

Basic Facts about the Missouri Judiciary

Last updated September 2009

This document provides an overview about the kinds of cases the state courts handle, trends in the numbers of cases filed, the judges and staff who work in the court system, the courts' budget and other financial issues, and the courts' use of technology.

Selection of Missouri Judges

- All appellate judges and trial judges in Clay, Greene, Jackson, Platte and St. Louis counties and St. Louis city are selected under a merit system known nationwide as the Missouri Nonpartisan Court Plan. The governor names these judges from a panel of three qualified applicants selected by a nonpartisan commission of citizens, lawyers and a judge.
- Voters decide periodically whether to retain nonpartisan judges. Voters choose all other trial judges through partisan elections.

Judicial Branch Employees

- Missouri employs seven Supreme Court judges, 32 appellate judges, 141 circuit judges, 193 associate circuit court judges, and 35 commissioners or deputy commissioners.
- There are more than 2,800 non-judge positions in the judicial branch, consisting of court clerks, reporters, juvenile officers and administrative personnel.
- Of Missouri's 116 circuit clerks, 110 are elected in partisan elections in most of the state's counties plus the city of St. Louis.
- The circuit clerks in Clay, Platte and St. Charles counties and the Jackson County court administrator are appointed by a majority of each county's judges. In St. Louis County, a majority of the circuit judges appoint the court administrator, who then appoints the county's circuit clerk.

Budget

- The percentage of money the state spends on the Judiciary from its general revenue budget has declined during the last 20 years.
- In fiscal 2010, the Judiciary budget was about 2 percent of the state's overall general revenue budget.
- The Judiciary spends more than 70 percent of its budget in its circuit courts, about 91 percent of which is for salaries for judges and court personnel. Counties are required to fund the operations of the circuit courts.
- The salaries and positions of the state's 408 judges and commissioners, 116 circuit clerks and 45 chief juvenile officers are set by state statute. The positions and salaries of the remaining staff – more than 2,600 people – are subject to each year's appropriation by the General Assembly.
- In fiscal 2009, the Judiciary disbursed more than \$296.5 million as court costs, bond refunds, fines, fees, surcharges, garnishments, restitution, court judgments, prosecutor and law enforcement training funds, and sheriff's fees. Of that amount, approximately \$32.1 million was paid into general revenue or other funds the state administers.
- Between January 2004 and the end of August 2009, Missouri courts received more than \$4.5 million in overdue fines and costs from the Department of Revenue's tax offset program and more than \$7 million through the Judiciary's debt collection program.

Case Filings

- Between fiscal 2000 and fiscal 2009, trial court case filings (excluding traffic cases) increased by 20 percent.
 - The largest increase was in associate circuit divisions' civil cases (excluding small claims), which increased by 89 percent.
 - Filings for adult abuse and child protection orders increased by an estimated 30 percent.
 - There was a 5-percent increase in circuit court criminal filings, including a 29-percent increase in filings involving felonies.
 - There also was a 95-percent increase in filings for minor guardianships/conservatorships, and a 15-percent increase in filings for adult guardianships/conservatorships.
- In fiscal 2009, trial court filings included:

○ Contract disputes	181,146
○ Professional malpractice cases	607
○ Wrongful death cases	712
○ Other personal injury cases	7,225
○ Property damage cases	2,121
○ Employment discrimination	460
○ Landlord/tenant issues	44,715
○ Other real estate disputes	3,709
○ Small claims cases	13,698
○ Other civil cases alleging less than \$25,000 in damages	2,394
○ Juvenile cases	17,600
○ Probate cases	14,196
○ Family/domestic relations cases	108,635
○ Fine Collection Center cases (certain traffic, watercraft and conservation violations)	219,900
○ Other state traffic cases	158,518
○ Other misdemeanor cases	124,363
○ Felony cases in circuit court	41,282
○ Felony preliminary cases in associate circuit court	53,254

Drug Court Divisions

- All but four of Missouri's 45 judicial circuits have drug court divisions, making Missouri a national leader in drug courts, with more drug courts per capita than any other state in the nation.
- Drug court divisions have proven to be a cost-effective method for diverting nonviolent offenders from incarceration in prisons. A recent university study of drug court divisions statewide projects that Missouri will save more than \$7,800 per offender per year by using drug court diversions rather than incarceration.
- To date, there are more than 8,000 drug court graduates in Missouri with only a 10-percent recidivism rate, compared with a 22-percent incarceration rate for probationers within two years of completing probation and a 42-percent incarceration rate within two years for offenders who are sentenced to prison.

Juvenile Divisions

- In calendar 2007 (the most recent figures available), there were nearly 68,900 referrals to Missouri juvenile court divisions. Of these, 77 percent were disposed at the juvenile office level, while only 23 percent required court action. Nearly 15,850 referrals resulted in some form of supervision.
 - Law violations – most commonly for the offenses of assault, stealing, property damage, dangerous drugs and peace disturbance – constituted 54 percent of all referrals. Approximately 4 percent of law violations were for A, B or unclassified felonies, and 103 youth were certified as adults.
 - Status offenses – most commonly for behavioral injuries (harm to self), truancy and absence from home – constituted 22 percent of all referrals.
 - Abuse, neglect and custody matters constituted 19 percent of all referrals. Of these, 45 percent required formal court action.
 - Municipal offenses and court order violations constituted the remaining 5 percent of referrals.
- In calendar 2008, 25 percent of juvenile law offenders were assessed low risk, 61 percent were moderate risks and 14 percent were deemed to be high risk for recidivating.

Court Technology

- As of April 2008, all Missouri state courts and the Fine Collection Center use Justice Information System (JIS), the statewide case management system. As a result:
 - All courts report traffic dispositions electronically to the state's Department of Revenue and Highway Patrol as well as send criminal history records electronically to the Missouri Uniform Law Enforcement System (MULES).
 - All courts send initial adult abuse protection orders electronically to MULES, ALERT (in the Kansas City area) and REJIS (in the St. Louis area) to ensure that law enforcement statewide knows an order has issued.
- Case.net, the Judiciary's Internet-based search mechanism of certain public case information from JIS, received more than 400 million hits during fiscal 2009.
- As of September 2009, 47 county prosecutors file criminal cases electronically.
- All but two counties use the automated Jury Management System software.
- All juvenile staff use the Missouri Juvenile Justice Information System (MoJJIS), allowing them to track a particular child's prior juvenile division, mental health and social services contacts throughout the state.
- Missouri's courts have begun a pilot project with the Department of Corrections to allow incarcerated offenders to appear via videoconference for certain proceedings, increasing safety and reducing travel costs.