



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

CHRIS KOSTER
ATTORNEY GENERAL

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

June 29, 2012

OPINION LETTER NO. 127-2012

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

Dear Secretary Carnahan:

You have submitted a proposed fair ballot language statement for Senate Joint Resolution No. 51 relating to nonpartisan selection of judges. The fair ballot language statement, prepared pursuant to § 116.025, RSMo, is as follows:

A “yes” vote will amend the Missouri Constitution to change the current nonpartisan selection of supreme court and court of appeals judges to a process that gives the governor increased authority to appoint a majority of the commission that selects these court nominees. This measure also allows the governor to appoint all lawyers to the commission by removing the requirement that the governor’s appointees be nonlawyers.

A “no” vote will not change the current constitutional provision for the nonpartisan selection of supreme court and court of appeals judges.

If passed, this measure will have no impact on taxes.

The Honorable Robin Carnahan
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Pursuant to § 116.025, RSMo, we approve the legal content and form of the proposed fair ballot language statement.

Because our review of the fair ballot language statement is mandated by statute, no action we take with respect to such review should be construed as an endorsement of the Senate joint resolution, nor as the expression of any view regarding the objectives of its proponents.

Very truly yours,



CHRIS KOSTER
Attorney General