

March 6, 1984

LR 235

SENATOR HOAGLAND: Now the members of the Commission have shared with us the facts in which private reprimands have been issued already and I will ask to speak again so I can go over those four or five cases for you to show you how it has been applied in the past and how, if this constitutional amendment passes, we are going to be taking away a tool of having this kind of reprimand apply to these kinds of cases in the future. Thank you, Mr. Speaker.

SPEAKER NICHOL: Senator Abboud.

SENATOR ABOUD: Mr. President, colleagues, I rise in opposition to LR 235. I am a member of the Constitutional Revision and Recreation Committee and I'd like to begin by saying that I feel that Senator Hefner and Senator Von Minden do have a very serious problem up in their district. I think they are dealing with a judge that...well, just hasn't done the best job of representing himself to the people up in that district and I think that the testimony was a reaction to that. The committee was split on the decision on whether to actually bring the bill out of committee. My feeling was that the bill shouldn't go out of committee and that my feeling is that the bill shouldn't be passed here today for the simple reason that I don't think LR 235 is going to work. The basic structure of the bill is contained in page 5 and it is about, I suppose about a paragraph long and it states that the Judicial Qualifications Board should be the one to decide whether, in fact, there should be a private reprimand. In this case the bill would change it so that they would be deciding whether the reprimand should be made public. You are still going to have the same body deciding whether these reprimands are going to be made public and I think if they want to, you know, take a look at the whole operation of whether judges are qualified or whether the 119 judges we have in this state are, in fact, capable of being judges or helping the voters decide whether, in fact, the judges should remain under the Missouri Plan under the Merit System, I think it probably should have taken a broader look at the whole picture because you are still dealing with the same board and I think what the result is going to be is that board is going to be less likely to make those reprimands. They are

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