 but such costs incurred under writs of fieri facias and scire facias shall be paid by the defendant

91 and such defendant's sureties, and costs for attachments for witnesses shall be paid by such  
92 witnesses.

93 7. Mileage shall be reimbursed to sheriffs, county marshals and guards for all services  
94 rendered pursuant to **this** section [57.290, RSMo,] at the rate prescribed by the Internal Revenue  
95 Service for allowable expenses for motor vehicle use expressed as an amount per mile.

491.300. 1. Interpreters and translators in civil and criminal cases shall be allowed a  
2 reasonable fee approved by the court.

3 2. Such fee shall be payable by the state in criminal cases, **juvenile proceedings and in**  
4 **domestic violence actions commenced pursuant to sections 455.010 to 455.085, RSMo, and**  
5 **sections 455.500 to 455.538, RSMo,** from funds appropriated to the office of the state courts  
6 administrator if the person requiring an interpreter or translator during the court proceeding is  
7 a party to or witness in the proceeding.

494.410. 1. The board of jury commissioners shall compile and maintain a list of  
2 potential jurors and their addresses, and shall update such list periodically in a manner to be  
3 determined by the board. In compiling this list, to be known as the master jury list, the board of  
4 jury commissioners shall consult one or more [public records] **source lists**. The master jury list  
5 shall be comprised of not less than five percent of the total population of the county or city not  
6 within a county as determined from the last decennial census. In no event shall the master jury  
7 list contain less than four hundred names. In compiling the master jury list the board of jury  
8 commissioners shall take reasonable measures to avoid duplication of names. The master jury  
9 list shall be the result of random selection of names from [public records] **one or more source**  
10 **lists**.

11 2. **Beginning July 1, 2003, the master jury list shall be the result of random selection**  
12 **of names from a minimum of two source lists which shall include, but is not limited to,**  
13 **personal property tax list, voter's registration list and driver's license records. The**  
14 **information furnished by the department of revenue shall not be disclosed except as**  
15 **allowed pursuant to federal law.**

16 3. Whoever has custody, possession, or control of any record used in compiling the  
17 master jury list shall make the record available to the board of jury commissioners for inspection,  
18 reproduction and copying at all reasonable times.

19 [3.] 4. The **names of potential jurors on the** master jury list shall be considered a public  
20 record. The master jury list and copies of all records used in compiling the list shall be retained  
21 by the board of jury commissioners for at least five years after compilation of the list.

494.415. 1. From time to time and in a manner prescribed by the board of jury  
2 commissioners there shall be drawn at random from the master jury list the names or identifying  
3 numbers of as many prospective jurors as the court may require. The board of jury

4 commissioners shall cause to be served in a manner prescribed by law for the service of  
5 summons or by ordinary mail, as determined by the board, a summons for jury service and a juror  
6 qualification form. The juror qualification form shall be approved by the circuit court en banc  
7 and shall:

8 (1) Contain instructions to fill out and return the form within ten days;

9 (2) Contain the prospective juror's declaration that his responses are true to the best of  
10 his knowledge; and

11 (3) Elicit information concerning the prospective juror's qualifications.  
12

13 Notarization of the juror qualification form shall not be required. If the prospective juror is  
14 unable to fill out the juror qualification form, another person may do it for the prospective juror  
15 and shall so indicate and the reason therefor. Any prospective juror who fails to return a  
16 completed juror qualification form as instructed may be directed by the board of jury  
17 commissioners to appear forthwith to fill out a juror qualification form.

18 2. If it is determined from an examination of the juror qualification form that a person  
19 is not qualified to serve as a juror, that prospective juror shall be notified in a manner directed  
20 by the board of jury commissioners and shall not be required to comply with the summons for  
21 jury service. Such names shall be deleted from the master jury list.

22 3. Upon application by a prospective juror, the jury supervisor or board of jury  
23 commissioners, acting in accordance with written guidelines adopted by the circuit court, may  
24 postpone that prospective juror's service to a later date.

25 4. Those prospective jurors not disqualified from jury service shall constitute the  
26 qualified jury list. If any prospective juror is later determined to be ineligible or disqualified,  
27 such name shall be deleted from the qualified jury list and the master jury list.

28 **5. The qualified jury list shall only be disclosed pursuant to local court rule.**

494.420. 1. Those persons constituting the qualified jury list, when summoned, shall be  
2 placed under the control and supervision of the sheriff or other person designated by the board  
3 of jury commissioners in a designated area to be provided in the courthouse.

4 2. Whenever a judge of the circuit court shall require a panel of jurors for jury service,  
5 he shall designate the number of jurors required. This number of jurors shall be randomly  
6 selected in a manner specified by the board of jury commissioners from the qualified jury list.

7 **3. The petit jury list shall only be disclosed pursuant to local court rule.**

511.350. 1. Judgments and decrees [rendered] **entered** by the supreme court, by any  
2 United States district or circuit court held within this state, by any district of the court of appeals,  
3 by any **division of the** circuit court [and any probate division of the circuit court], except  
4 judgments and decrees rendered by [associate,] small claims and municipal divisions of the

5 circuit courts, shall be liens on the real estate of the person against whom they are rendered,  
6 situate in the county for which or in which the court is held. **Judgments entered by the**  
7 **associate division of the circuit court which are entitled to a trial de novo pursuant to**  
8 **section 512.180, RSMo, shall be a lien upon final judgment if an application is not filed or,**  
9 **alternatively, upon final judgment of the trial de novo if an application is filed.**

10 2. [ Judgments and decrees rendered by the associate divisions of the circuit courts shall  
11 not be liens on the real estate of the person against whom they are rendered until such judgments  
12 or decrees are filed with the clerk of the circuit court pursuant to sections 517.141 and 517.151,  
13 RSMo.

14 3.] Judgments and decrees rendered by the small claims and municipal divisions of the  
15 circuit court shall not constitute liens against the real estate of the person against whom they are  
16 rendered.

511.510. It shall be the duty of each of the **associate and** circuit clerks, within five days  
2 after the rendition of any final judgment in their respective courts, to enter an abstract of such  
3 judgment in the record as required in section 511.500; and each **associate and** circuit clerk shall  
4 immediately enter the same when the abstract aforesaid shall be furnished to such clerk by any  
5 party interested, or such party's agent; and each of the clerks and their sureties shall be  
6 respectively liable for any damage occasioned by any neglect to perform the duties hereby  
7 required of them respectively; and it is further provided, that whenever any personal  
8 representative, guardian or conservator, or any party interested, or such party's agent, shall  
9 exhibit to the circuit clerk of the circuit court wherein such judgment may be recorded a receipt  
10 or certificate of the proper officer, stating that such judgment has been duly satisfied, then the  
11 **associate or** circuit clerk shall, without further fee, enter satisfaction of such judgment in such  
12 clerk's office in the record as required in section 511.500.

[517.141. On demand of any person interested therein, whether by  
2 assignment or otherwise, every clerk or officer who shall be in possession of the  
3 record of judgment shall give to such person a certified transcript of such judgment.  
4 Upon production of any such transcript, the clerk of the circuit court of the county in  
5 which the judgment was rendered shall record the same in his permanent record of  
6 circuit court judgments, and note therein the date and hour of its filing.]

517.151. From **entry of** the [time of filing the transcript] **judgment**, every such  
2 judgment shall have the same lien on the real estate of the defendant in the county as is given  
3 judgments rendered by circuit judges. [The circuit clerk shall collect fees in such amounts as are  
4 determined pursuant to sections 488.010 to 488.020, RSMo, for each transcript filed.] The  
5 revival of any such lien upon real estate shall be under the same procedures as with judgments  
6 originally rendered by a circuit judge[, shall be made from the record of the transcribed  
7 judgment so filed in the office of circuit clerk,] and may be revived under proceedings before



8 either a circuit or an associate circuit judge. The foregoing provisions shall not apply with  
9 respect to any judgment of a small claims court nor shall any judgment of a small claims court  
10 be a lien upon real estate.

577.051. 1. A record of the [final] disposition in any court proceeding involving a  
2 violation of any of the provisions of sections 577.005 to 577.023, or violation of county or  
3 municipal ordinances involving alcohol- or drug-related driving offenses, [pleas of guilty,  
4 findings of guilty, suspended imposition of sentence, suspended execution of sentence,  
5 probation, conditional sentences and sentences of confinement] shall be forwarded to the  
6 Missouri state highway patrol, or at the written direction of the Missouri state highway patrol,  
7 to the department of revenue, within fifteen days by the clerk of the court in which the  
8 proceeding was held and shall be entered by the highway patrol or department of revenue in the  
9 Missouri uniform law enforcement system records. **Dispositions that shall be reported are**  
10 **pleas of guilty, findings of guilty, suspended imposition of sentence, suspended execution**  
11 **of sentence, probation, conditional sentences, sentences of confinement and any other such**  
12 **dispositions that may be required under state or federal regulations.** The record forwarded  
13 by the clerk shall clearly show the court, the court case number, the name, address, and motor  
14 vehicle operator's or chauffeur's license number of the person who is the subject of the  
15 proceeding, the code or number identifying the particular arrest, and any court action or  
16 requirements pertaining thereto.

17 2. All records received by the Missouri state highway patrol or the department of revenue  
18 under the provisions of this section shall be entered in the Missouri uniform law enforcement  
19 system records and maintained by the Missouri state highway patrol. Records placed in the  
20 Missouri uniform law enforcement system under the provisions of this section shall be made  
21 available to any law enforcement officer in this state, any prosecuting or circuit attorney in this  
22 state, or to any judge of a municipal or state court upon request.

23 3. Any person required by this section to furnish records to the Missouri state highway  
24 patrol or department of revenue who willfully refuses to furnish such records shall be guilty of  
25 a class C misdemeanor.

26 4. Records required to be filed with the Missouri state highway patrol or the department  
27 of revenue under the provisions of sections 302.225, RSMo, and 577.001 to 577.051 shall be  
28 filed beginning July 1, 1983, and no penalties for nonfiling of records shall be applied prior to  
29 July 1, 1983.

30 5. Forms and procedures for filing of records with the Missouri state highway patrol or  
31 department of revenue as required in this chapter shall be promulgated by the director of the  
32 department of public safety or department of revenue, as applicable, and approved by the  
33 Missouri supreme court.

34           6. All record-keeping procedures required under the provisions of sections 577.005 to  
35 577.023 shall be in accordance with this section, chapter 610, RSMo, to the contrary  
36 notwithstanding.

          595.045. 1. There is established in the state treasury the "Crime Victims' Compensation  
2 Fund". A surcharge of seven dollars and fifty cents shall be assessed as costs in each court  
3 proceeding filed in any court in the state in all criminal cases including violations of any county  
4 ordinance or any violation of criminal or traffic laws of the state, including an infraction and  
5 violation of a municipal ordinance; except that no such fee shall be collected in any proceeding  
6 in any court when the proceeding or the defendant has been dismissed by the court or when costs  
7 are to be paid by the state, county, or municipality. A surcharge of seven dollars and fifty cents  
8 shall be assessed as costs in a juvenile court proceeding in which a child is found by the court  
9 to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031,  
10 RSMo.

11           2. Notwithstanding any other provision of law to the contrary, the moneys collected by  
12 clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected  
13 and disbursed in accordance with sections 488.010 to 488.020, RSMo, and shall be payable to  
14 the director of the department of revenue.

15           3. The director of revenue shall deposit annually the amount of two hundred fifty  
16 thousand dollars to the state forensic laboratory account administered by the department of public  
17 safety to provide financial assistance to defray expenses of crime laboratories if such analytical  
18 laboratories are registered with the federal Drug Enforcement Agency or the Missouri department  
19 of health and senior services. Subject to appropriations made therefor, such funds shall be  
20 distributed by the department of public safety to the crime laboratories serving the courts of this  
21 state making analysis of a controlled substance or analysis of blood, breath or urine in relation  
22 to a court proceeding.

23           4. The remaining funds collected under subsection 1 of this section shall be denoted to  
24 the payment of an annual appropriation for the administrative and operational costs of the office  
25 for victims of crime and, if a statewide automated crime victim notification system is established  
26 pursuant to section 650.310, RSMo, to the monthly payment of expenditures actually incurred  
27 in the operation of such system. Additional remaining funds shall be subject to the following  
28 provisions:

29           (1) On the first of every month, the director of revenue or the director's designee shall  
30 determine the balance of the funds in the crime victims' compensation fund available to satisfy  
31 the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections  
32 595.050 and 595.055;

33           (2) Beginning on October 1, 1996, and on the first of each month, if the balance of the

34 funds available exceeds one million dollars plus one hundred percent of the previous twelve  
35 months' actual expenditures, excluding the immediate past calendar month's expenditures, paid  
36 pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the  
37 director of revenue or the director's designee shall deposit fifty percent to the credit of the crime  
38 victims' compensation fund and fifty percent to the services to victims' fund established in  
39 section 595.100;

40 (3) Beginning on October 1, 1996, and on the first of each month, if the balance of the  
41 funds available is less than one million dollars plus one hundred percent of the previous twelve  
42 months' actual expenditures, excluding the immediate past calendar month's expenditures, paid  
43 pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the  
44 director of revenue or the director's designee shall deposit seventy-five percent to the credit of  
45 the crime victims' compensation fund and twenty-five percent to the services to victims' fund  
46 established in section 595.100.

47 5. The director of revenue or such director's designee shall at least monthly report the  
48 moneys paid pursuant to this section into the crime victims' compensation fund and the services  
49 to victims fund to the division of workers' compensation and the department of public safety,  
50 respectively.

51 6. The moneys collected by clerks of municipal courts pursuant to subsection 1 of this  
52 section shall be collected and disbursed as provided by sections 488.010 to 488.020, RSMo.  
53 Five percent of such moneys shall be payable to the city treasury of the city from which such  
54 funds were collected. The remaining ninety-five percent of such moneys shall be payable to the  
55 director of revenue. The funds received by the director of revenue pursuant to this subsection  
56 shall be distributed as follows:

57 (1) On the first of every month, the director of revenue or the director's designee shall  
58 determine the balance of the funds in the crime victims' compensation fund available to satisfy  
59 the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections  
60 595.050 and 595.055;

61 (2) Beginning on October 1, 1996, and on the first of each month, if the balance of the  
62 funds available exceeds one million dollars plus one hundred percent of the previous twelve  
63 months' actual expenditures, excluding the immediate past calendar month's expenditures, paid  
64 pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the  
65 director of revenue or the director's designee shall deposit fifty percent to the credit of the crime  
66 victims' compensation fund and fifty percent to the services to victims' fund established in  
67 section 595.100;

68 (3) Beginning on October 1, 1996, and on the first of each month, if the balance of the  
69 funds available is less than one million dollars plus one hundred percent of the previous twelve

70 months' actual expenditures, excluding the immediate past calendar month's expenditures, paid  
71 pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055, then the  
72 director of revenue or the director's designee shall deposit seventy-five percent to the credit of  
73 the crime victims' compensation fund and twenty-five percent to the services to victims' fund  
74 established in section 595.100.

75 7. These funds shall be subject to a biennial audit by the Missouri state auditor. Such  
76 audit shall include all records associated with crime victims' compensation funds collected, held  
77 or disbursed by any state agency.

78 8. In addition to the moneys collected pursuant to subsection 1 of this section, the court  
79 shall enter a judgment in favor of the state of Missouri, payable to the crime victims'  
80 compensation fund, of sixty-eight dollars [if the conviction is] **upon a plea of guilty or finding**  
81 **of guilt** for a class A or B felony; forty-six dollars [if the conviction is] **upon a plea of guilty**  
82 **or finding of guilt** for a class C or D felony; and ten dollars [if the conviction is] **upon a plea**  
83 **of guilty or finding of guilt** for any misdemeanor under [the following] Missouri [laws:

84 (1) Chapter 195, RSMo, relating to drug regulations;

85 (2) Chapter 311, RSMo, but relating only to felony violations of this chapter committed  
86 by persons not duly licensed by the supervisor of liquor control;

87 (3) Chapter 491, RSMo, relating to witnesses;

88 (4) Chapter 565, RSMo, relating to offenses against the person;

89 (5) Chapter 566, RSMo, relating to sexual offenses;

90 (6) Chapter 567, RSMo, relating to prostitution;

91 (7) Chapter 568, RSMo, relating to offenses against the family;

92 (8) Chapter 569, RSMo, relating to robbery, arson, burglary and related offenses;

93 (9) Chapter 570, RSMo, relating to stealing and related offenses;

94 (10) Chapter 571, RSMo, relating to weapons offenses;

95 (11) Chapter 572, RSMo, relating to gambling;

96 (12) Chapter 573, RSMo, relating to pornography and related offenses;

97 (13) Chapter 574, RSMo, relating to offenses against public order;

98 (14) Chapter 575, RSMo, relating to offenses against the administration of justice;

99 (15) Chapter 577, RSMo, relating to public safety offenses] **law except for those in**  
100 **chapter 252, RSMo, relating to fish and game, chapter 302, RSMo, relating to drivers' and**  
101 **commercial drivers' license, chapter 303, RSMo, relating to motor vehicle financial**  
102 **responsibility, chapter 304, RSMo, relating to traffic regulations, chapter 306, RSMo,**  
103 **relating to watercraft regulation and licensing, and chapter 307, RSMo, relating to vehicle**  
104 **equipment regulations.** Any clerk of the court receiving moneys pursuant to such judgments  
105 shall collect and disburse such crime victims' compensation judgments in the manner provided

106 by sections 488.010 to 488.020, RSMo. Such funds shall be payable to the state treasury and  
107 deposited to the credit of the crime victims' compensation fund.

108 9. [The clerk of the court processing such funds shall maintain records of all dispositions  
109 described in subsection 1 of this section and all dispositions where a judgment has been entered  
110 against a defendant in favor of the state of Missouri in accordance with this section; all payments  
111 made on judgments for alcohol-related traffic offenses; and any judgment or portion of a  
112 judgment entered but not collected. These records shall be subject to audit by the state auditor.  
113 The clerk of each court transmitting such funds shall report separately the amount of dollars  
114 collected on judgments entered for alcohol-related traffic offenses from other crime victims'  
115 compensation collections or services to victims collections.

116 10. The clerks of the court shall report all delinquent payments to the department of  
117 revenue by October first of each year for the preceding fiscal year, and such sums may be  
118 withheld pursuant to subsection 15 of this section.

119 11.] The department of revenue shall maintain records of funds transmitted to the crime  
120 victims' compensation fund by each reporting court and collections pursuant to subsection [18]  
121 **15** of this section and shall maintain separate records of collection for alcohol-related offenses.

122 [12. Notwithstanding any other provision of law to the contrary, the provisions of  
123 subsections 9 and 10 of this section shall expire and be of no force and effect upon the effective  
124 date of the supreme court rule adopted pursuant to sections 488.010 to 488.020, RSMo.

125 13.] **10.** The state courts administrator shall include in the annual report required by  
126 section 476.350, RSMo, the circuit court caseloads and the number of crime victims'  
127 compensation judgments entered.

128 [14.] **11.** All awards made to injured victims under sections 595.010 to 595.105 and all  
129 appropriations for administration of sections 595.010 to 595.105, except sections 595.050 and  
130 595.055, shall be made from the crime victims' compensation fund. Any unexpended balance  
131 remaining in the crime victims' compensation fund at the end of each biennium shall not be  
132 subject to the provision of section 33.080, RSMo, requiring the transfer of such unexpended  
133 balance to the ordinary revenue fund of the state, but shall remain in the crime victims'  
134 compensation fund. In the event that there are insufficient funds in the crime victims'  
135 compensation fund to pay all claims in full, all claims shall be paid on a pro rata basis. If there  
136 are no funds in the crime victims' compensation fund, then no claim shall be paid until funds  
137 have again accumulated in the crime victims' compensation fund. When sufficient funds become  
138 available from the fund, awards which have not been paid shall be paid in chronological order  
139 with the oldest paid first. In the event an award was to be paid in installments and some  
140 remaining installments have not been paid due to a lack of funds, then when funds do become  
141 available that award shall be paid in full. All such awards on which installments remain due

142 shall be paid in full in chronological order before any other postdated award shall be paid. Any  
143 award pursuant to this subsection is specifically not a claim against the state, if it cannot be paid  
144 due to a lack of funds in the crime victims' compensation fund.

145 [15.] **12.** When judgment is entered against a defendant as provided in this section and  
146 such sum, or any part thereof, remains unpaid, there shall be withheld from any disbursement,  
147 payment, benefit, compensation, salary, or other transfer of money from the state of Missouri to  
148 such defendant an amount equal to the unpaid amount of such judgment. Such amount shall be  
149 paid forthwith to the crime victims' compensation fund and satisfaction of such judgment shall  
150 be entered on the court record. Under no circumstances shall the general revenue fund be used  
151 to reimburse court costs or pay for such judgment. The director of the department of corrections  
152 shall have the authority to pay into the crime victims' compensation fund from an offender's  
153 compensation or account the amount owed by the offender to the crime victims' compensation  
154 fund, provided that the offender has failed to pay the amount owed to the fund prior to entering  
155 a correctional facility of the department of corrections.

156 [16.] **13.** All interest earned as a result of investing funds in the crime victims'  
157 compensation fund shall be paid into the crime victims' compensation fund and not into the  
158 general revenue of this state.

159 [17.] **14.** Any person who knowingly makes a fraudulent claim or false statement in  
160 connection with any claim hereunder is guilty of a class A misdemeanor.

161 [18.] **15.** Any gifts, contributions, grants or federal funds specifically given to the  
162 division for the benefit of victims of crime shall be credited to the crime victims' compensation  
163 fund. Payment or expenditure of moneys in such funds shall comply with any applicable federal  
164 crime victims' compensation laws, rules, regulations or other applicable federal guidelines.