



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

P.O. Box 899
(573) 751-3321

September 30, 2013

OPINION LETTER NO. 76-2013

The Honorable Jason Kander
Missouri Secretary of State
James C. Kirkpatrick State Information Center
600 West Main Street
Jefferson City, MO 65101

Dear Secretary Kander:

This opinion letter responds to your request dated September 19, 2013, for our review under § 116.334, RSMo, of a proposed summary statement prepared for the petition submitted by John Elliott regarding a proposed constitutional amendment to amend Article V of the Missouri Constitution, version 2 (2014-048). The proposed summary statement is as follows:

Shall the Missouri Constitution be amended to:

- repeal the nonpartisan court plan used to select Missouri Supreme Court and Court of Appeals judges;
- require such judges to instead be elected in partisan elections, with political parties nominating party candidates in the primary election prior to the general election;
- allow judges or judicial candidates to solicit, receive and make any legal campaign contributions or expenditures that benefit their own campaigns;

- decrease Supreme Court and Appellate Court judges' terms from 12 years to 8; and
- increase the number of Supreme Court judges from 7 to 9?

Pursuant to § 116.334, RSMo, we approve the legal content and form of the proposed statement. Because our review of the statement is mandated by statute, no action that we take with respect to such review should be construed as an endorsement of the petition, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General