

Gavel to Gavel

A review of state legislation affecting the courts

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Focus: Prefiled legislation

As most legislatures start to come back into session for 2008, many are offering some insights into what the next year has to offer for the state courts. Many are reintroductions of legislation from the immediate past session while others are brand new offerings.

Newly Introduced

Selection

[MISSOURI SB 757 \(2008\)](#) In those counties that do not use merit selection, requires non-partisan judicial elections beginning January 1, 2010. Prohibits partisan activity by such candidates and places enforcement with the Missouri Ethics Commission. In those counties that do use merit selection, no changes. Not yet assigned to committee

Qualifications and Terms

[FLORIDA HB 295 \(2008\)](#) Allows judges who have lost their seats in elections or who have failed to be re-elected to be considered

“retired” for purposes of temporary assignment. In Safety & Security Council

[FLORIDA SB 740 \(2008\)](#) See [FLORIDA HB 295 \(2008\)](#). Not yet assigned to committee

[SOUTH CAROLINA SB 861 \(2007\)](#)

Requires candidates for a probate judgeship to have been a resident for at least five years and be licensed to the practice of law for at least five years prior to election (currently, need only be a resident at time of election and have either a bachelor’s degree or have worked in a probate court for at least 4 years). In Senate Judiciary committee

Rule Making Authority

NONE

Structure Changes

[MISSOURI SB 730 \(2008\)](#) Allows any “first-class” county to establish municipal courts, Number of judges to be set by and judges selected by the county commission. The organization and session schedule of the court shall also be established by ordinance. Not yet assigned to committee



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Jurisdiction

[MISSOURI HJR 41 \(2008\)](#) Repeals Removes court's jurisdiction to order the levy or imposition of new or increased taxes, licenses, or fees. Removes court's jurisdiction to order a government agency or the general assembly to appropriate or expend public funds. Allows courts to enjoin the levy or collection of illegal taxes, etc. or the expenditure of public funds not authorized by law or contrary to law. Allows courts to order reductions in tax rates. No committee yet assigned

Salary and Budget

NONE

Other

NONE

Floor and Committee Activity

[PENNSYLVANIA SB 117 \(2007\)](#) Creates Juvenile Court Judges' Commission to advise juvenile court judges and examine practices and procedures in the juvenile courts. Signed into law by Governor.

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