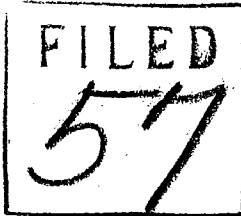


JUVENILE COURTS: Circuit clerk to perform clerical work arising in cases heard by juvenile court.



December 31, 1954

Honorable Frank W. May
Prosecuting Attorney
St. Francois County
Farmington, Missouri

Dear Sir:

Reference is made to your request for an official opinion of this department reading as follows:

"Under Section 211.380 of R.S. Mo. 1949 the Court costs in juvenile matters not collected as provided by law are to be paid by the County.

"No provisions are made under this Section or any other Section pertaining to juveniles concerning the clerical work involved in handling these cases. The question has come to us whether this clerical work should be performed by the County Treasurer as in criminal cases or by the Circuit Clerk as in civil cases.

"Our question is, who should do the clerical work, the Circuit Clerk or the County Treasurer?"

We believe that your opinion request is answered by a provision appearing as a part of Section 211.320, RSMo 1949. The portion referred to reads as follows:

" * * * The clerk of the Cape Girardeau court of common pleas and the clerk of the circuit court in such counties, shall act as the clerk of the juvenile court. * * *"

"Such counties," as used in the section mentioned, refers to all counties of the third and fourth class operating under

Honorable Frank W. May

the procedure outlined in Sections 211.310 to 211.510, inclusive, RSMo 1949. We note that St. Francois County is one of the third class in accordance with the classification of counties adopted by the General Assembly.

CONCLUSION

In the premises, it is our opinion that the circuit clerk in counties of the third and fourth classes is to perform all clerical work incident to the hearing and determination of cases heard by the juvenile court.

The foregoing opinion, which I hereby approve, was prepared by my assistant, Will F. Berry, Jr.

Yours very truly,

John M. Dalton
Attorney General

WFB/vtl