



JOHN R. ASHCROFT
SECRETARY OF STATE
STATE OF MISSOURI

JAMES C. KIRKPATRICK
STATE INFORMATION CENTER
(573) 751-4936

ELECTIONS DIVISION
(573) 751-2301

December 30, 2020

The Honorable Nicole Galloway
State Auditor
State Capitol Building
Jefferson City, MO 65101

RECEIVED

DEC 30 2020

STATE AUDITORS OFFICE

RE: Petition approval request from Chris Vas regarding a proposed constitutional amendment to Article V, version 1 (2022-005)

Dear Auditor Galloway:

Enclosed please find an initiative petition sample sheet for a proposal to amend the Missouri Constitution filed by Chris Vas on December 30, 2020.

We are referring the enclosed petition sample sheet to you for the purposes of preparing a fiscal note and fiscal note summary as required by Section 116.332, RSMo. Section 116.175.2, RSMo requires the state auditor to forward the fiscal note and fiscal note summary to the attorney general within twenty days of receipt of the petition sample sheet.

Thank you for your immediate consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Ashcroft". The signature is written in a cursive style with a large initial "J".

John R. Ashcroft

cc: Hon. Eric S. Schmitt
Sheri Hoffman
Trish Vincent

County _____
Page No. _____

It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

INITIATIVE PETITION

To the Honorable John R. Ashcroft, Secretary of State for the state of Missouri:

We, the undersigned, registered voters of the state of Missouri and _____ County (or city of St. Louis), respectfully order that the following proposed amendment to the constitution shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the 8th day of November, 2022, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and _____ County (or city of St. Louis); my registered voting address and the name of the city, town or village in which I live are correctly written after my name.

CIRCULATOR'S AFFIDAVIT

STATE OF MISSOURI, COUNTY OF _____

I, _____, being first duly sworn, say (print or type names of signers)

NAME (Signature)	DATE SIGNED	REGISTERED VOTING ADDRESS (Street) (City, Town or Village)	ZIP CODE	CONG. DIST.	NAME (Printed or Typed)
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and _____ County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age. I do do not (check one) expect to be paid for circulating this petition. If paid, list the payer _____

Signature of Affiant (Person obtaining signatures) _____

Address of Affiant _____

(Printed Name of Affiant) _____

Subscribed and sworn to before me this _____ day of _____, A.D. 20__.

Signature of Notary _____

Notary Public (Seal)

Address of Notary _____

My commission expires _____

John R. Ashcroft
MO. SEC. OF STATE

2020 DEC 30 AM 8:30

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NOTICE: You are advised that in addition to the express amendments, repeals, and modifications as set forth below, this proposal may repeal, change or modify by implication, or may be construed by some persons to repeal, change or modify by implication, Article IV, Section 4, Article V, Sections 8, 19, 25(a) and (b), 25(c)(1), 25(c)(2), 25(d), 25(e), 25(f), and 25(g) of the Constitution of Missouri.

Be it resolved by the people of the state of Missouri that the Constitution be amended:

To amend Sections 8, 19, and 25(a), and enact Sections 1(a), and 25(h) of Article V of the Constitution of Missouri to read as follows:

Section 1(a). 1. Judges of the supreme court and court of appeals shall be appointed by the governor with the advice and consent of the senate.

2. The people's elected representatives, rather than committees controlled by lawyers, should control the selection of appellate judges. This follows the original plan of the Missouri Constitution and the plan of our federal government. It derives from the principle that all political power is vested in and derived from the people, and all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole, and further, that all courts of justice shall be open to every person without sale, denial, or delay. Judges shall therefore be accountable to the citizens of this state, this constitution, and the United States Constitution, and not beholden to any particular association or alliance of lawyers, judges, or interest groups. To accomplish this purpose, as set forth in sections 25(a) through (g), judges of the supreme court and court of appeals shall henceforth be appointed by the governor with the advice and consent of the senate, and shall no longer be selected by the governor from nominations made by commissions of lawyers, judges, and the governor's chosen appointees. Voters in most circuits shall continue to have the ability to choose the method by which circuit and associate circuit judges are selected. Section 1(a) and sections 25(a) through (g) shall be known as the "Missouri Nonpartisan Court Plan."

Section 8. [The judges of the supreme court shall elect from their number a] The chief justice [to] shall preside over the supreme court en banc, and the judges of the court of appeals in each district shall elect from their number a chief judge of the district. The terms of the [chief justice and] chief judges shall be fixed by the courts over which they preside. The chief justice of the supreme court shall be the chief administrative officer of the judicial system and, subject to the supervisory authority of the supreme court, shall supervise the administration of the courts of this state.

Section 19. Judges [of the supreme court and of the court of appeals shall be selected for terms of twelve years, judges] of the circuit courts shall be selected for terms of six years, and associate circuit judges for terms of four years. The governor's appointments of judges of the supreme court and court of appeals shall be for life except as otherwise provided in this constitution. The governor rather than other judges of the supreme court shall appoint the chief justice. No vacancy on the supreme court or court of appeals shall be filled and no person appointed by the governor shall have authority to act unless the senate has actually provided its advice and consent.

Section 25(a). Whenever a vacancy shall occur in the office of [judge of any of the following courts of this state, to wit: The supreme court, the court of appeals, or in the office of] circuit or associate circuit judge within the city of St. Louis and Jackson County, the governor shall fill such vacancy by appointing one of three persons possessing the qualifications for such office, who shall be nominated and whose names shall be submitted to the governor by a nonpartisan judicial commission established and organized as hereinafter provided. If the governor fails to appoint any of the nominees within sixty days after the list of nominees is submitted, the nonpartisan judicial commission making the nomination shall appoint one of the nominees to fill the vacancy.

Section 25(h). The following transition provisions shall apply to the judges of the supreme court and court of appeals after the approval of new section 1(a)1. After 5:00 p.m. on December 8, 2022, the Appellate Judicial Commission shall dissolve, and every vacancy then existing shall be filled as set forth in section 1(a) 1. Each judge shall hold office for the remainder of his original term, after which the office shall be vacated and subject to appointment under section 1(a)1.