

# **Bond Case Briefs**

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## **STANDING - MISSOURI**

### **Lebeau v. Commissioners of Franklin County, Missouri**

**Supreme Court of Missouri, En Banc - February 4, 2014 - S.W.3d - 2014 WL 440227**

Residents and taxpayers brought declaratory judgment action against commissioners of county after commissioner entered a county order establishing a municipal court, alleging that bill establishing court violated original purpose provision and single subject provision of state constitution. The Circuit Court dismissed action due to lack of standing. Resident and taxpayers appealed.

The Supreme Court of Missouri held that:

- Taxpayers had standing to bring declaratory judgment action, and
- Declaratory judgment action was ripe for review.

Resident taxpayers had standing to bring declaratory judgment action challenging county commissioners' establishment of a municipal court as violative of the original purpose provision and single subject provision of the state constitution, where plaintiffs were taxpayers and citizens of the county. Petition also alleged that the legislature violated the state constitution's original purpose provision and single subject provision in enacting the bill establishing the court. Plaintiffs alleged that, as originally introduced, bill related only to proceedings in juvenile and family divisions. Plaintiffs also alleged that, at some point prior to its passage, the legislature amended bill to include a section authorizing the creation of a county municipal court in counties within a certain population range and that the addition of this section violated the original purpose and single subject provisions. Plaintiffs alleged that the county commissioners established a municipal court by commission order pursuant to bill, and the creation and operation of a municipal court would have required the expenditure of funds generated through taxation.