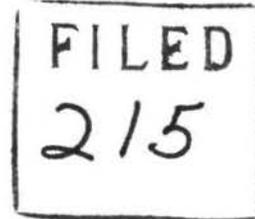


October 7, 1975

OPINION LETTER NO. 215  
Answer by Letter - Burns

Honorable R. L. Usher  
Representative, District 12  
600 Sunset Drive  
Macon, Missouri 63552



Dear Mr. Usher:

This is in answer to your recent opinion request based upon a letter addressed to you by Frank A. Ayers, Director, Juvenile Court Services, Forty-First Judicial Circuit. Essentially, Mr. Ayers asks for an Attorney General's opinion as to the "legality and fairness" of the General Assembly's action in providing certain specific salaries for certain juvenile officers in the state of Missouri and providing for different maximum payments for other juvenile officers of the state. The argument advanced is that because each circuit judge is allegedly paid the same salary throughout the state, a statute providing different payments for different juvenile officers in the state is invalid.

We, of course, are not in a position to make any legal ruling as to the "fairness" of the statutory provisions provided by the General Assembly for the compensation of juvenile officers. The matter of the compensation of juvenile officers is a matter that is to be determined by the General Assembly and this office, of course, has no authority to take any position as to the "fairness" of such statutory provision.

No constitutional provision is cited which would require that the salaries of juvenile officers must be uniform throughout the state if the salaries of circuit judges are uniform throughout the state and we can find no constitutional provision so providing. As a matter of fact, as recently as 1969 the salaries of circuit judges in this state did vary depending upon the composition of the circuit and upon the actions of various county courts. See § 478.013, RSMo 1969.

Honorable R. L. Usher  
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It is, therefore, our view that the action of the General Assembly in providing specific salaries for certain juvenile officers and providing for different maximum salaries for other juvenile officers in this state is a valid exercise of the power of the General Assembly. Uniformity in payment of juvenile officers will come about only if the General Assembly enacts statutes providing for the payment of compensation of juvenile officers to be uniform throughout the state.

Very truly yours,

JOHN C. DANFORTH  
Attorney General