

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1962

91ST GENERAL ASSEMBLY

Reported from the Committee on Judiciary, May 3, 2002, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

4713S.07C

AN ACT

To repeal sections 43.530, 43.540, 50.333, 50.550, 57.290, 59.042, 67.133, 143.782, 287.780, 374.770, 473.750, 476.058, 476.270, 476.340, 476.385, 479.020, 482.330, 483.015, 483.083, 483.245, 488.005, 488.012, 488.445, 488.2250, 488.2253, 488.2300, 488.4014, 488.5320, 491.300, 494.410, 494.415, 494.420, 494.430, 506.060, 510.120, 511.350, 511.510, 517.111, 517.141, 517.151, 550.130, 550.140, 550.180, 550.190, 550.230, 550.300, 558.019, 559.021, 565.084, 577.051, 589.410 and 595.045, RSMo, relating to the administration of courts and court procedures, and to enact in lieu thereof sixty-one new sections relating to the same subject, with penalty provisions.

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

Section A. Sections 43.530, 43.540, 50.333, 50.550, 57.290, 59.042, 67.133, 143.782, 287.780, 374.770, 473.750, 476.058, 476.270, 476.340, 476.385, 479.020, 482.330, 483.015, 483.083, 483.245, 488.005, 488.012, 488.445, 488.2250, 488.2253, 488.2300, 488.4014, 488.5320, 491.300, 494.410, 494.415, 494.420, 494.430, 506.060, 510.120, 511.350, 511.510, 517.111, 517.141, 517.151, 550.130, 550.140, 550.180, 550.190, 550.230, 550.300, 558.019, 559.021, 565.084, 577.051, 589.410 and 595.045, RSMo, are repealed and sixty-one new sections enacted in lieu thereof, to be known as sections 43.530, 43.540, 50.333, 50.550, 50.555, 59.040, 59.042, 143.782, 287.780, 374.770, 473.750, 476.058, 476.061, 476.270, 476.340, 476.385, 479.020, 482.330, 483.015, 483.083, 483.245, 488.005, 488.012, 488.445, 488.2250, 488.2253, 488.2300, 488.4014, 488.5021, 488.5320, 491.300, 494.410, 494.415, 494.420, 494.430, 506.060, 510.120, 511.350, 511.510, 517.111,

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

12 517.151, 537.605, 537.617, 550.130, 550.135, 550.140, 550.180, 550.190, 550.230, 550.295,
13 550.300, 558.019, 559.021, 565.084, 577.051, 589.410, 595.045, 1, 2, 3 and 4, to read as
14 follows:

43.530. For each request received by the central repository, as defined in
2 subdivision (1) of section 43.500, the requesting entity shall pay a fee of not more than
3 five dollars per request for criminal history record information and pay a fee of not more
4 than fourteen dollars per request for classification and search of fingerprints. Each such
5 request shall be limited to check and search on one individual. Each request shall be
6 accompanied by a check, warrant, voucher, or money order payable to the state of
7 Missouri-criminal record system. **The highway patrol may establish procedures**
8 **for receiving requests for criminal history record information from courts**
9 **and others and for classification and search for fingerprints and for paying**
10 **for such requests by electronic means.** There is hereby established by the treasurer
11 of the state of Missouri a fund to be entitled as the "Criminal Record System
12 Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, if the
13 moneys collected and deposited into this fund are not totally expended annually for the
14 purposes set forth in section 43.527, the unexpended moneys in such fund shall remain
15 in the fund and the balance shall be kept in the fund to accumulate from year to year.

43.540. 1. As used in this section, the following terms mean:

2 (1) "Criminal record review", a request to the highway patrol for information
3 concerning any criminal history record for a felony or misdemeanor **and any offense**
4 **for which the person has registered pursuant to sections 589.400 to 589.425,**
5 **RSMo;**

6 (2) "Patient or resident", a person who by reason of aging, illness, disease or
7 physical or mental infirmity receives or requires care or services furnished by a provider,
8 as defined in this section, or who resides or boards in, or is otherwise kept, cared for,
9 treated or accommodated in a facility as defined in section 198.006, RSMo, for a period
10 exceeding twenty-four consecutive hours;

11 (3) "Patrol", the Missouri state highway patrol;

12 (4) "Provider", any licensed day care home, licensed day care center, licensed
13 child placing agency, licensed residential care facility for children, licensed group home,
14 licensed foster family group home, licensed foster family home or any operator licensed
15 pursuant to chapter 198, RSMo, any employer of nurses or nursing assistants for
16 temporary or intermittent placement in health care facilities or any entity licensed
17 pursuant to chapter 197, RSMo;

18 (5) "Youth services agency", any public or private agency, school, or association

19 which provides programs, care or treatment for or which exercises supervision over
20 minors.

21 2. Upon receipt of a written request from a private investigatory agency, a youth
22 service agency or a provider, with the written consent of the applicant, the highway
23 patrol shall conduct a criminal record review of an applicant for a paid or voluntary
24 position with the agency or provider if such position would place the applicant in contact
25 with minors, patients or residents.

26 3. Any request for information made pursuant to the provisions of this section
27 shall be on a form provided by the highway patrol and shall be signed by the person who
28 is the subject of the request.

29 4. The patrol shall respond in writing to the youth service agency or provider
30 making a request for information pursuant to this section and shall inform such youth
31 service agency or provider of the **address and offense for which the offender**
32 **registered pursuant to sections 589.400 to 589.425, RSMo, and the nature of the**
33 **offense, and the date, place and court for any other offenses contained in the**
34 **criminal record review.** Notwithstanding any other provision of law to the contrary,
35 the youth service agency or provider making such request shall have access to all records
36 of arrests resulting in an adjudication where the applicant was found guilty or entered
37 a plea of guilty or nolo contendere in a prosecution pursuant to chapter 565, RSMo,
38 sections 566.010 to 566.141, RSMo, or under the laws of any state or the United States
39 for offenses described in sections 566.010 to 566.141, RSMo, or chapter 565, RSMo,
40 during the period of any probation imposed by the sentencing court.

41 5. Any information received by a provider or a youth services agency pursuant
42 to this section shall be used solely for the provider's or youth service agency's internal
43 purposes in determining the suitability of an applicant or volunteer. The information
44 shall be confidential and any person who discloses the information beyond the scope
45 allowed in this section is guilty of a class A misdemeanor. The patrol shall inform, in
46 writing, the provider or youth services agency of the requirements of this subsection and
47 the penalties provided in this subsection at the time it releases any information
48 pursuant to this section.

2 50.333. 1. There shall be a salary commission in every nonchartered county.

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

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

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

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

16 (2) The county clerk;

17 (3) The prosecuting attorney;

18 (4) The sheriff;

19 (5) The county commissioners;

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

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

22 (8) The assessor;

23 (9) The auditor;

24 (10) The public administrator; and

25 (11) The coroner.

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

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

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

41 6. For purposes of this section, the 1988 base compensation is the compensation
42 paid on September 1, 1987, plus the same percentage increase paid or allowed, whichever
43 is greater, to the presiding commissioner or the sheriff, whichever is greater, of that

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

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

80 officer or office whose compensation is being established by the salary commission at
81 that time shall receive the same percentage increase over the compensation being paid
82 for that office during the term when the vote is taken. This increase shall be in addition
83 to any increase mandated by an official's salary schedule because of changes in assessed
84 valuation during the current term. If the salary commission votes to decrease the
85 compensation, a vote of two-thirds or more of all the members of the salary commission
86 shall be required before the salary or other compensation of any county office shall be
87 decreased below the compensation being paid for the particular office on the date the
88 salary commission votes, and all officers and offices shall receive the same percentage
89 decrease.

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

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

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

111 10. Other provisions of law notwithstanding, in every instance where an officer
112 or employee of any county is paid a mileage allowance or reimbursement, the county
113 commission shall allow or reimburse such officers or employees out of the county
114 treasury at the highest rate paid to any county officer for each mile actually and
115 necessarily traveled in the performance of their official duties. The county commission

116 of any county may elect to pay a mileage allowance for any county commissioner for
117 travel going to and returning from the place of holding commission meetings and for all
118 other necessary travel on official county business in the personal motor vehicle of the
119 commissioner presenting the claim. The governing body of any county of the first
120 classification not having a charter form of government may provide by order for the
121 payment of mileage expenses of elected and appointed county officials by payment of a
122 certain amount monthly which would reflect the average monthly mileage expenses of
123 such officer based on the amount allowed pursuant to state law for the payment of
124 mileage for state employees. Any order entered for such purpose shall not be construed
125 as salary, wages or other compensation for services rendered.

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

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

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

50.550. 1. The annual budget shall present a complete financial plan for the
2 ensuing budget year. It shall set forth all proposed expenditures for the administration,
3 operation and maintenance of all offices, departments, commissions, courts and

4 institutions; the actual or estimated operating deficits or surpluses from prior years; all
5 interest and debt redemption charges during the year and expenditures for capital
6 projects.

7 **2.** The budget shall contain adequate provisions for the expenditures necessary
8 for the care of insane pauper patients in state hospitals, for the cost of holding elections
9 and for the costs of holding circuit court in the county that are chargeable against the
10 county, for the repair and upkeep of bridges other than on state highways and not in any
11 special road district, and for the salaries, office expenses and deputy and clerical hire
12 of all county officers and agencies.

13 **3.** In addition, the budget shall set forth in detail the anticipated income and
14 other means of financing the proposed expenditures.

15 **4.** All receipts of the county for operation and maintenance shall be credited to
16 the general fund, and all expenditures for these purposes shall be charged to this fund;
17 except, that receipts from the special tax levy for roads and bridges shall be kept in a
18 special fund and expenditures for roads and bridges may be charged to the special fund.

19 **5.** All receipts from the sale of bonds for any purpose shall be credited to the
20 bond fund created for the purpose, and all expenditures for this purpose shall be charged
21 to the fund. All receipts for the retirement of any bond issue shall be credited to a
22 retirement fund for the issue, and all payments to retire the issue shall be charged to
23 the fund. All receipts for interest on outstanding bonds and all premiums and accrued
24 interest on bonds sold shall be credited to the interest fund, and all payments of interest
25 on the bonds shall be charged to the interest fund.

26 **6. Subject to the provisions of section 50.555 the county commission**
27 **may create a fund to be known as "The County Crime Reduction Fund".**

28 **7.** The county commission may create other funds as are necessary from time to
29 time.

50.555. 1. A county commission may establish by ordinance or order a
2 **fund whose proceeds may be expended only for the purposes provided for in**
3 **subsection 3 of this section. The fund shall be designated as a county crime**
4 **reduction fund and shall be under the supervision of a board of trustees**
5 **consisting of one citizen of the county appointed by the presiding**
6 **commissioner of the county, one citizen of the county appointed by the sheriff**
7 **of the county, and one citizen of the county appointed by the county**
8 **prosecuting attorney.**

9 **2. Money from the county crime reduction fund shall only be expended**
10 **upon the approval of a majority of the members of the county crime reduction**

11 fund's board of trustees and only for the purposes provided for by subsection
12 3 of this section.

13 3. Money from the county crime reduction fund shall only be expended
14 for the following purposes:

15 (1) Narcotics investigation, prevention, and intervention;

16 (2) Purchase of law enforcement related equipment and supplies for the
17 sheriff's office;

18 (3) Matching funds for federal or state law enforcement grants;

19 (4) Funding for the reporting of all state and federal crime statistics
20 or information; and

21 (5) Any law enforcement related expense, including those of the
22 prosecuting attorney, approved by the board of trustees for the county crime
23 reduction fund that is reasonably related to investigation, preparation, trial,
24 and disposition of criminal cases before the courts of the state of Missouri.

25 4. The county commission may not reduce any law enforcement
26 agency's budget as a result of funds the law enforcement agency receives from
27 the county crime reduction fund. The county crime reduction fund is to be
28 used only as a supplement to the law enforcement agency's funding received
29 from other county, state, or federal funds.

30 5. County crime reduction funds shall be audited as are all other
31 county funds.

59.040. 1. In a county of the third class, the question of combining the
2 offices of circuit clerk and recorder or separating the offices may be
3 submitted to the voters of the county by the county commission and shall be
4 submitted by the county commission upon the petition of voters who comprise
5 at least eight percent of the voters of the county as determined by the total
6 vote for governor at the last preceding general election at which a governor
7 was elected.

8 2. If the two offices are separate and the question is to combine the two
9 offices, the question shall be submitted in substantially the following form:

10 Shall the offices of the circuit clerk and recorder in
11 (name of county) county be combined?

12 3. If the two offices are combined and the question is to separate the
13 two offices, the question shall be submitted in substantially the following
14 form:

15 Shall the offices of circuit clerk and recorder in (name
16 of county) county be separated?

17 **4. The submission of the question provided for in this section may be**
18 **made at the November election in 2004, or any fourth year thereafter. Any**
19 **consolidation or separation brought about as a result of the provisions of this**
20 **section shall not become effective until the expiration of the term of office of**
21 **the officers affected.**

59.042. In any county where the offices of the clerk of the circuit court and the
2 recorder of deeds are combined, the governing body of said county [by public vote,] may,
3 **by their own action in public session or under the provisions of 59.040,**
4 authorize the separation of the two offices. Thereafter the recorder of deeds shall be
5 elected pursuant to section 59.020.

143.782. As used in sections 143.782 to 143.788, unless the context clearly
2 requires otherwise, the following terms shall and include:

3 (1) **"Court", the supreme court, court of appeals, or any circuit court of**
4 **the state;**

5 (2) "Debt", any sum due and legally owed to any state agency which has accrued
6 through contract, subrogation, tort, or operation of law regardless of whether there is an
7 outstanding judgment for that sum, **court costs as defined in section 488.010,**
8 **RSMo, fines and fees owed to a court,** or any support obligation which is being
9 enforced by the division of family services on behalf of a person who is receiving support
10 enforcement services pursuant to section 454.425, RSMo;

11 [(2)] (3) "Debtor", any individual, sole proprietorship, partnership, corporation
12 or other legal entity owing a debt;

13 [(3)] (4) "Department", the department of revenue of the state of Missouri;

14 [(4)] (5) "Refund", the Missouri income tax refund which the department
15 determines to be due any taxpayer pursuant to the provisions of this chapter. The
16 amount of a refund shall not include any senior citizens property tax credit provided by
17 sections 135.010 to 135.035, RSMo; and

18 [(5)] (6) "State agency", any department, division, board, commission, office, or
19 other agency of the state of Missouri, including public community college district.

287.780. No employer or agent, **including the state or any agency,**
2 **department, or division thereof,** shall discharge or in any way discriminate against
3 any employee for exercising any of [his] **the employee's** rights under this chapter. Any
4 employee who has been discharged or discriminated against shall have a civil action for
5 damages against [his] **their** employer. **For purposes of this section, the state**
6 **waives its sovereign immunity and submits to suit for claims up to the limits**
7 **established in section 537.610, RSMo.**

374.770. 1. If there is a breach of the contract of the bond, the court in which the
2 case is pending shall declare a bond forfeiture, unless the surety upon such bond informs
3 the court that the defendant is incarcerated somewhere within the United States. If
4 forfeiture is not ordered because the defendant is incarcerated somewhere within the
5 United States, the surety is responsible for the return of the defendant **and shall be**
6 **liable for all costs incurred by the state or county in returning the defendant,**
7 **which costs shall be assessed against the bond prior to the release of the**
8 **surety. However, said surety shall not be responsible for said costs if the**
9 **surety wants to return said defendant to the jurisdiction in which the case is**
10 **pending and the jurisdiction in which the defendant is held will not release**
11 **said defendant to the surety.** If bond forfeiture is ordered and the surety can
12 subsequently prove the defendant is incarcerated somewhere within the United States,
13 then the bond forfeiture shall be set aside and the surety be responsible for the return
14 of the defendant **and shall be liable for all costs incurred by the state or county**
15 **in returning the defendant, which costs shall be assessed against the bond**
16 **prior to the release of the surety. However, said surety shall not be**
17 **responsible for said costs if the surety wants to return said defendant to the**
18 **jurisdiction in which the case is pending and the jurisdiction in which the**
19 **defendant is held will not release said defendant to the surety.** When the surety
20 notifies the court of the whereabouts of the defendant, a hold order shall be placed by
21 the court having jurisdiction on the defendant in the state in which the defendant is
22 being held.

2. In all instances in which a bail bond agent or general bail bond agent duly
24 licensed by sections 374.700 to 374.775 has given his bond for bail for any defendant who
25 has absented himself in violation of the condition of such bond, the bail bond agent or
26 general bail bond agent shall have the first opportunity to return such defendant to the
27 proper court. If he is unable to return such defendant, the state of Missouri shall return
28 such defendant to the proper court for prosecution, and all costs incurred by the state
29 in so returning a defendant may be levied against the bail bond agent or general bail
30 bond agent in question.

473.750. 1. In addition to the provisions of sections 473.730 to 473.767, [he and
2 his] **a public administrator and the public administrator's** securities shall have
3 the same powers as are conferred upon, and be subject to the same duties, penalties,
4 provisions and proceedings as are enjoined upon or authorized against personal
5 representatives, guardians and conservators by chapters 472 to 475, RSMo, so far as the
6 same may be applicable. [He] **The public administrator** shall have power to

7 administer oaths and affirmations in all matters relating or belonging to the exercise of
8 **[his] the office of public administrator.**

9 **2. Notwithstanding the provisions of chapter 475, RSMo, relating to the**
10 **verification of securities and bank deposits, the public administrator of a**
11 **county with a charter form of government with more than six hundred**
12 **thousand but less than seven hundred thousand inhabitants, subject to the**
13 **conditions imposed by and with the approval of the judge of the probate**
14 **division of such county, may utilize computerized data management software**
15 **to maintain financial records of estates of decedents, minors and disabled**
16 **persons and to prepare and file settlements of the accounts of such estates.**

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

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

10 **3. In addition, any moneys received by or on behalf of the state courts**
11 **administrator from fees, grants or any other sources in connection with the**
12 **preparation of court transcripts shall be deposited in the fund provided,**
13 **however, that moneys collected in the fund in connection with a particular**
14 **purpose shall be segregated and shall not be disbursed for any other purpose.**

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

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

476.061. 1. An interpreter or translator cannot be compelled to testify
2 **as to the information that would otherwise be protected by attorney-client**

3 **privilege as between the party and his or her attorney.**

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

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

476.270. All expenditures accruing in the circuit courts, except salaries and clerk
2 hire which is [payable] paid by the state, except all expenditures accruing in the
3 municipal divisions of the circuit court, and except as otherwise provided by law, shall
4 be paid out of the treasury of the county in which the court is held in the same manner
5 as other demands.

476.340. 1. The governing body of the conference, between annual sessions, shall
2 be the executive council. The executive council shall consist of the following members:

3 (1) The chief justice of the supreme court, or some member of the supreme court
4 appointed by him;

5 (2) Two other members of the supreme court appointed by the supreme court;

6 (3) One member of each district of the court of appeals elected by the judges
7 thereof, respectively;

8 (4) Eight circuit judges, other than judges of the probate division, three of whom
9 shall be elected for three-year terms, one from each district of the court of appeals, by
10 the circuit judges, other than judges of the probate division, of the district to represent
11 each of the districts of the court of appeals, respectively. A judge whose circuit is in part
12 in more than one district of the court of appeals may vote in and be elected to represent
13 either district but not both. Five of the circuit judges on the council shall be elected for
14 three-year terms by the circuit judges of the state;

15 (5) One judge of the probate division of circuit courts in counties having a
16 population of more than thirty thousand inhabitants elected for a three-year term by the
17 judges of the probate divisions of the circuit courts in such counties;

18 (6) Three associate circuit judges elected for three-year terms, one from each
19 district of the court of appeals, by the associate circuit judges of the district to represent

20 each of the districts of the court of appeals, respectively;

21 (7) Three other associate circuit judges elected for three-year terms by the
22 associate circuit judges of the state;

23 (8) One associate circuit judge from counties having a population of thirty
24 thousand inhabitants or less elected for a three-year term by the associate circuit judges
25 in such counties;

26 (9) One retired judge or commissioner who is a member of the judicial conference
27 elected for a three-year term by such judges and commissioners. Members of the
28 executive council on August 28, [1993] **2002**, shall serve out their terms and their
29 replacements shall be elected under the provisions of this section. **Vacancies shall be**
30 **filled for the unexpired term of any member as provided by resolution of the**
31 **judicial conference.**

32 2. The executive council shall have general supervision of the work of the
33 conference and such other duties and authority as may be given to it under rules or
34 resolutions adopted by the conference. The members of the executive council shall elect
35 one of its members vice president to act in the absence of the chief justice.

476.385. 1. The judges of the supreme court may appoint a committee consisting
2 of at least seven associate circuit judges, who shall meet en banc and establish and
3 maintain a schedule of fines to be paid for violations of [section] **sections** 210.104,
4 **577.070 and 577.073**, RSMo, and chapters 252, 301, 302, 304, 306, 307 and 390, RSMo,
5 with such fines increasing in proportion to the severity of the violation. The associate
6 circuit judges of each county may meet en banc and adopt the schedule of fines and
7 participation in the centralized bureau pursuant to this section. Notice of such adoption
8 and participation shall be given in the manner provided by supreme court rule. Upon
9 order of the supreme court, the associate circuit judges of each county may meet en banc
10 and establish and maintain a schedule of fines to be paid for violations of municipal
11 ordinances for cities, towns and villages electing to have violations of its municipal
12 ordinances heard by associate circuit judges, pursuant to section 479.040, RSMo; and for
13 traffic court divisions established pursuant to section 479.500, RSMo. The schedule of
14 fines adopted for violations of municipal ordinances may be modified from time to time
15 as the associate circuit judges of each county en banc deem advisable. No fine
16 established pursuant to this subsection may exceed the maximum amount specified by
17 statute or ordinance for such violation.

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

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

21 person;

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

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

26 (4) Fleeing or attempting to elude an officer.

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

34 4. If a person elects not to contest the alleged violation, the person shall send
35 payment in the amount of the fine and any court costs established for the violation to the
36 centralized bureau. Such payment shall be payable to the "central violations bureau",
37 shall be made by mail or in any other manner established by the centralized bureau, and
38 shall constitute a plea of guilty, waiver of trial and a conviction for purposes of section
39 302.302, RSMo, and for purposes of imposing any collateral consequence of a criminal
40 conviction provided by law. Notwithstanding any provision of law to the contrary, the
41 prosecutor shall not be required to sign any information, ticket or indictment if
42 disposition is made pursuant to this subsection. In the event that any payment is made
43 pursuant to this section by credit card or similar method, the centralized bureau may
44 charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed
45 on the recipient of the credit card payment by the credit card company.

46 5. If a person elects to plead not guilty, such person shall send the plea of not
47 guilty to the centralized bureau. The bureau shall send such plea and request for trial
48 to the prosecutor having original jurisdiction over the offense. Any trial shall be
49 conducted at the location designated by the court. The clerk of the court in which the
50 case is to be heard shall notify in writing such person of the date certain for the
51 disposition of such charges **by sending the written notification to the person by**
52 **ordinary first class United States mail at the address of record shown on the**
53 **offense citation.** The prosecutor shall not be required to sign any information, ticket
54 or indictment until the commencement of any proceeding by the prosecutor with respect
55 to the notice of violation.

56 6. In courts adopting a schedule of fines pursuant to this section, any person

57 receiving a notice of violation pursuant to this section shall also receive written
58 notification of the following:

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

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

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

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

91 9. In addition to the remedies provided by subsection 8 of this section, the
92 centralized bureau and the courts may use the remedies provided by sections 488.010 to

93 488.020, RSMo, for the collection of court costs payable to courts, in order to collect fines
94 and court costs for violations subject to this section.

479.020. 1. Any city, town or village, including those operating under a
2 constitutional or special charter, may, and cities with a population of four hundred
3 thousand or more shall, provide by ordinance or charter for the selection, tenure and
4 compensation of a municipal judge or judges consistent with the provisions of this
5 chapter who shall have original jurisdiction to hear and determine all violations against
6 the ordinances of the municipality. The method of selection of municipal judges shall
7 be provided by charter or ordinance. Each municipal judge shall be selected for a term
8 of not less than two years as provided by charter or ordinance.

9 2. Except where prohibited by charter or ordinance, the municipal judge may be
10 a part-time judge and may serve as municipal judge in more than one municipality.

11 3. No person shall serve as a municipal judge of any municipality with a
12 population of seven thousand five hundred or more or of any municipality in a county
13 of the first class with a charter form of government unless the person is licensed to
14 practice law in this state unless, prior to January 2, 1979, such person has served as
15 municipal judge of that same municipality for at least two years.

16 4. Notwithstanding any other statute, a municipal judge need not be a resident
17 of the municipality or of the circuit in which the municipal judge serves except where
18 ordinance or charter provides otherwise. Municipal judges shall be residents of Missouri.

19 5. Judges selected under the provisions of this section shall be municipal judges
20 of the circuit court and shall be divisions of the circuit court of the circuit in which the
21 municipality, or major geographical portion thereof, is located. The judges of these
22 municipal divisions shall be subject to the rules of the circuit court which are not
23 inconsistent with the rules of the supreme court. The presiding judge of the circuit shall
24 have general administrative authority over the judges and court personnel of the
25 municipal divisions within the circuit. Notwithstanding the foregoing provisions of this
26 subsection, in any city with a population of over four hundred thousand with full-time
27 municipal judges who are subject to a plan of merit selection and retention, such
28 municipal judges and court personnel of the municipal divisions shall not be subject to
29 court management and case docketing in the municipal divisions by the presiding judge
30 or the rules of the circuit court of which the municipal divisions are a part.

31 6. No municipal judge shall hold any other office in the municipality which the
32 municipal judge serves as judge. The compensation of any municipal judge and other
33 court personnel shall not be dependent in any way upon the number of cases tried, the
34 number of guilty verdicts reached or the amount of fines imposed or collected.

35 7. Municipal judges shall be at least twenty-one years of age. No person shall
36 serve as municipal judge after that person has reached that person's [seventy-fifth]
37 **seventieth** birthday.

38 8. Within six months after selection for the position, each municipal judge who
39 is not licensed to practice law in this state shall satisfactorily complete the course of
40 instruction for municipal judges prescribed by the supreme court. The state courts
41 administrator shall certify to the supreme court the names of those judges who
42 satisfactorily complete the prescribed course. If a municipal judge fails to complete
43 satisfactorily the prescribed course within six months after the municipal judge's
44 selection as municipal judge, the municipal judge's office shall be deemed vacant and
45 such person shall not thereafter be permitted to serve as a municipal judge, nor shall
46 any compensation thereafter be paid to such person for serving as municipal judge.

 482.330. 1. No claim may be filed or prosecuted in small claims court by a party
2 who:

3 (1) Is an assignee of the claim; or

4 (2) Has filed more than eight other claims in the Missouri small claims courts
5 during the current calendar year. If the court finds that a party has filed more claims
6 than are permitted by this section, the court shall dismiss the claim without prejudice.

7 2. At the time of filing an action in small claims court, a plaintiff shall sign a
8 statement that he **or she** is not the assignee of the claim sued on and that he **or she**
9 has not filed more than eight other claims in the Missouri small claims courts during the
10 current calendar year.

11 3. Nothing in this section shall prohibit the filing or prosecution of a
12 counterclaim growing out of the same transaction or occurrence.

13 4. [No claim may be filed in a small claims court unless:

14 (1) At least one defendant is a resident of the county in which the court is located
15 or at least one of the plaintiffs is a resident of the county in which the court is located
16 and at least one defendant may be found in said county; or

17 (2) The facts giving rise to the cause of action took place within the county in
18 which the court is located.] **Venue in small claims court shall be pursuant to**
19 **section 508.010, RSMo.**

 483.015. 1. At the general election in the year 1982, and every four years
2 thereafter, except as herein provided and except as otherwise provided by law, circuit
3 clerks shall be elected by the qualified voters of each county [and of the city of St. Louis],
4 who shall be commissioned by the governor, and shall enter upon the discharge of their
5 duties on the first day in January next ensuing their election, and shall hold their offices

6 for the term of four years, and until their successors shall be duly elected and qualified,
7 unless sooner removed from office.

8 2. The court administrator for Jackson County provided by the charter of Jackson
9 County shall be selected as provided in the county charter and shall exercise all of the
10 powers and duties of the circuit clerk of Jackson County. The director of judicial
11 administration and the circuit clerk of St. Louis County shall be selected as provided in
12 the charter of St. Louis County.

13 3. **The circuit clerk of any city not within a county shall be appointed**
14 **by a majority of the circuit judges and associate circuit judges of the circuit**
15 **court of such city, en banc. The circuit clerk shall be removable for cause by**
16 **a majority of the circuit judges and associate circuit judges of such circuit,**
17 **en banc, in accordance with supreme court administrative rules governing**
18 **court personnel. This subsection shall become effective on January 1, 2003,**
19 **and the circuit clerk in office at that time shall continue to hold such office**
20 **as if such clerk had been appointed pursuant to the terms of this subsection.**

21 4. When provision is made in a county charter for the appointment of a court
22 administrator to perform the duties of a circuit clerk or for the appointment of a circuit
23 clerk, such provisions shall prevail over the provisions of this chapter providing for a
24 circuit clerk to be elected. The persons appointed to fill any such appointive positions
25 shall be paid by the counties as provided by the county charter or ordinance; provided,
26 however, that if provision is now or hereafter made by law for the salaries of circuit
27 clerks to be paid by the state, the state shall pay over to the county a sum which is
28 equivalent to the salary that would be payable by law by the state to an elected circuit
29 clerk in such county if such charter provision was not in effect. The sum shall be paid
30 in semimonthly or monthly installments, as designated by the commissioner of
31 administration.

483.083. 1. Each circuit clerk shall annually receive as compensation the
2 following amounts as base salary:

3 (1) In counties of the first classification, thirty-six thousand one hundred
4 forty-five dollars; except those counties where court is held in two cities, in which
5 instance an additional four thousand dollars shall be added to the base salary;

6 (2) In all counties of the second or fourth classification, thirty-one thousand nine
7 hundred seventy-eight dollars; except those counties where court is held in two cities,
8 thirty-five thousand five hundred forty-nine dollars;

9 (3) In the counties of the third classification, twenty-seven thousand two hundred
10 eighteen dollars except those counties where court is held in two cities; thirty thousand

11 three hundred eight dollars; except Marion County circuit clerks, district one and district
12 two in Hannibal, thirty-one thousand three hundred eighty-three dollars;

13 (4) In the city of St. Louis, sixty-seven thousand three hundred sixty dollars;

14 (5) The compensation of circuit clerks provided by this subsection shall annually
15 be increased by an amount equivalent to the annual salary adjustment approved
16 pursuant to section 476.405, RSMo, for employees of the judicial department.

17 2. Such circuit clerks shall receive in addition to any salary provided by this
18 section any salary adjustment provided pursuant to section 476.405, RSMo.

19 3. In the event the judge orders child support payments in Marion County to be
20 made through the clerk, the clerk shall annually, on or before February first of each
21 year, charge ten dollars per year to each such person so obligated to make child support
22 payments, which fee shall be paid to the state.

23 4. Payment of the compensation provided in this section shall be payable in equal
24 monthly installments, except that the salary of the circuit clerk of the city of St. Louis
25 shall be paid in semimonthly installments and except that all such compensation paid
26 by the state shall be paid in installments as provided in section 33.100, RSMo. The
27 compensation of all circuit clerks shall be paid by the state and they shall be considered
28 state employees for all purposes except the manner of their selection, appointment or
29 removal from office; except that, the circuit clerk of the city of St. Louis, the circuit clerk
30 of St. Louis County and the court administrator of Jackson County shall continue to be
31 paid by the city and those counties and shall not become state employees, but the city
32 of St. Louis, St. Louis County and Jackson County shall each be paid an amount which
33 is equivalent to a circuit clerk's salary as provided in subsection [3] 4 of section 483.015.

34 5. The compensation provided in this section shall be in lieu of all fees, and all
35 fees collected shall be paid over to the state or to the counties and the city of St. Louis
36 as otherwise provided by law.

2 483.245. 1. The provisions of this section shall become effective on July 1, 1981.

3 2. The circuit clerk, or person exercising the authority of the circuit clerk
4 pursuant to county charter, shall appoint all deputy circuit clerks, including deputy
5 circuit clerks serving in courtrooms, and shall prescribe and assign the duties of such
6 deputy circuit clerks. The circuit clerk may remove from office any deputy circuit clerk
7 whom he appoints. All division clerks, as defined in section 483.241, shall be appointed
8 by the judge of the division such clerks serve, and such judge may remove from office any
9 division clerk whom he appoints.

10 3. Notwithstanding the provisions of subsection 2 of this section, if, on June 30,
11 1981, in any county or in the city of St. Louis, there exists by reason of local charter, a

12 plan of merit selection and retention or other similar personnel plan, providing for
13 selection, tenure or retention of deputy circuit clerks or division clerks, after July 1,
14 1981, as to clerical personnel who were, on June 30, 1981, under such a plan, the
15 provisions for merit retention and tenure shall continue to apply as to such persons
16 insofar as is reasonably possible even though they are paid by the state and become state
17 employees, and the circuit court en banc shall be considered as the commission or board
18 for determining the propriety of any disciplinary or dismissal action.

19 4. In addition to the authority to remove deputy circuit clerks and division clerks
20 hereinabove provided, the circuit court en banc may remove from office a deputy circuit
21 clerk or division clerk for cause.

22 5. The maximum number of deputy circuit clerks for each county and the
23 maximum number of division clerks for a particular division shall be determined by
24 order of the circuit court en banc. Such order may be modified for cause by order of the
25 supreme court, or if no order is entered providing for the number of deputy circuit clerks
26 and division clerks, the supreme court may enter such order.

27 6. The salaries of deputy circuit clerks and division clerks shall be established
28 by the circuit clerk in the case of deputy circuit clerks, or the judge appointing the
29 division clerk in the case of division clerks, within salary ranges and classifications
30 which may from time to time be established by administrative rule of the supreme court
31 within the limit of funds appropriated for this purpose. The salaries of deputy circuit
32 clerks and division clerks shall be paid by the state, and they shall be state employees.

33 7. **Notwithstanding the provisions of subsection 6 of this section, in any**
34 **county of the first classification with more than one hundred eighty-four**
35 **thousand but less than one hundred eighty-four thousand one hundred**
36 **inhabitants which contains all or a portion of a city with a population of at**
37 **least three hundred thousand inhabitants, the county commission may vote**
38 **to pay the salaries of deputy circuit clerks and division clerks directly from**
39 **county funds.**

40 8. Notwithstanding the other provisions of this section providing for the
41 establishment of the number of deputy circuit clerks and division clerks serving the
42 various circuit courts and the determination of their salaries, such determinations shall
43 not be construed as mandating appropriations to fund such positions, and the payment
44 of the salaries and emoluments of deputy circuit clerks and division clerks shall be
45 subject to the availability of moneys appropriated for those purposes by the general
46 assembly or federal grant moneys.

47 [8.] 9. For purposes of this section, the circuit court en banc shall be deemed to

48 include all circuit and associate circuit judges of the entire circuit, and determinations
49 or orders of the circuit court en banc shall be by action of a majority of such judges in
50 office.

488.005. Notwithstanding any other provision of law to the contrary, whether
2 enacted before, on or after August 28, 1996, no clerk of any court shall collect any
3 surcharge authorized by or pursuant to any ordinance, order or resolution which provides
4 that the effective date to commence imposition of such surcharge is on or after January
5 1, 1997, **unless such ordinance, order or resolution is authorized by statute.**

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

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

10 3. Prior to adjustment by the supreme court, the following fees, costs and charges
11 shall 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
14 section 452.345, RSMo;

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

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

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

21 (6) Twelve dollars for municipal court costs, fifteen dollars for municipal
22 ordinance violations filed before an associate circuit judge and thirty dollars for
23 applications for a trial de novo of a municipal ordinance violation, pursuant to section
24 479.260, RSMo;

25 (7) Five dollars for small claims court cases where less than one hundred dollars
26 is in dispute, and ten dollars in all other small claims court cases, pursuant to section
27 482.345, RSMo;

28 (8) Fifty dollars for appeals, pursuant to section 483.500, RSMo;

29 (9) Fifteen dollars in misdemeanor cases where there is no application for trial
30 de novo, pursuant to section 483.530, RSMo;

31 (10) Forty-five dollars for applications for a trial de novo for misdemeanor cases,
32 pursuant to section 483.530, RSMo;

33 (11) Fifteen dollars for each preliminary hearing in felony cases, pursuant to
34 section 483.530, RSMo;

35 (12) Thirty dollars for each information or indictment filed in felony cases,
36 pursuant to section 483.530, RSMo;

37 (13) Fifteen dollars for each associate circuit court case filed[, and one dollar for
38 each additional summons issued in such cases,] pursuant to section 483.530, RSMo;

39 (14) Forty-five dollars for applications for trial de novo from small claims court
40 and associate circuit court and forty-five dollars for filing of other cases, pursuant to
41 section 483.530, RSMo;

42 (15) One dollar and fifty cents for a certificate of naturalization, pursuant to
43 section 483.535, RSMo;

44 (16) When letters are applied for in probate proceedings, pursuant to section
45 483.580, RSMo, when the value of the estate is:

46 (a) Less than \$10,000	\$75.00
47 (b) From \$10,000 to \$25,000	115.00
48 (c) From \$25,000 to \$50,000	155.00
49 (d) From \$50,000 to 100,000	245.00
50 (e) From \$100,000 to \$500,000	305.00
51 (f) More than \$500,000	365.00;

52 (17) Thirty dollars for each additional twelve months a decedent's estate remains
53 open, pursuant to section 483.580, RSMo;

54 (18) In proceedings regarding guardianships and conservatorships, pursuant to
55 section 483.580, RSMo:

56 (a) Twenty-five dollars for each grant of letters for guardianship of a minor;

57 (b) Fifty dollars for each grant of letters for guardianship of an incapacitated
58 person;

59 (c) Sixty dollars for each grant of letters for guardianship of the person and
60 conservatorship of the estate of a minor;

61 (d) Twenty-five dollars for each additional twelve months a conservatorship of
62 a minor's estate case remains open;

63 (e) Seventy-five dollars for each grant of letters in guardianship and
64 conservatorship of incapacitated persons and their estates;

65 (f) Thirty dollars for each additional twelve months an incapacitated person's
66 case remains open;

67 (19) Fifteen dollars for issuing orders refusing to grant letters to a spouse or an
68 unmarried minor child and thirty dollars for a certified copy of such orders, pursuant to
69 section 483.580, RSMo;

70 (20) In probate proceedings, pursuant to section 483.580, RSMo:

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

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

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

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

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

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

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

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

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

81 (21) One dollar and fifty cents per page for testimony transcription, pursuant to
82 section 485.100, RSMo;

83 (22) Fifteen dollars for court reporters, pursuant to section 485.120, RSMo;

84 (23) Three dollars for witness fees per day, and four dollars when the witness
85 must travel to another county, pursuant to section 491.280, RSMo.

488.445. 1. The governing body of any county, or of any city not within a county,
2 by order or ordinance [to be effective prior to January 1, 2001], may impose a fee upon
3 the issuance of a marriage license and may impose a surcharge upon any civil case filed
4 in the circuit court. The surcharge shall not be charged when costs are waived or are
5 to be paid by the state, county or municipality.

6 2. The fee imposed upon the issuance of a marriage license shall be five dollars,
7 shall be paid by the person applying for the license and shall be collected by the recorder
8 of deeds at the time the license is issued. The surcharge imposed upon the filing of a
9 civil action shall be two dollars, shall be paid by the party who filed the petition and
10 shall be collected and disbursed by the clerk of the court in the manner provided by
11 sections 488.010 to 488.020. Such amounts shall be payable to the treasuries of the
12 counties from which such surcharges were paid.

13 3. At the end of each month, the recorder of deeds shall file a verified report with
14 the county commission of the fees collected pursuant to the provisions of subsection 2 of
15 this section. The report may be consolidated with the monthly report of other fees

16 collected by such officers. Upon the filing of the reports the recorder of deeds shall
17 forthwith pay over to the county treasurer all fees collected pursuant to subsection 2 of
18 this section. The county treasurer shall deposit all such fees upon receipt in a special
19 fund to be expended only to provide financial assistance to shelters for victims of
20 domestic violence as provided in sections 455.200 to 455.230, RSMo.

488.2250. **1.** For all transcripts of testimony given or proceedings had in any
2 circuit court, the court reporter shall receive the sum of [one dollar and fifty cents] **two**
3 **dollars and twenty-five cents** per twenty-five line page for the original of the
4 transcript, and the sum of [thirty-five] **fifty** cents per twenty-five line page for each
5 [carbon] copy thereof; the page to be approximately eight and one-half inches by eleven
6 inches in size, with left-hand margin of approximately one and one-half inches and the
7 right-hand margin of approximately one-half inch; answer to follow question on same line
8 when feasible; such page to be designated as a legal page. Any judge, in his **or her**
9 discretion, may order a transcript of all or any part of the evidence or oral proceedings,
10 and the court reporter's fees for making the same shall be paid by the state upon a
11 voucher approved by the court, and taxed against the state. In criminal cases where an
12 appeal is taken by the defendant, and it appears to the satisfaction of the court that the
13 defendant is unable to pay the costs of the transcript for the purpose of perfecting the
14 appeal, the court shall order the court reporter to furnish three transcripts in duplication
15 of the notes of the evidence, for [the original of] which he **or she** shall receive [one
16 dollar and fifty cents] **two dollars and twenty-five cents** per [legal] **twenty-five**
17 **line** page and for [the] **additional** copies [twenty] **fifty** cents per page. The payment
18 of court reporter's fees provided in this section shall be made by the state upon a voucher
19 approved by the court.

20 **2. Beginning January 1, 2004, the amounts a court reporter shall**
21 **receive for transcripts described in subsection 1 of this section shall be**
22 **increased or decreased on an annual basis, effective January first of each**
23 **year, in accordance with the Implicit Price Deflator for Personal**
24 **Consumption Expenditures as published by the Bureau of Economic Analysis**
25 **of the United States Department of Commerce. The current value of the**
26 **limitation shall be calculated by the director of the department of insurance,**
27 **who shall furnish that value to the secretary of state, who shall publish such**
28 **value in the Missouri Register each year, as soon after the first day of**
29 **January as practical, but shall be otherwise exempt from the provisions of**
30 **section 536.021, RSMo.**

488.2253. In every contested case, or case in which the evidence is to be

2 preserved, except for the collection of delinquent or back taxes, before any circuit judge
3 when an official court reporter is appointed, the clerk of said court shall tax up the sum
4 of [fifteen] **twenty-five** dollars, to be collected as other costs, and paid by said clerk to
5 the director of revenue of the state.

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

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

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

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

32 5. From the funds collected pursuant to this section and retained in the family

33 services and justice fund, each circuit or county in which a family court commissioner
34 in addition to those commissioners existing as juvenile court commissioners on August
35 28, 1993, have been appointed pursuant to sections 487.020 to 487.040, RSMo, shall pay
36 to and reimburse the state for the actual costs of that portion of the salaries of family
37 court commissioners appointed pursuant to the provisions of sections 487.020 to 487.040,
38 RSMo.

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

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

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

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

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

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

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

20 4. For the services of taking convicted offenders to the reception and diagnostic
21 center designated by the director of the department of corrections, the sheriff, county
22 marshal or other officers shall[, as provided in section 57.290, RSMo,] receive the sum
23 of eight dollars per day for the time actually and necessarily employed in traveling to
24 and from the reception and diagnostic center, and each guard shall[, as provided in

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

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

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

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

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

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

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

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

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

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

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

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

23 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
3 identifying numbers of as many prospective jurors as the court may require. The board
4 of jury commissioners shall cause to be served in a manner prescribed by law for the
5 service of summons or by ordinary mail, as determined by the board, a summons for jury
6 service and a juror qualification form. The juror qualification form shall be approved by
7 the circuit court en banc 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
10 best of his knowledge; and

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

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

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

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

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

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

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

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

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

 494.430. Upon timely application to the court, the following persons shall be
2 excused from service as a petit or grand juror:

3 (1) Any person actually performing the duties of a clergyman;

4 (2) Any person who has served on a state or federal petit or grand jury within the
5 preceding year;

6 (3) Any person whose absence from [his] **such person's** regular place of
7 employment would, in the judgment of the court, tend materially and adversely to affect
8 the public safety, health, welfare or interest;

9 (4) Any person upon whom service as a juror would in the judgment of the court
10 impose an extreme hardship;

11 (5) Any person licensed to engage in and actively engaged in the practice of
12 medicine, osteopathy, chiropractic, dentistry, or pharmacy.

 506.060. 1. In computing any period of time prescribed or allowed by this code,
2 by order of court, or by any applicable statute, the day of the act, event or default after
3 which the designated period of time begins to run is not to be included. The last day of
4 the period so computed is to be included, unless it is a **Saturday**, Sunday or a legal
5 holiday, in which event the period runs until the end of the next day which is neither a
6 **Saturday**, Sunday nor a legal holiday. When the period of time prescribed or allowed
7 is less than seven days, intermediate **Saturdays**, Sundays and legal holidays shall be
8 excluded in the computation. [A half holiday shall be considered as other days and not
9 as a legal holiday.]

10 2. When by this code or by a notice given thereunder or by order of the court an
11 act is required or allowed to be done at or within a specified time, the court for cause
12 shown may, at any time in its discretion:

13 (1) With or without motion or notice, order the period enlarged if application
14 therefor is made before the expiration of the period originally prescribed or as extended
15 by a previous order; or

16 (2) Upon motion permit the act to be done after the expiration of the specified
17 period where the failure to act was the result of excusable neglect; but it may not enlarge
18 the period for filing a motion for or granting a new trial, or for commencing an action or

19 taking an appeal as provided by this code.

20 3. The period of time provided for the doing of any act or the taking of any
21 proceeding is not affected or limited by the expiration of a term of court. The expiration
22 of a term of court in no way affects the power of a court to do any act or take any
23 proceeding in any civil action which it is otherwise by law authorized to take and which
24 is pending before it.

25 4. A written motion, other than one which may be heard ex parte, and notice of
26 the hearing thereof shall be served not later than five days before the time specified for
27 the hearing, unless a different period is fixed by law or court rule or by order of the
28 court. Such an order may for cause shown be made on ex parte application. When a
29 motion is supported by an affidavit, the affidavit shall be served with the motion; and,
30 except as otherwise provided by law in connection with motion for new trial, opposing
31 affidavits may be served not later than one day before the hearing, unless the court
32 permits them to be served at some other time.

 510.120. In all civil cases **or administrative proceedings** or in criminal cases
2 pending in [any court of] this state at any time when the general assembly is in **regular**
3 session, **veto session, special session, or holding out-of-session committee**
4 **hearings**, it shall be a sufficient cause for a continuance if it shall appear to the court,
5 by affidavit, that any party applying for such continuance, or any attorney, solicitor or
6 counsel of such party is a member of either house of the general assembly, and in actual
7 attendance on the **out-of-session committee hearings, regular session, special**
8 **session, or veto session**, of the same, and that the attendance of such party, attorney,
9 solicitor or counsel is necessary to a fair and proper trial or other proceeding in such
10 suit; and on the filing of such affidavit the court shall continue such suit and any and
11 all motions or other proceedings therein, of every kind and nature, including the taking
12 of depositions **and discovery responses**, and thereupon no trial or other proceedings
13 of any kind or nature shall be had therein until the adjournment or recess for twenty
14 days or more of the **regular session, special session, or veto session of the** general
15 assembly, nor for ten days [thereafter] **before or after, or the day of any out-of-**
16 **session committee hearings**. Such affidavit shall be sufficient, if made at any time
17 during the **out-of-session committee hearings, regular session, special session,**
18 **or veto session** of the general assembly, showing that at the time of making the same
19 such party, attorney, solicitor or counsel is in actual attendance upon such **out-of-**
20 **session committee hearings, regular session, special session, or veto session of**
21 the general assembly.

 511.350. 1. Judgments and decrees [rendered] **entered** by the supreme court,

2 by any United States district or circuit court held within this state, by any district of the
3 court of appeals, by any **division of the** circuit court [and any probate division of the
4 circuit court], except judgments and decrees rendered by [associate,] small claims and
5 municipal divisions of the circuit courts, shall be liens on the real estate of the person
6 against whom they are rendered, situate in the county for which or in which the court
7 is held. **Judgments entered by the associate division of the circuit court which**
8 **are entitled to a trial de novo pursuant to section 512.180, RSMo, shall be a**
9 **lien upon final judgment if an application is not filed or, alternatively, upon**
10 **final judgment of the trial de novo if an application is filed.**

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

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

511.510. [It shall be the duty of each of the circuit clerks, within five days after
2 the rendition of any final judgment in their respective courts, to enter an abstract of
3 such judgment in the record as required in section 511.500; and each circuit clerk shall
4 immediately enter the same when the abstract aforesaid shall be furnished to such clerk
5 by any party interested, or such party's agent; and each] **1. Each circuit clerk shall**
6 **cause to be entered, as required pursuant to section 511.500, an abstract of**
7 **every final judgment entered by the court. The abstract shall be entered**
8 **within five days after the rendition of any final judgment or immediately**
9 **when the abstract shall be furnished to such clerk by any party interested or**
10 **such party's agent, whichever is earlier. Each** of the clerks and their sureties
11 shall be respectively liable for any damage occasioned by any neglect to perform the
12 duties hereby required of them respectively[; and it is further provided, that whenever].

13 **2. Whenever** any personal representative, guardian or conservator, or any party
14 interested, or such party's agent, shall exhibit to the circuit clerk of the circuit court
15 wherein such judgment may be recorded a receipt or certificate of the proper officer,
16 stating that such judgment has been duly satisfied, then the circuit clerk shall, without
17 further fee, [enter] **cause to be entered** satisfaction of such judgment in such clerk's
18 office in the record as required in section 511.500.

19 **3. For the purposes of this section, the clerk may direct deputy or**
20 **division clerks to perform all duties necessary to ensure the proper entry of**

21 abstracts and satisfactions of judgment.

2 517.111. [1.] When a case is dismissed, or judgment is by default or consent,
3 such judgment shall be entered forthwith by the judge.

4 [2. When a case is tried before a judge without a jury, judgment shall be entered
5 by the judge within thirty days after the case is submitted for final decision unless the
6 parties consent to a longer period of time.]

7 517.151. From **entry of** the [time of filing the transcript] **judgment**, every such
8 judgment shall have the same lien on the real estate of the defendant in the county as
9 is given judgments rendered by circuit judges. [The circuit clerk shall collect fees in
10 such amounts as are determined pursuant to sections 488.010 to 488.020, RSMo, for each
11 transcript filed.] The revival of any such lien upon real estate shall be under the same
12 procedures as with judgments originally rendered by a circuit judge[, shall be made from
13 the record of the transcribed judgment so filed in the office of circuit clerk,] and may
14 be revived under proceedings before either a circuit or an associate circuit judge. The
15 foregoing provisions shall not apply with respect to any judgment of a small claims court
16 nor shall any judgment of a small claims court be a lien upon real estate.

17 **537.605. The state of Missouri, in its capacity as an employer, shall be**
18 **subject to the provisions of the federal Family and Medical Leave Act, 29**
19 **U.S.C. Section 2601, et seq., as such law exists on January 1, 2002, and shall**
20 **be liable for any violation of such act. The state of Missouri waives its**
21 **sovereign immunity for purposes of enforcement of such act; except that no**
22 **judgment entered against the state of Missouri shall exceed the liability limits**
23 **established in section 537.610.**

24 **537.617. 1. The state of Missouri hereby grants limited consent to be**
25 **sued under the Americans with Disabilities Act, 42 U.S.C. Section 12101, et**
26 **seq., in the state courts of Missouri. The state of Missouri does not consent**
27 **to be sued under the Americans with Disabilities Act in federal courts.**

28 **2. The consent granted in subsection 1 of this section is for a maximum**
29 **monetary award in the amounts described in section 537.610. No state court**
30 **shall enter a judgment for an amount in excess of the monetary limits in**
31 **section 537.610. Such monetary limits shall apply regardless of whether the**
32 **state has insurance for defense of the claim. The amount may include**
33 **attorneys' fees, but shall not include punitive or exemplary damages.**

34 **3. The provisions of this section shall apply to all actions pending or**
35 **initiated on or after the effective date of this section.**

36 550.130. The bill of costs in any case, as provided for in [section] **sections**

2 550.120 **and 550.135**, shall be certified to by the judge and prosecuting attorney, as now
3 provided by law, and shall be presented to the county commission in which the
4 indictment was originally found, or proceedings instituted, and shall thereupon be paid
5 as if the cause had been tried or otherwise disposed of in said county.

550.135. In any criminal case in which a change of venue is taken from
2 **one county to another county the clerk of the court shall calculate, at the end**
3 **of each month, all costs which have accrued during that month and which can**
4 **be determined before the final disposition of the case. If the state or county**
5 **is liable under the provisions of this chapter for such costs or any part**
6 **thereof, he or she shall make out and deliver forthwith to the prosecuting**
7 **attorney of said county a fee bill specifying each item of services and the fee**
8 **therefor.**

550.140. **Except as provided in section 550.135**, the clerk of the court in
2 which any criminal cause shall have been determined or continued generally shall,
3 immediately after the adjournment of the court and before the next succeeding term,
4 calculate all costs which have accrued in the case. If the state or county is liable under
5 the provisions of this chapter for costs or any part thereof, he **or she** shall make out and
6 deliver forthwith to the prosecuting attorney of said county a complete fee bill, specifying
7 each item of services and the fee therefor. The circuit clerk shall prepare a bill against
8 the state containing only costs which are payable to the county.

550.180. If any clerk shall fail to tax the costs and make out a proper fee bill, or
2 shall willfully neglect to perform any duty required of him **or her** in sections [550.140]
3 **550.135** and 550.190, he **or she** shall be liable to the person injured by such neglect in
4 treble the amount of costs to which the party is entitled in the cause, and the court shall
5 give judgment therefor against the clerk, on motion of the party entitled thereto;
6 provided, that the party asking such judgment shall give two days' notice of such motion,
7 which may be served on the clerk or his **or her** deputy.

550.190. The prosecuting attorney shall strictly examine each bill of costs which
2 shall be delivered to him **or her**, as provided in [section] **sections 550.135 and**
3 **550.140**, for allowance against the state or county, and shall ascertain as far as possible
4 whether the services have been rendered for which the charges are made, and whether
5 the fees charged are expressly given by law for such services, or whether greater charges
6 are made than the law authorizes. If the fee bill has been made out according to law, or
7 if not, after correcting all errors therein, he **or she** shall report the same to the judge
8 of the court, either in term or in vacation, and if the same appears to be formal and
9 correct, the judge and prosecuting attorney shall certify to the commissioner of

10 administration, or clerk of the county commission, accordingly as the state or county is
11 liable, the amount of costs due by the state or county on the fee bill, and deliver the
12 same to the clerk who made it out, to be collected without delay, and paid over to those
13 entitled to the fees allowed.

550.230. When the clerk shall send a bill of costs to the commissioner of
2 administration or county commission, as provided in section 550.200, he shall expressly
3 state in his **or her** certificate that he **or she** has not at any previous time certified or
4 sent a copy of the same bill, or part thereof **except as provided for in section**
5 **550.135**, for payment; provided, that if the clerk shall, by oversight or mistake, fail to
6 include any costs properly chargeable against the state or county in any fee bill, he **or**
7 **she** may make out and present, as herein provided for making out bills of costs, a
8 supplemental bill for the costs so omitted; provided, that the clerk shall in no case
9 charge or receive any fee or fees whatsoever for the issuance of such supplemental fee
10 bill.

550.295. At the end of each month after the receipt, from either the
2 **state auditor or the county clerk, of each criminal court cost bill in any**
3 **criminal case in which a change of venue was taken from one county to**
4 **another county, the treasurer shall strike a balance of the same, and shall**
5 **turn over the amounts collected on account of the various items of**
6 **indebtedness herein mentioned to the various funds to which they belong or**
7 **in the manner provided by sections 488.010 to 488.020, RSMo. And all**
8 **uncalled for fees paid by the state shall be promptly transmitted to the state**
9 **director of revenue who shall deposit the same in the state treasury, and**
10 **those paid by the county shall be turned over to the credit of the county**
11 **revenue fund.**

550.300. **Except as provided in section 550.295** at the end of each term of
2 court after the receipt of each criminal court cost bill from either the state auditor or the
3 county clerk, the treasurer shall strike a balance of the same, and shall turn over the
4 amounts collected on account of the various items of indebtedness herein mentioned to
5 the various funds to which they belong or in the manner provided by sections 488.010
6 to 488.020, RSMo. And all uncalled for fees paid by the state shall be promptly
7 transmitted to the state director of revenue who shall deposit the same in the state
8 treasury, and those paid by the county shall be turned over to the credit of the county
9 revenue fund.

558.019. 1. This section shall not be construed to affect the powers of the
2 governor under article IV, section 7, of the Missouri Constitution. This statute shall not

3 affect those provisions of section 565.020, RSMo, section 558.018 or section 571.015,
4 RSMo, which set minimum terms of sentences, or the provisions of section 559.115,
5 RSMo, relating to probation.

6 2. The provisions of this section shall be applicable to all classes of felonies
7 except those set forth in chapter 195, RSMo, and those otherwise excluded in subsection
8 1 of this section. For the purposes of this section, "prison commitment" means and is the
9 receipt by the department of corrections of a defendant after sentencing. For purposes
10 of this section, prior prison commitments to the department of corrections shall not
11 include commitment to a regimented discipline program established pursuant to section
12 217.378, RSMo. Other provisions of the law to the contrary notwithstanding, any
13 defendant who has pleaded guilty to or has been found guilty of a felony other than a
14 dangerous felony as defined in section 556.061, RSMo, and is committed to the
15 department of corrections shall be required to serve the following minimum prison terms:

16 (1) If the defendant has one previous prison commitment to the department of
17 corrections for a felony offense, the minimum prison term which the defendant must
18 serve shall be forty percent of his sentence or until the defendant attains seventy years
19 of age, and has served at least forty percent of the sentence imposed, whichever occurs
20 first;

21 (2) If the defendant has two previous prison commitments to the department of
22 corrections for felonies unrelated to the present offense, the minimum prison term which
23 the defendant must serve shall be fifty percent of his sentence or until the defendant
24 attains seventy years of age, and has served at least forty percent of the sentence
25 imposed, whichever occurs first;

26 (3) If the defendant has three or more previous prison commitments to the
27 department of corrections for felonies unrelated to the present offense, the minimum
28 prison term which the defendant must serve shall be eighty percent of his sentence or
29 until the defendant attains seventy years of age, and has served at least forty percent
30 of the sentence imposed, whichever occurs first.

31 3. Other provisions of the law to the contrary notwithstanding, any defendant
32 who has pleaded guilty to or has been found guilty of a dangerous felony as defined in
33 section 556.061, RSMo, and is committed to the department of corrections shall be
34 required to serve a minimum prison term of eighty-five percent of the sentence imposed
35 by the court or until the defendant attains seventy years of age, and has served at least
36 forty percent of the sentence imposed, whichever occurs first.

37 4. For the purpose of determining the minimum prison term to be served, the
38 following calculations shall apply:

39 (1) A sentence of life shall be calculated to be thirty years;

40 (2) Any sentence either alone or in the aggregate with other consecutive
41 sentences for crimes committed at or near the same time which is over seventy-five years
42 shall be calculated to be seventy-five years.

43 5. For purposes of this section, the term "minimum prison term" shall mean time
44 required to be served by the defendant before he is eligible for parole, conditional release
45 or other early release by the department of corrections. Except that the board of
46 probation and parole, in the case of consecutive sentences imposed at the same time
47 pursuant to a course of conduct constituting a common scheme or plan, shall be
48 authorized to convert consecutive sentences to concurrent sentences, when the board
49 finds, after hearing with notice to the prosecuting or circuit attorney, that the sum of the
50 terms results in an unreasonably excessive total term, taking into consideration all
51 factors related to the crime or crimes committed and the sentences received by others
52 similarly situated.

53 6. (1) A sentencing advisory commission is hereby created to consist of eleven
54 members. One member shall be appointed by the speaker of the house. One member
55 shall be appointed by the president pro tem of the senate. One member shall be the
56 director of the department of corrections. Six members shall be appointed by and serve
57 at the pleasure of the governor from among the following: the public defender
58 commission; private citizens; a private member of the Missouri Bar; the board of
59 probation and parole; and a prosecutor. Two members shall be appointed by the
60 supreme court, one from a metropolitan area and one from a rural area. All members
61 of the sentencing commission appointed prior to August 28, 1994, shall continue to serve
62 on the sentencing advisory commission at the pleasure of the governor.

63 (2) The commission shall study sentencing practices in the circuit courts
64 throughout the state for the purpose of determining whether and to what extent
65 disparities exist among the various circuit courts with respect to the length of sentences
66 imposed and the use of probation for defendants convicted of the same or similar crimes
67 and with similar criminal histories. The commission shall also study and examine
68 whether and to what extent sentencing disparity among economic and social classes
69 exists in relation to the sentence of death and if so, the reasons therefor. It shall
70 compile statistics, examine cases, draw conclusions, and perform other duties relevant
71 to the research and investigation of disparities in death penalty sentencing among
72 economic and social classes.

73 (3) The commission shall establish a system of recommended sentences, within
74 the statutory minimum and maximum sentences provided by law for each felony

75 committed under the laws of this state. This system of recommended sentences shall be
76 distributed to all sentencing courts within the state of Missouri. The recommended
77 sentence for each crime shall take into account, but not be limited to, the following
78 factors:

- 79 (a) The nature and severity of each offense;
- 80 (b) The record of prior offenses by the offender;
- 81 (c) The data gathered by the commission showing the duration and nature of
82 sentences imposed for each crime; and
- 83 (d) The resources of the department of corrections and other authorities to carry
84 out the punishments that are imposed.

85 (4) The commission shall publish and distribute its system of recommended
86 sentences on or before July 1, 1995. The commission shall study the implementation and
87 use of the system of recommended sentences until July 1, 1998, and return a final report
88 to the governor, the speaker of the house of representatives, and the president pro tem
89 of the senate. Following the July 1, 1998, report, the commission may revise the
90 recommended sentences every three years.

91 (5) The governor shall select a chairperson who shall call meetings of the
92 commission as required or permitted pursuant to the purpose of the sentencing
93 commission.

94 (6) The members of the commission shall not receive compensation for their
95 duties on the commission, but shall be reimbursed for actual and necessary expenses
96 incurred in the performance of these duties and for which they are not reimbursed by
97 reason of their other paid positions.

98 (7) The circuit and associate circuit courts of this state, the office of the state
99 courts administrator, the department of public safety, and the department of corrections
100 shall cooperate with the commission by providing information or access to information
101 needed by the commission. The office of the state courts administrator will provide
102 needed staffing resources.

103 **7. If the imposition or execution of a sentence is suspended, the court**
104 **may consider ordering restorative justice methods pursuant to section**
105 **217.777, RSMo, including any or all of the following, or any other method that**
106 **the court finds just or appropriate:**

- 107 **(1) Restitution to any victim for costs incurred as a result of the**
108 **offender's actions;**
- 109 **(2) Offender treatment programs;**
- 110 **(3) Mandatory community services;**

111 **(4) Work release programs in local facilities; and**

112 **(5) Community-based residential and nonresidential programs.**

113 **8. If the imposition or execution of a sentence is suspended, in addition**
114 **to the provisions of subsection 7 of this section, the court may order the**
115 **assessment and payment of a designated amount of money to a county crime**
116 **reduction fund established by the county commission pursuant to section**
117 **50.555, RSMo. Such contribution shall not exceed one thousand dollars for**
118 **any charged offense. Any money deposited into the county crime reduction**
119 **fund pursuant to this section shall only be expended pursuant to the**
120 **provisions of section 50.555, RSMo. County crime reduction funds shall be**
121 **audited as are all other county funds.**

122 **[7.] 9.** The provisions of this section shall apply only to offenses occurring on or
123 after August 28, 1994.

559.021. 1. The conditions of probation shall be such as the court in its
2 discretion deems reasonably necessary to ensure that the defendant will not again
3 violate the law. When a defendant is placed on probation he shall be given a certificate
4 explicitly stating the conditions on which he is being released.

5 2. In addition to such other authority as exists to order conditions of probation,
6 the court may order such conditions as the court believes will serve to compensate the
7 victim, any dependent of the victim, or society. Such conditions may include, but shall
8 not be limited to:

9 (1) Restitution to the victim or any dependent of the victim, in an amount to be
10 determined by the judge; and

11 (2) The performance of a designated amount of free work for a public or
12 charitable purpose, or purposes, as determined by the judge.

13 **3. In addition to such other authority as exists to order conditions of**
14 **probation, in the case of a plea of guilty or a finding of guilt, the court may**
15 **order the assessment and payment of a designated amount of money to a**
16 **county crime reduction fund established by the county commission pursuant**
17 **to section 50.555, RSMo. Such contribution shall not exceed one thousand**
18 **dollars for any charged offense. Any money deposited into the county crime**
19 **reduction fund pursuant to this section shall only be expended pursuant to**
20 **the provisions of section 50.555, RSMo. County crime reduction funds shall**
21 **be audited as are all other county funds.**

22 **[3.] 4.** The defendant may refuse probation conditioned on the performance of
23 free work. If he does so, the court shall decide the extent or duration of sentence or

24 other disposition to be imposed and render judgment accordingly. Any county, city,
25 person, organization, or agency, or employee of a county, city, organization or agency
26 charged with the supervision of such free work or who benefits from its performance
27 shall be immune from any suit by the defendant or any person deriving a cause of action
28 from him if such cause of action arises from such supervision of performance, except for
29 an intentional tort or gross negligence. The services performed by the defendant shall
30 not be deemed employment within the meaning of the provisions of chapter 288, RSMoA
31 defendant performing services pursuant to this section shall not be deemed an employee
32 within the meaning of the provisions of chapter 287, RSMo.

33 [4.] 5. The court may modify or enlarge the conditions of probation at any time
34 prior to the expiration or termination of the probation term.

35 **6. The defendant may refuse probation conditioned on a payment to a**
36 **county crime reduction fund. If he or she does so, the court shall decide the**
37 **extent or duration of sentence or other disposition to be imposed and render**
38 **judgment accordingly. A judge may order payment to a crime reduction fund**
39 **only if such fund had been created prior to sentencing by ordinance or**
40 **resolution of a county of the state of Missouri. A judge shall not have any**
41 **direct supervisory authority or administrative control over any fund to which**
42 **the judge is ordering the defendants to make payments. A defendant who**
43 **fails to make a payment or payments to a county crime reduction fund may**
44 **not have his probation revoked solely for failing to make such payment unless**
45 **the judge, after evidentiary hearing, makes a finding supported by a**
46 **preponderance of the evidence that the defendant either willfully refused to**
47 **make the payment or that the defendant willfully, intentionally, and**
48 **purposefully failed to make sufficient bona fide efforts to acquire the**
49 **resources to pay.**

565.084. 1. A person commits the crime of tampering with a judicial officer if,
2 with the purpose to harass, intimidate, or influence a judicial officer in the performance
3 of such officer's official duties, [he] **the actor**:

4 (1) Threatens or causes harm to such judicial officer or members of such judicial
5 officer's family;

6 (2) Uses force, threats, or deception against or toward such judicial officer or
7 members of such judicial officer's family;

8 (3) Offers, conveys or agrees to convey any benefit direct or indirect upon such
9 judicial officer or such judicial officer's family;

10 (4) Engages in conduct reasonably calculated to harass or alarm such judicial

11 officer or such judicial officer's family, including stalking pursuant to section 565.225.

12 2. A judicial officer for purposes of this section shall be a judge, arbitrator,
13 special master, juvenile court commissioner, **drug court commissioner, family court**
14 **commissioner**, state probation or parole officer, **juvenile court officer** or referee.

15 3. A judicial officer's family for purposes of this section shall be:

16 (1) [His] **The officer's** spouse; or

17 (2) [His or his] **The officer's or the officer's** spouse's ancestor or descendant
18 by blood or adoption; or

19 (3) [His] **The officer's** stepchild, while the marriage creating that relationship
20 exists.

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

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

26 3. Any person required by this section to furnish records to the Missouri state

27 highway patrol or department of revenue who willfully refuses to furnish such records
28 shall be guilty of a class C misdemeanor.

29 4. Records required to be filed with the Missouri state highway patrol or the
30 department of revenue under the provisions of sections 302.225, RSMo, and 577.001 to
31 577.051 shall be filed beginning July 1, 1983, and no penalties for nonfiling of records
32 shall be applied prior to July 1, 1983.

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

37 6. All record-keeping procedures required under the provisions of sections
38 577.005 to 577.023 shall be in accordance with this section, chapter 610, RSMo, to the
39 contrary notwithstanding.

589.410. The chief law enforcement official shall forward the completed offender
2 registration form to the Missouri state highway patrol within three days. The patrol
3 shall enter the information into the Missouri uniform law enforcement system (MULES)
4 where it is available to members of the criminal justice system, **courts and other**
5 **entities as provided by law** upon inquiry.

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

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

16 3. The director of revenue shall deposit annually the amount of two hundred fifty
17 thousand dollars to the state forensic laboratory account administered by the department
18 of public safety to provide financial assistance to defray expenses of crime laboratories

19 if such analytical laboratories are registered with the federal Drug Enforcement Agency
20 or the Missouri department of health and senior services. Subject to appropriations
21 made therefor, such funds shall be distributed by the department of public safety to the
22 crime laboratories serving the courts of this state making analysis of a controlled
23 substance or analysis of blood, breath or urine in relation to a court proceeding.

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

30 (1) On the first of every month, the director of revenue or the director's designee
31 shall determine the balance of the funds in the crime victims' compensation fund
32 available to satisfy the amount of compensation payable pursuant to sections 595.010 to
33 595.075, excluding sections 595.050 and 595.055;

34 (2) Beginning on October 1, 1996, and on the first of each month, if the balance
35 of the funds available exceeds one million dollars plus one hundred percent of the
36 previous twelve months' actual expenditures, excluding the immediate past calendar
37 month's expenditures, paid pursuant to sections 595.010 to 595.075, excluding sections
38 595.050 and 595.055, then the director of revenue or the director's designee shall deposit
39 fifty percent to the credit of the crime victims' compensation fund and fifty percent to the
40 services to victims' fund established in section 595.100;

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

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

52 6. The moneys collected by clerks of municipal courts pursuant to subsection 1
53 of this section shall be collected and disbursed as provided by sections 488.010 to
54 488.020, RSMo. Five percent of such moneys shall be payable to the city treasury of the

city from which such funds were collected. The remaining ninety-five percent of such moneys shall be payable to the director of revenue. The funds received by the director of revenue pursuant to this subsection shall be distributed as follows:

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

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

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

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

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

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

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

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

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

91 (5) Chapter 566, RSMo, relating to sexual offenses;
92 (6) Chapter 567, RSMo, relating to prostitution;
93 (7) Chapter 568, RSMo, relating to offenses against the family;
94 (8) Chapter 569, RSMo, relating to robbery, arson, burglary and related offenses;
95 (9) Chapter 570, RSMo, relating to stealing and related offenses;
96 (10) Chapter 571, RSMo, relating to weapons offenses;
97 (11) Chapter 572, RSMo, relating to gambling;
98 (12) Chapter 573, RSMo, relating to pornography and related offenses;
99 (13) Chapter 574, RSMo, relating to offenses against public order;
100 (14) Chapter 575, RSMo, relating to offenses against the administration of
101 justice;

102 (15) Chapter 577, RSMo, relating to public safety offenses] **law except for**
103 **those in chapter 252, RSMo, relating to fish and game, chapter 302, RSMo,**
104 **relating to drivers' and commercial drivers' licensing, chapter 303, RSMo,**
105 **relating to motor vehicle financial responsibility, chapter 304, RSMo, relating**
106 **to traffic regulations, chapter 306, RSMo, relating to watercraft regulation**
107 **and licensing, and chapter 307, RSMo, relating to vehicle equipment**
108 **regulations.** Any clerk of the court receiving moneys pursuant to such judgments shall
109 collect and disburse such crime victims' compensation judgments in the manner provided
110 by sections 488.010 to 488.020, RSMo. Such funds shall be payable to the state treasury
111 and deposited to the credit of the crime victims' compensation fund.

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

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

124 11.] The department of revenue shall maintain records of funds transmitted to
125 the crime victims' compensation fund by each reporting court and collections pursuant
126 to subsection [18] 15 of this section and shall maintain separate records of collection for

127 alcohol-related offenses.

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

132 13.] **10.** The state courts administrator shall include in the annual report
133 required by section 476.350, RSMo, the circuit court caseloads and the number of crime
134 victims' compensation judgments entered.

135 [14.] **11.** All awards made to injured victims under sections 595.010 to 595.105
136 and all appropriations for administration of sections 595.010 to 595.105, except sections
137 595.050 and 595.055, shall be made from the crime victims' compensation fund. Any
138 unexpended balance remaining in the crime victims' compensation fund at the end of
139 each biennium shall not be subject to the provision of section 33.080, RSMo, requiring
140 the transfer of such unexpended balance to the ordinary revenue fund of the state, but
141 shall remain in the crime victims' compensation fund. In the event that there are
142 insufficient funds in the crime victims' compensation fund to pay all claims in full, all
143 claims shall be paid on a pro rata basis. If there are no funds in the crime victims'
144 compensation fund, then no claim shall be paid until funds have again accumulated in
145 the crime victims' compensation fund. When sufficient funds become available from the
146 fund, awards which have not been paid shall be paid in chronological order with the
147 oldest paid first. In the event an award was to be paid in installments and some
148 remaining installments have not been paid due to a lack of funds, then when funds do
149 become available that award shall be paid in full. All such awards on which
150 installments remain due shall be paid in full in chronological order before any other
151 postdated award shall be paid. Any award pursuant to this subsection is specifically not
152 a claim against the state, if it cannot be paid due to a lack of funds in the crime victims'
153 compensation fund.

154 [15.] **12.** When judgment is entered against a defendant as provided in this
155 section and such sum, or any part thereof, remains unpaid, there shall be withheld from
156 any disbursement, payment, benefit, compensation, salary, or other transfer of money
157 from the state of Missouri to such defendant an amount equal to the unpaid amount of
158 such judgment. Such amount shall be paid forthwith to the crime victims' compensation
159 fund and satisfaction of such judgment shall be entered on the court record. Under no
160 circumstances shall the general revenue fund be used to reimburse court costs or pay for
161 such judgment. The director of the department of corrections shall have the authority
162 to pay into the crime victims' compensation fund from an offender's compensation or

163 account the amount owed by the offender to the crime victims' compensation fund,
164 provided that the offender has failed to pay the amount owed to the fund prior to
165 entering a correctional facility of the department of corrections.

166 [16.] 13. All interest earned as a result of investing funds in the crime victims'
167 compensation fund shall be paid into the crime victims' compensation fund and not into
168 the general revenue of this state.

169 [17.] 14. Any person who knowingly makes a fraudulent claim or false statement
170 in connection with any claim hereunder is guilty of a class A misdemeanor.

171 [18.] 15. Any gifts, contributions, grants or federal funds specifically given to
172 the division for the benefit of victims of crime shall be credited to the crime victims'
173 compensation fund. Payment or expenditure of moneys in such funds shall comply with
174 any applicable federal crime victims' compensation laws, rules, regulations or other
175 applicable federal guidelines.

**Section 1. (1) Upon an individual's failure to pay court costs, fines,
2 fees, or other sums ordered by a court as payable to the state, a court may
3 report any such delinquencies in excess of twenty-five dollars to the office of
4 state courts administrator and request that the state courts administrator
5 seek a setoff of an income tax refund.**

6 **(2) The office of state courts administrator shall provide the
7 department of revenue with the information necessary to identify each debtor
8 whose refund is sought to be setoff and the amount of the debt or debts owed
9 by each such debtor who is entitled to a refund in excess of twenty-five
10 dollars.**

11 **(3) The department of revenue shall notify the office of state courts
12 administrator that a refund has been setoff on behalf of a court and shall
13 certify the amount of such setoff, which shall not exceed the amount of the
14 claimed debt certified. When the refund owed exceeds the claimed debt, the
15 department of revenue shall send the excess amount to the debtor within a
16 reasonable time after such excess is determined.**

17 **(4) The department of revenue shall notify the debtor by mail that a
18 setoff has been sought. The notice shall contain the following:**

19 **(a) The name of the debtor;**

20 **(b) The manner in which the debt arose;**

21 **(c) The amount of the claimed debt and the department's intention to
22 setoff the refund against the debt;**

23 **(d) The amount, if any, of the refund due after setoff of the refund**

24 **against the debt; and**

25 **(e) The right of the debtor to apply in writing to the court originally**
26 **requesting setoff for review of the setoff because the debt was previously**
27 **satisfied.**

28 **Any debtor applying to the court for review of the setoff must file a written**
29 **application within thirty days of the date of mailing of the notice and send**
30 **a copy of the application to the office of state courts administrator. The**
31 **application for review of the setoff shall contain the name of the debtor, the**
32 **case name and number from which the debt arose, and the grounds for**
33 **review. The court may upon application, or on its own motion, hold a hearing**
34 **on the application. The hearing shall be ancillary to the original action with**
35 **the only matter for determination whether the refund setoff was appropriate**
36 **because the debt was unsatisfied at the time the court reported the**
37 **delinquency to the office of state courts administrator and that the debt**
38 **remains unsatisfied. In the case of a joint or combined return, the notice sent**
39 **by the department shall contain the name of the nonobligated taxpayer named**
40 **in the return, if any, against whom no debt is claimed. The notice shall state**
41 **that as to the nonobligated taxpayer that no debt is owed and that the**
42 **taxpayer is entitled to a refund regardless of the debt owed by such other**
43 **person or persons named on the joint or combined return. The nonobligated**
44 **taxpayer may seek a refund as provided in section 143.784, RSMo.**

45 **(5) Upon receipt of funds transferred from the department of revenue**
46 **to the office of state courts administrator pursuant to a refund setoff, the**
47 **state courts administrator shall deposit such funds in the state treasury to be**
48 **held in an escrow account, which is hereby established. Interest earned on**
49 **those funds shall be credited to the escrow account and used to offset**
50 **administrative expenses. If a debtor files with a court an application for**
51 **review, the state courts administrator shall hold such sums in question until**
52 **directed by such court to release the funds. If no application for review is**
53 **filed, the state courts administrator shall, within forty-five days of receipt of**
54 **funds from the department, send to the clerk of the court in which the debt**
55 **arose such sums as are collected by the department of revenue for credit to**
56 **the debtor's account.**

Section 2. The official conducting the court-issued warrant check
2 **pursuant to section 221.510, RSMo, shall contact the issuing jurisdiction**
3 **within twenty-four hours of the check. The issuing jurisdiction, if within the**
4 **state of Missouri, shall acknowledge notification within twenty-four hours**

5 and remove the prisoner within forty-eight hours of notification. Failure to
6 pick up the prisoner within forty-eight hours of notification may result in the
7 prisoner's release by the holding institution, and shall result in a billing to
8 the issuing authority by the holding authority for each day following
9 notification that the prisoner is held on the detainer at a rate not to exceed
10 three times the prisoner's actual per diem cost to confine. The issuing
11 authority shall be responsible for making such payment within thirty days.

Section 3. Notwithstanding any other provision of law to the contrary,
2 and except for the required credit hours of accredited programs and
3 activities for continuing legal education devoted exclusively to
4 professionalism, legal or judicial ethics, or malpractice prevention, attorneys
5 elected to or employed by the general assembly during a regular legislative
6 session shall be entitled to report fifteen credit hours for the reporting year
7 that includes such regular legislative session.

Section 4. 1. Notwithstanding any other provision of law to the
2 contrary, in any action construing a consumer service contract which
3 contains an automatic renewal provision for a period longer than one year,
4 such provision shall be deemed unconscionable and the court shall strike the
5 provision from the underlying service contract.

6 2. As used herein, the term "consumer service contract" is a contract
7 for the purchase of work, labor or services, including services furnished in
8 connection with the sale, maintenance, lease, rent or repair of goods or
9 equipment.

[57.290. 1. Sheriffs, county marshals or other officers shall be
2 allowed a charge for their services rendered in criminal cases and in all
3 proceedings for contempt or attachment, as required by law, the sum of
4 seventy-five dollars for each felony case or contempt or attachment
5 proceeding, ten dollars for each misdemeanor case, and six dollars for each
6 infraction, excluding cases disposed of by a traffic violations bureau
7 established pursuant to law or supreme court rule. Such charges shall be
8 charged and collected in the manner provided by sections 488.010 to
9 488.020, RSMo, and shall be payable to the county treasury.

10 2. The sheriff receiving any charge pursuant to subsection 1 of this
11 section shall reimburse the sheriff of any other county or the city of St.
12 Louis the sum of three dollars for each pleading, writ, summons, order of
13 court or other document served in connection with the case or proceeding

14 by the sheriff of the other county or city, and return made thereof, to the
15 maximum amount of the total charge received pursuant to subsection 1 of
16 this section.

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

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

an itemized statement of such sheriff's account, in which the sheriff shall give the name of each convicted offender conveyed and the name of each guard actually employed, with the number of miles necessarily traveled and the number of days required, which in no case shall exceed three days, and which account shall be signed and sworn to by such officer and accompanied by a certificate from the chief administrative officer or such officer's designee of the reception and diagnostic center, that such convicted offenders have been delivered at the reception and diagnostic center and were accompanied by each of the officers and guards named in the account.

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

86 by the county in which such case may have originated; provided that the
87 court is held at a place more than five miles from the jail; and no court
88 shall allow the expense of a guard, although it may have actually been
89 incurred, unless from the evidence of disinterested persons it shall be
90 satisfied that a guard was necessary; provided, that when the place of
91 conviction is remote from a railroad, upon which a convicted offender may
92 be transported to the reception and diagnostic center, the court before
93 which such convicted offender is sentenced may, for good cause shown,
94 allow one guard for every two convicted offenders, such guard to receive
95 three dollars a day and the mileage rate prescribed by this section for
96 every mile necessarily traveled in going to and returning from the nearest
97 depot on said railroad to the place where such convicted offender was
98 sentenced.

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

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

2 [67.133. 1. A fee of ten dollars shall be assessed in all cases in
3 which the defendant is convicted of a nonfelony violation of any provision
4 of chapters 252, 301, 302, 304, 306, 307 and 390, RSMo, and any infraction
5 otherwise provided by law, twenty-five dollars in all misdemeanor cases
6 otherwise provided by law, and seventy-five dollars in all felony cases, in
criminal cases including violations of any county ordinance or any

7 violation of a criminal or traffic law of the state, except that no such fees
8 shall be collected in any proceeding in any court when the proceeding or
9 the defendant has been dismissed by the court or when costs are to be
10 paid by the state, county or municipality. All fees collected under the
11 provisions of this section shall be collected and disbursed in the manner
12 provided by sections 488.010 to 488.020, RSMo, 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
15 twenty-five percent of all sums collected on recognizances given to the
16 state in criminal cases, which are or may become forfeited, if not more
17 than five hundred dollars, and fifteen percent of all sums over five
18 hundred dollars, to be paid out of the amount collected.]

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

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