



# **SUPREME COURT OF MISSOURI**

## **en banc**

June 28, 2017

In re: Commission on Civil Justice Reform

### **ORDER**

Given this Court's general superintending control and supervisory authority over all courts and tribunals in this state, the responsibility of each court for managing civil cases from time of filing to disposition, and empirical research that suggests courts must improve how they serve citizens in terms of efficiency, cost, and convenience as to make the state court system a more attractive, trusted, and valued option to resolve civil disputes and to achieve justice in civil cases, there is hereby established a "Commission on Civil Justice Reform."

The commission's goal is to globally and holistically examine and review current civil practices and procedures and to recommend measures to ensure the fair, affordable, and prompt resolution of civil disputes in the civil justice system--thereby enhancing public confidence in, and meaningful access to, the state court civil justice system.

Consistent with these goals, the commission shall:

Identify cultural, financial, procedural, and operational barriers to the fair, affordable, and prompt resolution of civil disputes in the state court civil justice system, excluding family, juvenile, probate, and post-conviction matters;

Review applicable constitutional provisions, statutes, procedural and court operating rules; the *Call to Action: Achieving Civil Justice for All* report and recommendations generated by the National Center for State Courts; the *Reforming our Civil Justice System* report and recommendations generated by a joint project of the American College of Trial Lawyers and the Institute for the Advancement of the American Legal System; and such other materials as the commission believes would be helpful to its study and to the development of recommendations;

Identify the stakeholders whose interests are impacted by the state court civil justice system and seek input and engagement of stakeholders through written suggestions, surveys, public hearings or such other avenues as the commission believes helpful;

Secure landscape assessments documenting the function of the state court civil justice system employing case categories, time frames, and such information as the commission believes helpful;

Explore and utilize available research, technology, and other resources from the National Center for State Courts as the commission believes helpful;

Develop specific and targeted recommendations directed toward proposed case management systems and processes, proposed procedural and operating rules, proposed legislation, proposed technology and automation, and proposed educational and training

initiatives for judges, court staff, attorneys, and self-represented litigants that the commission deems appropriate to address and overcome cultural, financial, procedural, and operational barriers to the fair, affordable, and prompt resolution of civil disputes in the state court civil justice system;

Develop recommendations for future assessment to gauge the effectiveness of implemented recommendations, and to increase transparency and accountability.

The commission will be led by two co-chairs:

The Honorable Cynthia L. Martin, Judge, Missouri Court of Appeals, Western District; and the Honorable Gary D. Witt, Judge, Missouri Court of Appeals, Western District.

The commission shall be composed of at least twenty (20) members, appointed hereafter by the Court, including the following:

Six judges or commissioners from the circuit courts;

Two court staff or administrators from the circuit courts who have preferably completed the Missouri Court Management Institute;

One representative from a legal service organization which provides legal services in state court civil cases based on financial need;

One representative from The Missouri Bar as designated by The Missouri Bar President;

Six practicing attorneys who are members in good standing of the Missouri Bar from diverse civil practice areas including plaintiff, defense, in-house counsel, and chapter 517, 534 and 535 practice;

Four representatives of the public at large, which might include attorneys, business leaders, legislators, retired judges, or consumers;

One liaison representative from the Missouri Court Automation Committee.

Members shall serve at the pleasure of the Court.

The commission may have subcommittees as needed to facilitate its work. The co-chairs may establish such subcommittees from time to time and appoint the members of each subcommittee, which may include non-commission members. The commission and its subcommittees shall meet at such times and places as determined by the co-chairs, and members will be reimbursed actual expenses as authorized for state employees.

The Supreme Court shall provide the commission with appropriate staff and other support.

The commission will submit its initial report to the Court on or before January 1, 2018, and every six months thereafter.

Day – to – Day



PATRICIA BRECKENRIDGE  
Chief Justice