

SALARIES-JUDGES- Dividing January warrants as to terms, Court of Appeals' judges begin 1st Monday like circuit judges. (Opinion modifying January 19th opinion.)

January 28th, 1933



Hon. Forrest Smith,  
State Auditor,  
Jefferson City, Missouri.

Attention Mr. E. L. Pigg, Warrant Clerk.

Dear Sir:

I find an error in our opinion to you of January 19th, 1933, with reference to the beginnings of the terms of the Courts of Appeals' judges, which under Sec. 1890, R. S. 1929, begin like the circuit judges on the first Monday in January following their election instead of on January first like the Supreme Court judges.

There seems to be no other provision as to the Springfield Court of Appeals judges, and as to the St. Louis Court of Appeals, Sec. 16. Art. VI. of the Constitution of Missouri begins its judges' terms on the first Monday in January, next ensuing their election, though Sec. 4 of Amendment of 1884 to Article VI of the Constitution started the terms of the first judges of the Kansas City Court of Appeals on January 1, 1885, which fact led the writer to assume that the appellate judges' terms had all so continued.

However, it would seem best to follow the statute Sec. 1890, R. S. 1929, as uniform as to all the judges of the courts of appeals, as has no doubt been the practice.

Respectfully yours,

DD/N

Denton Dunn  
Assistant Attorney-General

Approved:

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Roy McKittrick,  
Attorney-General