

ANNUAL REPORT TO THE GENERAL
ASSEMBLY

CALENDAR YEAR 2007

Paul Anthony Martin
Ombudsman for Property Rights
The State of Missouri

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STATE OF MISSOURI

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"The system of private property is the most important guaranty of freedom, not only for those who own property, but scarcely less for those who do not."

-Friedrich August von Hayek

The Missouri Office of the Ombudsman for Property Rights is responsible for documenting the use of eminent domain within the state and any issues associated with its use and is charged to submit a report to the general assembly on January 1, 2008, and on such date each year thereafter. This report is respectfully submitted to serve to fulfill the above described statutory duties for the year of 2007.

Respectfully,

Paul Anthony Martin
Ombudsman for Property Rights
The State of Missouri

Introduction

This report will document the use of eminent domain throughout the state of Missouri and any issues arising from the use of the power of eminent domain. However, due to the abbreviated time period that the Office of the Ombudsman for Property Rights has been in existence and because of the nonexistence of any detailed database regarding specific uses of eminent domain, it is impossible to go into great detail concerning the use of eminent domain in Missouri in 2007.

The only current reporting system concerning the use of eminent domain in Missouri is operated by the Missouri Office of the State Courts Administrator. The Office of the State Courts Administrator (Courts Administrator) compiles a database of court filings and produces an “annual report” that describes the types of cases filed in each circuit, and further broken down by county. While this database includes condemnation cases and exceptions filed, the only further breakdown of these cases concerns whether the particular condemning authority is either the “state” or “other.” At this time there is no further official database describing each specific use of eminent domain. The lack of any current database describing each specific use of eminent domain in Missouri would require the investigation of each of the 253 condemnation filings that occurred in Missouri in Fiscal



Year 2007. The state fiscal year runs from July 1 through June 30. The late date of the official organization of this office in the calendar year 2007 rendered it impossible to be able to work with the Courts Administrator to establish an effective method of organizing the data into a more detailed report concerning the use of eminent domain before the statutorily established deadline for this report. The task of retrieving and organizing the information necessary to compile a more detailed report is one that will require great collaboration between this office and both the Courts Administrator and all circuit clerks across the state. Such collaboration is a priority of this office and is a goal that will be diligently pursued in the next year and the improvement of this collaboration should continue to be a goal throughout the tenures of all future holders of this office.

This report will also describe the efforts of the Office of the Ombudsman for Property Rights to reach as many Missourians as possible since the organization of the office in August of 2007. The report also includes the preliminary plans for the office for the next calendar year, including a description of the priorities that I feel are important to improving the effectiveness of this office and steps that can be taken within the next calendar year to ensure the continuity of the effectiveness of this office regardless of who holds the office of Ombudsman for Property Rights.

Acknowledgements

I would like to thank the many people who have helped this office get off the ground over the last three months. It is because of their patience and tireless efforts that the Office of the Ombudsman for Property Rights has been able to stand up more quickly than many people thought possible. The teamwork exemplified between the Office of Governor Matt Blunt and the Office of Public Counsel Lewis Mills in organizing this office has been second to nothing I have witnessed in my career in public service. I would also like to thank Rhonda Meyer and her staff in the Department of Economic Development for affording me the time and effort necessary to overcome many of the logistical difficulties inherent in developing a government office from scratch. The Department of Economic Development has been instrumental in devoting many of the resources necessary in organizing my office while also granting me the independence necessary to accomplish my duties as an ombudsman. To these people I will be forever grateful for their efforts that have allowed me to have a successful first several months and for their continued efforts in the best interest of the property rights of all Missourians.

Office of the Ombudsman for Property Rights

Governor Blunt signed House Bill 1944 creating the position of the Missouri Ombudsman for Property Rights on July 13, 2006. I was appointed as Missouri's first Ombudsman for Property Rights on August 20, 2007. It was on this date that the official organization of this office commenced. In a little more than four months the Office of Ombudsman for Property Rights has made great strides in improving the assistance provided to Missourians facing issues regarding their property rights. These efforts will be discussed in more detail throughout this report.

The Missouri Office of the Ombudsman for Property Rights is one of only three similar state-level offices in the country. Currently, the only other formal offices are in the states of Utah and Connecticut. Oregon has recently passed legislation creating a similar office, but at the time of this report the specific bill is yet to be signed. The state of Utah has no formal Ombudsman for Property Rights, but has the oldest office in the country, and is staffed with a team of lawyers and administrators. The state of Connecticut does have a formally titled Property Rights Ombudsman and also includes a staff of lawyers and support personnel. I have enjoyed the cooperation of the staffs of both of these organizations in establishing Missouri's own version of the office.

The Missouri Office of the Ombudsman for Property Rights is charged with assisting citizens by providing guidance, which shall not constitute legal advice, to individuals seeking information regarding the condemnation process and procedures. The ombudsman is also responsible for documenting the use of eminent domain within the state and any issues associated with its use and shall submit a report to the general assembly on January 1, 2008, and on such date each year thereafter.

The Office of Public Counsel

The Office of the Ombudsman for Property Rights was created by House Bill 1944 and, by statute, was placed in the Office of Public Counsel. The Office of the Public Counsel was established in 1975 to represent the public and the interests of utility customers in proceedings before the Missouri Public Service Commission (PSC) and in investor-owned electric, natural gas, telephone, water, sewer and steam heat utilities, including safety issues, adequate and quality service, complaints and disputes, connections and disconnections, and billing and collection practices. The Office of the Public Counsel is independent from the PSC and has a separate budget and staff. The Department of Economic Development director appoints the public counsel who must be a Missouri

licensed attorney. While the Office of Public Counsel reviews all utility filings and issues considered by the PSC, the focus is utility rates and regulations proceedings that affect residential and small business customers. The office takes an active role in cases that propose to increase rates and often makes its own proposal for rate reductions. The office also protects the customers' interests in other PSC cases that touch on such issues as rate design, new area codes, PSC investigations into general industry issues, and rules and regulations governing the rights and obligations of customers and utilities that affect service. Attorneys from the office attend local public hearings where customers comment on PSC cases.

At present, the office has 11 staff members. Four attorneys, including the public counsel, provide the legal representation while 2 public utility accountants and 2 economists provide the technical expertise. In some cases, the office contracts with experts and consultants for specialized expertise. The technical staff and consultants investigate and research regulatory issues and utility operations, prepare reports and exhibits and testify on technical issues in the evidentiary hearings.

Since the Office of the Public Counsel represents the public and ratepayers as a class, the office does not provide specific legal representation

of individuals for individual problems. However, the office tries to help customers by contacting the utility or directing them to the appropriate PSC department or government agency. It also comments on utility issues that affect consumers and cooperates with other state consumer advocates, public interest and consumer groups and organizations to educate the public about consumer rights and to protect the rights of ratepayers. The public counsel's authority to appeal PSC decisions is a significant right. Prior to the establishment of the Office of the Public Counsel, the general public did not have the ability to seek judicial review of adverse PSC decisions.

Use of Eminent Domain in Missouri, 2007

As described above, the Courts Administrator compiles a database of court filings and produces an “annual report” that describes the types of cases filed in each circuit, and further broken down by county. While this database includes condemnation cases and exceptions filed, the only further breakdown of these cases concerns whether the particular condemning authority is either the “state” or “other.” At this time there is no further official database describing each specific use of eminent domain. The lack of any current database describing each specific use of eminent domain in Missouri would require the investigation of each of the 253 condemnation filings that occurred in Missouri in the fiscal year 2007. The state fiscal year

runs from July 1 through June 30. The late date of the official organization of this office in the calendar year 2007 rendered it impossible to be able to work with the Courts Administrator to establish an effective method of organizing the data into a more detailed report concerning the use of eminent domain before the statutorily established deadline for this report.

The relevant table of the Missouri Judicial Report, Annual Report-Supplement for Fiscal Year 2007 are included in this report as an addendum. At this time, there is no further official database compiled by any state agency. It is a priority of this office to establish an efficient method for documenting the use of eminent domain in Missouri, and to include such documentation in future reports.

Issues Regarding the Use of Eminent Domain

As mentioned above, my appointment so late in the calendar year precluded any detailed discussion or investigation of specific issues regarding the use of eminent domain in 2007. However, there is one issue that arose very late in the year that should be noted in this report. On December 19, 2007, the Missouri Court of Appeals for the Western District issued a slip opinion in *Allright Properties, Inc. v. Tax Increment Financing Commission of Kansas City*, No. WD68406 (Mo. App. W.D. December 18, 2007). It must be noted that this slip opinion is subject to revision and may

not reflect the final opinion adopted by the court. However, the slip opinion does raise a concern regarding the protection of private property in Missouri.

The court's opinion deals with Section 523.274(1) RSMo Supp. 2006. The exact section, 523.274, specifically deals with the ability of condemning authorities to take unblighted homes for redevelopment purposes. While unblighted parcels of land can still be taken through eminent domain for redevelopment purposes in Missouri even after House Bill 1944, the law did give increased protection to parcels of land not found to be blighted. If the opinion becomes final, the court's ruling may act to significantly decrease this protection.

Section 523.274 requires condemning authorities to consider each parcel of property in the defined area with regard to whether the property meets the relevant statutory definition of blight. If the condemning authority finds a preponderance of the defined redevelopment area is blighted, it may proceed with the condemnation of any parcels in such area. The court interpreted this section as requiring the condemning authority to only consider each parcel without requiring the condemning authority to come to any conclusion about each specific parcel. The court also explicitly sets out the formula for calculating whether a "preponderance" of the redevelopment area is blighted by measuring total square footage of blight in a

redevelopment area and comparing it to the square footage of land that is not found to be blighted.

Many parcels of land that are deemed blighted are of significant square footage. Some examples are parking lots, industrial facilities, or wooded areas. Before the court's ruling, these parcels were weighted equally with homes and small businesses. If the above mentioned ruling becomes the final opinion of the court, the weight of these parcels will be determined in square footage. Because of the potential discrepancy of square footage between the average neighborhood lot and the larger blighted lots in the area, the ratio of unblighted homes and small businesses that can be taken for each larger parcel of blighted property may increase dramatically if the court's opinion becomes final.

Since this ruling came so late in the calendar year, and because it has yet to become an official final opinion of the court, any ramifications coming as a result of the opinion have yet to be realized. However, it is likely to become an issue that may need clarification in the upcoming legislative session.

Activity of the Office of the Ombudsman for Property Rights in 2007

In prioritizing our efforts in organizing this office, there were many factors taken into consideration. The quality of the information available to Missourians concerning their property rights was and will continue to be the factor given the most weight in any decision made concerning the efforts of this office.

The second most prevalent concern is raising the profile of the office in order to reach as many Missourians as possible. House Bill 1944 requires condemning authorities to provide the owners of record of the properties to be acquired by eminent domain with contact information for the Office of the Ombudsman for Property Rights. However, the use of eminent domain begins long before the official letter of intent to acquire property is sent to property owners. Property owners need to be cognizant of their rights before a condemnation notice is issued. This office must continue to work to be included in the public discourse anytime property rights are the topic of discussion. The actions taken in 2007 to reach out to as many Missourians as possible, as quickly as possible, are described below, each followed by the goals for the office for calendar year 2008.

A. Official Website

Missourians dealing with eminent domain are encouraged to contact this office as early in the eminent domain process as possible. In order to best provide information regarding the eminent domain process there has to be a resource that allows Missourians to easily access as much information as possible, as quickly as possible. This resource also has to be available without the constraints of normal business hours since most working Missourians can not take time out of their workdays to deal with personal matters. In the current internet age this is best accomplished through a website devoted entirely to the eminent domain process in Missouri.

This Office of the Ombudsman for Property Rights, with the assistance Department of Economic Development, developed the website www.eminentdomain.mo.gov to provide Missourians with extensive information regarding Missouri eminent domain law. The website includes the full text of House Bill 1944 along with links to the codification of the law as Chapter 523 of the Registered Statutes of Missouri. There is also a “frequently asked questions” portion of the site that is a compilation of the questions most often asked by Missourians facing the use of eminent domain. Missourians visiting the site can also find contact information for

the office as well as a “legislator lookup” tool that allows them to easily access the contact information for their respective legislators.

The website is designed to be easily updated in order to better serve the needs of Missourians as time goes on. In the next year I hope to further develop the site to provide a more interactive experience to individuals facing specific issues within the purview of eminent domain law. I plan to schedule an extensive round of town hall meetings across Missouri to discuss property rights with citizens before they are faced with the use of eminent domain. I hope to include a full schedule of these meetings on the site in early 2008. The site will continually improve as I am able to gather more suggestions from Missourians using this resource.

B. Toll-Free Contact Availability

Even in the internet age, the most frequent contact with this office is still via telephone. With this in mind, the Office of Public Counsel developed a toll-free contact number allowing Missourians to call one number to avail themselves to all services offered by the Public Counsel. The Office of the Ombudsman for Property Rights is included within these services. Missourians can now call (866) 922-2959 to contact, free of charge, the Office of Public Counsel and, in turn, the Office of the Ombudsman for Property Rights.

C. Outreach: Town Hall Meetings

In a little over four months I have been able to meet with around one thousand Missourians on a face to face level. For the most part, this has been accomplished by the use of town hall meetings throughout the state. The office has worked with community groups to provide a forum for Missourians to voice their concerns about property rights issues in both their specific geographic areas and across the state. Attendance at these meetings has ranged from 20 to 150 concerned citizens. Many of these meetings have included representatives from both the executive and legislative branches of government. The reaction to these meetings has been very positive and I hope to significantly increase the frequency of these forums in the next year.

D. Outreach: Additional Electronic Resources

The office is currently working with the Department of Economic Development to develop a monthly newsletter and a correlating “podcast” to give Missourians another resource to gain knowledge of eminent domain law. Each newsletter and “podcast” will include current updates in Missouri eminent domain law and will focus on specific aspects of the eminent domain process. The newsletter and the “podcast” will be available on the official website of the office and the first editions are planned to be ready for publication in March.

E. Outreach: Institutions of Higher Learning

Property rights should be an important aspect of the educational experience of undergraduate students as they prepare to be the future leaders of Missouri. Today's undergraduate students will be tomorrow's property owners, small business owners, farmers, political leaders, or any combination of the three. Undergraduate students need to achieve a basic level of competence of the eminent domain process and need to understand the effect that it may have on their communities. As the outreach activities of this office increase in the future, so will the efforts of this office to better collaborate with institutions of higher learning in educating young Missourians on the role that property rights have in the prosperity of their communities.

I have met with a number of professors and other leaders of academic institutions across the state to discuss how this office can help to facilitate a more thorough inclusion of property rights into the educational discourse on undergraduate campuses. Several debates, presentations, panel discussions, and round table discussions are in the planning process for early 2008. I look forward to meeting with more educational administrators in the near future and I hope to schedule additional on-campus events when students return to class in the fall. If successful, these events have the potential to become

annual staples of the academic calendar giving this office a platform to reach young Missourians far into the future, regardless of who holds the office of ombudsman.

Conclusion

Organizing a government office is a great task in the best of circumstances. The Missouri Office of the Ombudsman for Property Rights is one of only three similar statewide offices in the country. This afforded few successful templates on which to base the activities and services of this office. Even with such few examples on which to base the office, the remarkable combined efforts of the Office of Governor Matt Blunt, the Office of Public Counsel, and the Department of Economic Development have allowed this office, in less than five months, to reach thousands of Missourians facing the use of eminent domain.

There is much work to be done in the coming year and I look forward to the challenge of providing more efficient service to Missourians facing eminent domain issues and to further assisting Missourians fighting the abuse of eminent domain. I also look forward to working with legislators from across the state to ensure increased property rights protection for all Missourians.

Addendum to the Report of the Ombudsman for Property Rights

Included below is the official annual report, compiled by the Office of State Courts Administrator. The specific table included, Table 36, is the relevant section of the report dealing with condemnation filings for Fiscal Year 2007. The official styling of the report is the Missouri Judiciary Report, Annual Report-Supplement; Table 36.

Table 36
Circuit Court, FY 2007
Real Estate Cases Filed by Case Type

| Cir. No. | County | Application-Enforce | | | | | | | | | | | | | Total Cases Filed |
|----------|------------------|---------------------|-----------|----------------------------|-------|-----------|--------------|-----------|-------------|---------------------|-------------------|--------------------|-----------|------------|-------------------|
| | | Mechanic's Lien | Excepions | Emn. Domain/Condemn./State | Other | Exception | Fore-Closure | Partition | Quiet Title | Rent and Possession | Unlawful Detainer | Landlord Complaint | JIS Other | SWBS Other | |
| 1 | Clark | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 2 |
| | Schuyler | 0 | 0 | 33 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 0 | 35 |
| | Scotland | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 2 |
| | Circuit Total | 0 | 0 | 33 | 0 | 0 | 0 | 3 | 1 | 0 | 0 | 0 | 3 | 0 | 40 |
| 2 | Adair | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 0 | 4 |
| | Knox | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 2 | 0 | 5 |
| | Lewis | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 2 | 0 | 3 |
| | Circuit Total | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 2 | 1 | 1 | 0 | 5 | 0 | 12 |
| 3 | Grundy | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 3 |
| | Harrison | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| | Mercer | 0 | 0 | 0 | 0 | 4 | 0 | 2 | 0 | 0 | 0 | 1 | 0 | 0 | 7 |
| | Putnam | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 2 |
| | Circuit Total | 2 | 0 | 0 | 0 | 4 | 0 | 3 | 0 | 1 | 0 | 3 | 0 | 0 | 13 |
| 4 | Atchison | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 0 | 3 |
| | Gentry | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 3 |
| | Hot | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| | Nodaway | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| | Worth | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 3 |
| | Circuit Total | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 5 | 0 | 0 | 0 | 3 | 0 | 9 |
| 5 | Andrew | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 4 |
| | Buchanan | 0 | 0 | 1 | 2 | 0 | 1 | 23 | 0 | 0 | 0 | 0 | 0 | 0 | 29 |
| | Circuit Total | 0 | 0 | 1 | 2 | 0 | 1 | 27 | 0 | 0 | 0 | 0 | 0 | 0 | 33 |
| 6 | Platte | 2 | 2 | 3 | 2 | 5 | 3 | 12 | 2 | 1 | 1 | 8 | 0 | 0 | 47 |
| | Circuit Total | 8 | 2 | 3 | 2 | 5 | 3 | 12 | 2 | 1 | 1 | 8 | 0 | 0 | 47 |
| 7 | Clay | 18 | 0 | 9 | 2 | 4 | 11 | 4 | 1 | 1 | 1 | 13 | 0 | 0 | 65 |
| | Circuit Total | 18 | 0 | 9 | 2 | 2 | 4 | 11 | 4 | 1 | 1 | 13 | 0 | 0 | 65 |
| 8 | Carroll | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| | Ray | 3 | 0 | 1 | 0 | 2 | 1 | 2 | 0 | 0 | 0 | 1 | 0 | 0 | 10 |
| | Circuit Total | 3 | 0 | 1 | 0 | 2 | 2 | 2 | 0 | 0 | 0 | 1 | 0 | 0 | 11 |
| 9 | Chariton | 0 | 1 | 1 | 0 | 0 | 2 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 8 |
| | Linn | 0 | 0 | 0 | 1 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 4 |
| | Sullivan | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 5 |
| | Circuit Total | 0 | 1 | 1 | 1 | 0 | 5 | 7 | 0 | 0 | 0 | 3 | 0 | 0 | 18 |
| 10 | Manon | 0 | 2 | 2 | 5 | 0 | 2 | 1 | 0 | 1 | 0 | 2 | 0 | 0 | 15 |
| | Monroe | 0 | 0 | 0 | 7 | 1 | 1 | 3 | 0 | 0 | 0 | 1 | 0 | 0 | 13 |
| | Ralls | 0 | 0 | 0 | 0 | 0 | 2 | 3 | 0 | 1 | 0 | 2 | 0 | 0 | 8 |
| | Circuit Total | 0 | 2 | 2 | 12 | 1 | 5 | 7 | 0 | 2 | 0 | 5 | 0 | 0 | 36 |
| 11 | St. Charles | 6 | 6 | 10 | 25 | 18 | 9 | 20 | 1 | 1 | 1 | 16 | 0 | 0 | 113 |
| | Circuit Total | 6 | 6 | 10 | 25 | 18 | 9 | 20 | 1 | 1 | 1 | 16 | 0 | 0 | 113 |
| 12 | Audrain | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 1 | 0 | 0 | 0 | 0 | 5 |
| | Montgomery | 0 | 0 | 0 | 0 | 0 | 1 | 3 | 0 | 0 | 0 | 1 | 0 | 0 | 4 |
| | Warren | 3 | 0 | 0 | 0 | 1 | 0 | 7 | 0 | 0 | 0 | 5 | 0 | 0 | 16 |
| | Circuit Total | 3 | 0 | 0 | 0 | 1 | 1 | 14 | 0 | 1 | 0 | 6 | 0 | 0 | 26 |
| 13 | Boone | 7 | 0 | 35 | 7 | 1 | 0 | 3 | 6 | 3 | 0 | 15 | 0 | 0 | 77 |
| | Calaway | 1 | 0 | 1 | 0 | 0 | 5 | 3 | 0 | 0 | 0 | 2 | 0 | 0 | 12 |
| | Circuit Total | 8 | 0 | 36 | 7 | 1 | 5 | 6 | 6 | 3 | 0 | 17 | 0 | 0 | 89 |
| 14 | Howard | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 4 |
| | Randolph | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 4 |
| | Circuit Total | 0 | 0 | 1 | 0 | 0 | 2 | 2 | 1 | 0 | 0 | 2 | 0 | 0 | 8 |
| 15 | Lafayette | 3 | 0 | 0 | 0 | 0 | 3 | 4 | 0 | 1 | 0 | 2 | 0 | 0 | 13 |
| | Saline | 1 | 0 | 0 | 0 | 0 | 4 | 4 | 0 | 0 | 0 | 1 | 0 | 0 | 10 |
| | Circuit Total | 4 | 0 | 0 | 0 | 0 | 7 | 8 | 0 | 1 | 0 | 3 | 0 | 0 | 23 |
| 16 | Jackson | 40 | 3 | 22 | 10 | 36 | 9 | 95 | 3 | 0 | 0 | 94 | 0 | 0 | 312 |
| | Circuit Total | 40 | 3 | 22 | 10 | 36 | 9 | 95 | 3 | 0 | 0 | 94 | 0 | 0 | 312 |
| 17 | Cass | 15 | 0 | 1 | 0 | 1 | 1 | 11 | 1 | 13 | 9 | 6 | 0 | 0 | 58 |
| | Johnson | 3 | 1 | 2 | 0 | 1 | 3 | 6 | 88 | 57 | 3 | 1 | 0 | 0 | 165 |
| | Circuit Total | 18 | 1 | 3 | 0 | 2 | 4 | 17 | 89 | 70 | 12 | 7 | 0 | 0 | 223 |
| 18 | Cooper | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| | Pettis | 0 | 1 | 0 | 0 | 0 | 2 | 3 | 0 | 1 | 0 | 3 | 0 | 0 | 10 |
| | Circuit Total | 0 | 1 | 0 | 0 | 0 | 3 | 3 | 0 | 1 | 0 | 3 | 0 | 0 | 11 |
| 19 | Cole | 5 | 2 | 3 | 2 | 1 | 3 | 3 | 1 | 0 | 0 | 7 | 0 | 0 | 27 |
| | Circuit Total | 5 | 2 | 3 | 2 | 1 | 3 | 3 | 1 | 0 | 0 | 7 | 0 | 0 | 27 |
| 20 | Franklin | 2 | 0 | 6 | 0 | 9 | 16 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 42 |
| | Gasconade | 0 | 0 | 0 | 0 | 1 | 2 | 7 | 0 | 0 | 0 | 2 | 0 | 0 | 12 |
| | Osage | 0 | 0 | 4 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6 |
| | Circuit Total | 8 | 0 | 4 | 7 | 1 | 12 | 23 | 0 | 0 | 0 | 3 | 0 | 0 | 60 |
| 21 | St. Louis County | 57 | 11 | 26 | 61 | 64 | 24 | - | 178 | - | - | 63 | 0 | 0 | 484 |
| | Circuit Total | 57 | 11 | 26 | 61 | 64 | 24 | - | 178 | - | - | 63 | 0 | 0 | 484 |
| 22 | St. Louis City | 47 | 2 | 8 | 8 | 31 | 13 | 81 | 0 | 0 | 0 | 18 | 0 | 0 | 208 |
| | Circuit Total | 47 | 2 | 8 | 8 | 31 | 13 | 81 | 0 | 0 | 0 | 18 | 0 | 0 | 208 |
| 23 | Jefferson | 11 | 5 | 11 | 14 | 3 | 13 | 54 | 0 | 2 | 0 | 22 | 0 | 0 | 136 |
| | Circuit Total | 11 | 5 | 11 | 14 | 3 | 13 | 54 | 0 | 2 | 0 | 22 | 0 | 0 | 136 |
| 24 | Madison | 1 | 0 | 0 | 0 | 0 | 1 | 3 | 0 | 0 | 0 | 4 | 0 | 0 | 9 |
| | St. Francois | 0 | 0 | 0 | 0 | 0 | 8 | 22 | 1 | 1 | 0 | 1 | 0 | 0 | 33 |
| | Ste. Genevieve | 0 | 0 | 0 | 1 | 0 | 0 | 5 | 0 | 0 | 0 | 2 | 0 | 0 | 9 |
| | Washington | 0 | 0 | 0 | 0 | 0 | 0 | 17 | 0 | 4 | 0 | 11 | 0 | 0 | 32 |
| | Circuit Total | 1 | 0 | 0 | 1 | 0 | 9 | 48 | 1 | 5 | 0 | 18 | 0 | 0 | 83 |

Table 36
Circuit Court, FY 2007
Real Estate Cases Filed by Case Type

| Cir. No. | County | Application-Enforce | | | | | | | | | | | Total Cases Filed | | | |
|----------|----------------|---------------------|------------|------------------------|-----|-----------|--------------|-----------|-------------|---------------------|-------------------|--------------------|-------------------|-----------|-------------|-------|
| | | Mechanic's Lien | Exceptions | Emin. Domain/Condemn./ | | Exception | Fore Closure | Partition | Quiet Title | Rent and Possession | Unlawful Detainer | Landlord Complaint | | JIS Other | SWJIS Other | |
| 25 | Mane | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 2 |
| | Phelps | 0 | 2 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 2 |
| | Pulaski | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 1 | 7 | 14 |
| | Texas | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 7 | 4 | 13 |
| | Circuit Total | 1 | 2 | 0 | 1 | 0 | 0 | 1 | 3 | 0 | 0 | 0 | 0 | 2 | 13 | 16 |
| 26 | Camden | 8 | 0 | 2 | 1 | 0 | 0 | 1 | 2 | 0 | 4 | 0 | 0 | 10 | 26 | 45 |
| | Laclede | 1 | 0 | 0 | 1 | 0 | 0 | 21 | 2 | 27 | 0 | 0 | 21 | 0 | 86 | 86 |
| | Miller | 3 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 12 | 0 | 0 | 4 | 0 | 13 | 13 |
| | Monroeville | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 22 | 22 |
| | Morgan | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 3 | 3 |
| | Circuit Total | 12 | 0 | 3 | 2 | 0 | 0 | 27 | 3 | 59 | 0 | 4 | 33 | 0 | 19 | 143 |
| 27 | Bates | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 4 | 0 | 0 | 0 | 0 | 0 | 6 | 6 |
| | Henry | 0 | 0 | 1 | 0 | 0 | 0 | 4 | 2 | 0 | 0 | 0 | 0 | 0 | 10 | 10 |
| | St. Clair | 1 | 0 | 0 | 0 | 1 | 0 | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 7 | 7 |
| | Circuit Total | 1 | 0 | 1 | 0 | 1 | 0 | 7 | 9 | 0 | 0 | 0 | 0 | 0 | 23 | 23 |
| 28 | Barton | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 4 | 4 |
| | Cedar | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 2 | 2 |
| | Dade | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 6 | 6 |
| | Vernon | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 6 | 6 |
| | Circuit Total | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 16 | 16 |
| 29 | Jasper | 6 | 0 | 4 | 1 | 3 | 6 | 18 | 2 | 0 | 0 | 0 | 8 | 0 | 48 | 48 |
| | Circuit Total | 6 | 0 | 4 | 1 | 3 | 6 | 18 | 2 | 0 | 0 | 0 | 8 | 0 | 48 | 48 |
| 30 | Benton | 7 | 0 | 0 | 0 | 0 | 0 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 11 | 11 |
| | Dallas | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 4 |
| | Hickory | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 4 | 4 |
| | Polk | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 |
| | Webster | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 5 | 1 | 0 | 0 | 0 | 2 | 11 | 11 |
| | Circuit Total | 8 | 0 | 2 | 0 | 0 | 0 | 24 | 1 | 1 | 0 | 0 | 0 | 0 | 16 | 25 |
| 31 | Greene | 3 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 16 | 25 |
| | Circuit Total | 3 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 16 | 25 |
| 32 | Bolinger | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 0 | 0 | 1 | 0 | 0 | 0 | 7 | 7 |
| | Cape Girardeau | 2 | 0 | 0 | 0 | 2 | 0 | 5 | 1 | 2 | 0 | 0 | 0 | 0 | 30 | 30 |
| | Perry | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 4 |
| | Circuit Total | 2 | 0 | 5 | 0 | 2 | 0 | 8 | 5 | 1 | 3 | 3 | 12 | 0 | 41 | 41 |
| 33 | Mississippi | 1 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 4 | 4 |
| | Scott | 0 | 0 | 1 | 0 | 1 | 0 | 4 | 6 | 1 | 1 | 0 | 0 | 7 | 21 | 21 |
| | Circuit Total | 1 | 0 | 1 | 0 | 1 | 0 | 6 | 7 | 1 | 1 | 0 | 7 | 0 | 25 | 25 |
| 34 | New Madrid | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 1 | 4 | 4 |
| | Permeo | 0 | 0 | 1 | 0 | 2 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 6 | 6 |
| | Circuit Total | 0 | 0 | 1 | 0 | 2 | 1 | 2 | 3 | 0 | 0 | 0 | 2 | 0 | 10 | 10 |
| 35 | Dunklin | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 6 | 0 | 0 | 0 | 0 | 0 | 8 | 8 |
| | Stoddard | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 2 | 0 | 0 | 0 | 0 | 0 | 12 | 12 |
| | Circuit Total | 0 | 0 | 0 | 0 | 0 | 1 | 6 | 8 | 0 | 0 | 0 | 0 | 0 | 14 | 14 |
| 36 | Butler | 1 | 0 | 1 | 1 | 0 | 0 | 3 | 9 | 0 | 1 | 0 | 3 | 0 | 19 | 19 |
| | Ripley | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 5 | 0 | 0 | 0 | 4 | 0 | 11 | 11 |
| | Circuit Total | 1 | 0 | 1 | 1 | 0 | 0 | 5 | 14 | 0 | 1 | 0 | 7 | 0 | 30 | 30 |
| 37 | Carter | 0 | 0 | 1 | 0 | 5 | 0 | 1 | 0 | 0 | 0 | 0 | 4 | 0 | 11 | 11 |
| | Howell | 1 | 0 | 0 | 1 | 2 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 13 | 13 |
| | Oregon | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 6 | 6 |
| | Shannon | 2 | 0 | 1 | 0 | 5 | 0 | 1 | 4 | 0 | 0 | 0 | 3 | 0 | 16 | 16 |
| | Circuit Total | 3 | 0 | 2 | 1 | 12 | 1 | 1 | 11 | 0 | 0 | 0 | 21 | 0 | 52 | 52 |
| 38 | Christian | 7 | 0 | 0 | 0 | 0 | 2 | 1 | 6 | 0 | 0 | 0 | 2 | 0 | 22 | 22 |
| | Taney | 11 | 0 | 3 | 4 | 3 | 5 | 41 | 5 | 3 | 0 | 0 | 13 | 0 | 88 | 88 |
| | Circuit Total | 18 | 0 | 3 | 4 | 5 | 6 | 50 | 5 | 4 | 0 | 0 | 15 | 0 | 110 | 110 |
| 39 | Barry | 0 | 0 | 0 | 0 | 1 | 6 | 11 | 0 | 0 | 0 | 0 | 15 | 0 | 36 | 36 |
| | Lawrence | 1 | 0 | 0 | 0 | 1 | 0 | 18 | 0 | 0 | 0 | 0 | 1 | 0 | 22 | 22 |
| | Stone | 6 | 0 | 0 | 0 | 2 | 2 | 34 | 0 | 1 | 0 | 0 | 16 | 0 | 61 | 61 |
| | Circuit Total | 7 | 0 | 0 | 1 | 3 | 9 | 63 | 0 | 4 | 0 | 0 | 32 | 0 | 119 | 119 |
| 40 | McDonald | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 8 | 0 | 1 | 0 | 0 | 0 | 17 | 17 |
| | Newton | 2 | 0 | 1 | 0 | 1 | 1 | 5 | 2 | 0 | 0 | 0 | 8 | 0 | 25 | 25 |
| | Circuit Total | 3 | 0 | 1 | 0 | 1 | 1 | 6 | 10 | 0 | 1 | 0 | 8 | 0 | 43 | 43 |
| 41 | Macon | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 16 | 16 |
| | Shelby | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 8 | 8 |
| | Circuit Total | 0 | 0 | 4 | 0 | 7 | 0 | 0 | 10 | 0 | 0 | 0 | 0 | 0 | 24 | 24 |
| 42 | Crawford | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 5 | 0 | 1 | 0 | 3 | 0 | 10 | 10 |
| | Dent | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 0 | 0 | 0 | 3 | 0 | 6 | 6 |
| | Iron | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 3 | 0 | 5 | 5 |
| | Reynolds | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 2 |
| | Wayne | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 12 | 0 | 0 | 0 | 1 | 0 | 15 | 15 |
| | Circuit Total | 0 | 0 | 1 | 0 | 0 | 0 | 5 | 21 | 0 | 1 | 0 | 9 | 0 | 37 | 37 |
| 43 | Caldwell | 1 | 0 | 0 | 3 | 0 | 1 | 1 | 0 | 0 | 2 | 0 | 0 | 0 | 8 | 8 |
| | Clinton | 3 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 7 | 7 |
| | Davess | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 5 | 0 | 0 | 0 | 2 | 0 | 7 | 7 |
| | DeKalb | 0 | 0 | 2 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 3 |
| | Livingston | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 3 | 3 |
| | Circuit Total | 4 | 0 | 5 | 0 | 0 | 2 | 4 | 10 | 0 | 2 | 0 | 0 | 0 | 30 | 30 |
| 44 | Douglas | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 3 | 0 | 7 | 7 |
| | Ozark | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 8 | 0 | 0 | 0 | 0 | 0 | 14 | 14 |
| | Wright | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 3 | 0 | 9 | 9 |
| | Circuit Total | 1 | 0 | 1 | 0 | 0 | 0 | 4 | 15 | 0 | 0 | 0 | 3 | 0 | 30 | 30 |
| 45 | Lincoln | 6 | 0 | 0 | 0 | 0 | 0 | 3 | 10 | 0 | 0 | 0 | 3 | 0 | 22 | 22 |
| | Pike | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 5 | 1 | 0 | 0 | 4 | 0 | 12 | 12 |
| | Circuit Total | 7 | 0 | 0 | 0 | 0 | 0 | 4 | 15 | 1 | 0 | 0 | 7 | 0 | 34 | 34 |
| | STATE TOTAL | 317 | 8 | 93 | 160 | 184 | 218 | 225 | 819 | 298 | 115 | 20 | 546 | 42 | 3,045 | 3,045 |

* Case type is unique to the Justice Information System (JIS). This court does not use JIS.
 * Case type is unique to the Statewide Judicial Information System (SWJIS). This court does not report to SWJIS.
 Note: Counties with data in all case types were using both systems during the fiscal year.

