

ARTICLE VII MUNICIPAL COURT

Section 7.1. Jurisdiction.

There shall be a Municipal Court which shall have jurisdiction to hear and determine all cases involving alleged violations of ordinances of the city, and to assess punishment, by fine or incarceration, as therein provided. This court is a continuation of the municipal court of the city as previously established and initially comprises Divisions 243 and 263 of the Sixteenth Judicial Circuit Court of the State of Missouri, designated Divisions I and II, respectively. The Municipal Court shall be subject to the rules of the Missouri Supreme Court and the Circuit Court of which it is part.

Section 7.2. Judges.

The Municipal Court shall initially be composed of two separate divisions, each having its own judge.

- (a) **Election and Terms.** The judges shall be elected to serve staggered four-year terms as exists on April 4, 2017. One judge shall be designated Presiding Municipal Judge by agreement or by the senior judge in the absence of agreement. At each regular municipal election, a Municipal Judge shall be elected by the qualified voters of the city at large to fill the office of any judge whose term shall expire. The number of Municipal Judges and corresponding divisions of the Municipal Court may be changed by ordinance without amending this Charter, provided said change would not take effect before the expiration of the affected term. Additional judges shall also be elected to four-year terms on a cycle to be determined by the ordinances creating such additional judicial positions.
- (b) **Powers and Duties.** The Municipal Judges shall have such powers and duties as are conferred upon such officers by law or by ordinance.
- (c) **Qualifications.** A Municipal Judge shall be a licensed member of the Missouri Bar, shall have been in active practice of law in the State of Missouri for at least three years immediately preceding his or her election, shall have been a resident of the city two years next preceding election and a qualified voter, and shall remain a resident and qualified voter of the city.
- (d) **Prohibition.** No Municipal Judge shall hold any other Lee's Summit city office or city employment during the term for which the judge was elected, and no former Municipal Judge shall hold any compensated appointive Lee's Summit city office or city employment until one year after the expiration of the term for which the judge was elected.
- (e) **Vacancies.** An office of Municipal Judge shall become vacant upon the judge's death, resignation, recall or removal from office in any manner authorized by this Charter or by law, or upon forfeiture of the office.
- (f) **Forfeiture of Office.** A Municipal Judge shall forfeit office: (1) if at any time during the term of office he or she lacks any qualification for the office prescribed by this Charter or by law, or (2) if the judge violates any prohibition as provided in Section 7.2(d), Prohibition, or (3) if a judge willfully violates the requirements of Section 14.1, Personal Financial Interest.
- (g) **Removal from Office.** Municipal judges may be removed from office in any manner provided by law or the Rules of the Missouri Supreme Court.
- (h) **Filling of Vacancies.** The Council by a majority of all its members shall appoint a qualified person to fill a vacancy in the office of Municipal Judge until the next regular municipal election as established by

the Missouri election calendar in accordance with state law, for which timely notice may be given, when a person will be publicly elected by qualified voters to serve the remainder of any unexpired term.

- (i) **Compensation.** Compensation of Municipal Judges shall be determined by ordinance, and shall not be dependent in any way upon the number of cases tried, the number of guilty verdicts reached or the amount of fines imposed or collected. No change in compensation of an incumbent Municipal Judge shall become effective during that judge's term of office.

Section 7.3. Court Administration.

The Council shall provide for a Court Administrator, clerks and other personnel for the Municipal Court. .

The Court Administrator and other court employees shall discharge all duties incident of the court administration under the direction and control of the City Manager, except as otherwise provided by law and/or applicable Missouri Supreme Court Rule.

All personnel of the Municipal Court shall be subject to the administrative policies and procedures of the city, except as otherwise provided by law. All Municipal Court personnel who shall have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting or recording of funds which come into their hands shall enter such surety bonds, payable to the city and such other governmental unit in whose behalf such funds have been collected, as may be required by the judges or by ordinance. The cost of the premium for such surety bonds shall be paid by the city.

Section 7.4. Traffic Violations Bureau.

The city shall have a Traffic Violations Bureau which shall be supervised by the Presiding Municipal Judge. The Traffic Violations Bureau shall have authority to collect fines for violations of traffic and other municipal ordinances not deemed by the Municipal Judges to require a personal appearance before the Municipal Court by an accused desiring to plead guilty.