

Answered by Letter (Siddens)

Opinion No. 51
(409 - 1966)

February 21, 1967



Honorable William H. Bruce, Jr.
Prosecuting Attorney
Reynolds County
Centerville, Missouri

Dear Mr. Bruce:

This is in response to your inquiry in which you state:

"I would like to request your opinion as to whether the title to office of a merit system employee, to wit: the local Director of Welfare, can be tried by an information in the nature of a Quo warranto?"

The office or business of County Director of Welfare is established under Section 207.060, RSMo, and is under the authority and jurisdiction of the Division of Welfare of the Department of Health and Welfare of the State of Missouri. The position is under the merit system pursuant to the provisions of Chapter 36, RSMo.

We have concluded that the County Director of Welfare is an employee of the State and is not subject to removal by the County Prosecuting Attorney in a quo warranto proceeding.

Yours very truly,

NORMAN H. ANDERSON
Attorney General