

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CREATING SECTION 1.22.022 OF THE CITY CODE ALLOW FOR THE COLLECTION OF A SEVEN DOLLAR FEE, AS PART OF COURT COSTS, ON INDIVIDUAL MUNICIPAL COURT CASES, FOR REMITTANCE TO THE STATEWIDE COURT AUTOMATION FUND.

WHEREAS, Section 476.055, RSMo., established the Statewide Court Automation Fund and the court automation committee to administer said fund and to develop and implement a plan for the statewide court automation system; and,

WHEREAS, Section 488.027, RSMo., established that a fee would be added to court costs for civil and criminal cases including cases for municipal ordinance violations or traffic violations for the Statewide Court Automation Fund; and,

WHEREAS, Section 488.012.3(5), RSMo., established that said fee added to court costs would be seven dollars; and,

WHEREAS, Article V, Section 4, of the Constitution of the State of Missouri, grants the Supreme Court of the State of Missouri control over all Missouri courts; and,

WHEREAS, Section 479.020, RSMo., states that municipal judges are divisions of the circuit court in which the municipality is located; and,

WHEREAS, the Municipal Court of the City of Independence is part of the 16<sup>th</sup> Judicial Circuit Court; and,

WHEREAS, Supreme Court Operating Rule 1.01 gives the court automation committee decision-making authority for all aspects of statewide court automation; and,

WHEREAS, Supreme Court Operation Rule 4.01 allows the use of an existing records systems until such time as the statewide court automation system is available in that division; and,

WHEREAS, the 16<sup>th</sup> Judicial Circuit Court, for purposes of implementation of the statewide court automation system, has been deemed to be part of the NW Region.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 1.22.022, “COURT COSTS FOR THE STATEWIDE COURT AUTOMATION FUND,” of Chapter 1 of the “Code of the City of Independence, Missouri,” is hereby created to read as follows:

**SEC. 1.22.022 COURT COSTS FOR THE STATEWIDE COURT AUTOMATION FUND**

**The clerk of the Municipal Court of the City of Independence, Missouri, shall assess seven dollars as court costs for each court proceeding filed for violations of the ordinances of the City of**

**Independence, Missouri, provided that no such fee shall be collected in any proceeding in such court when the proceeding has been dismissed or the defendant has been discharged and no such fee shall be collected if the defendant is found by the judge to be indigent and unable to pay the cost. Such court costs are in addition to any mandatory court costs which are assessed under this Code or State law. Such court costs shall not be assessed until the Municipal Court of the City of Independence “go live date,” as determined by the 16<sup>th</sup> Judicial Circuit Court.**

**Such fees collected shall be remitted monthly to the Missouri Director of Revenue.**

SECTION 2. That all other parts and provisions of the City Code not in conflict herewith shall remain in full force and effect unless previously or subsequently amended or repealed.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

\_\_\_\_\_  
Presiding Officer of the City Council  
of the City of Independence, Missouri

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
City Counselor

REVIEWED BY:

\_\_\_\_\_  
City Manager

**NOTE: Words struck through and bolded are being removed by this ordinance and words underscored and bolded are being added by this ordinance.**