

November 4, 1976

OPINION LETTER NO. 217
Answer by Letter - Klaffenbach

Honorable Donald L. Manford
State Senator, 8th District
Room 334, Capitol Building
Jefferson City, Missouri 65101



Dear Senator Manford:

This letter is in response to your opinion request in which you ask whether a probate ex officio magistrate judge may also serve as an appointed city judge for compensation in a city of the fourth class.

While there may be other objections to such an arrangement, it is our view that Section 24 of Article V of the Missouri Constitution is an applicable prohibition. This is because Section 24 of Article V provides that no judge or magistrate shall receive any other or additional compensation for any public service. Therefore, in direct answer to your question, it would be a violation of such section for a judge to receive additional compensation for any public service. Since service as a municipal judge constitutes a public service such an arrangement falls within the prohibition of the Constitution.

Very truly yours,

JOHN C. DANFORTH
Attorney General