



# Judge's Report to the Presiding Circuit Judge of Compliance with Minimum Operating Standards for Municipal Division Having Cases Heard by an Associate Circuit Judge

Associate Circuit Judge:	County:
By September 1 of each year, every Associate Circuit Judge presiding over municipal cases shall certify to the Presiding Circuit Judge of the County compliance with the Minimum Operating Standards.	
Municipal Divisions Heard: Served	
Address where municipal division is held:	
Dates and times where municipal division is held:	
Associate Division phone number:	
Judge Contact Number:	
Judge E-mail:	
Clerk E-mail:	
<p>I, _____, certify that this court complies with the following minimum operating standards together with all other minimum operating standards as approved by the Supreme Court of Missouri:</p> <p><input type="checkbox"/> Warrants are signed by the judge or by a clerk of the court when directed by the judge for a specific warrant. Rule 37.45</p> <p><input type="checkbox"/> Judge complies with Rule 37.47: Initial Proceedings before the Judge, including:</p> <ul style="list-style-type: none"><li>○ Arraignment as soon as practicable if defendant has not satisfied conditions for release.</li><li>○ Judge shall inform the defendant of the:<ul style="list-style-type: none"><li>▪ Ordinance violation charged,</li><li>▪ Right to retain counsel,</li><li>▪ Right to request the appointment of counsel if defendant is indigent and there is a possibility of a jail sentence,</li><li>▪ Right to remain silent, and</li><li>▪ Fact that anything that the defendant says may be used against him or her.</li></ul></li></ul> <p><input type="checkbox"/> Judge complies with Rule 37.48: Arraignment</p> <ul style="list-style-type: none"><li>○ Arraignment shall be conducted in open court.</li><li>○ Judge reads the information to the defendant or states the substance of the charge.</li><li>○ Municipal division calls upon the defendant to plead thereto.</li><li>○ Defendant shall be afforded a reasonable time to examine the charge before the defendant is called upon to plead.</li></ul>	

- ☐ Judge complies with Rule 37.50: Right to Counsel
- If conviction for an ordinance violation could result in confinement, the judge advises the defendant of the right to counsel and willingness of the judge to appoint counsel to represent the defendant.
  - Upon a showing of indigency, judge appoints counsel to represent the defendant.
  - Judge allows the defendant to proceed without counsel if the judge finds that the defendant has knowingly, voluntarily, and intelligently waived the right to counsel.
  - If it appears during the proceedings that because of the gravity of the ordinance violation charged and other circumstances that failure to appoint counsel may result in injustice, the judge then appoints counsel. Judge gives said counsel reasonable time to prepare.
- ☐ Choose one of the following:
- ☐ The municipal division allows payments online and makes available free, online access to information about pending cases, outstanding warrants, and scheduled municipal division dockets. The municipal division website is <https://www2.courts.mo.gov/casenet/base/welcome.do>. (NOTE: This is the Missouri Judiciary Case-Net site. Additional information about our court is available within the Missouri Judiciary web site through the "Find a Court" function under the "Local Courts" tab, at: <http://www.courts.mo.gov/mcw/findacourt/getCountyCourtData.htm>.)
- OR
- ☐ The municipal division is actively pursuing court automation for compliance with payments online and making free, online access to information about pending cases, outstanding warrants, and schedule municipal division dockets is scheduled to be in place by \_\_\_\_\_ (estimated date).
- ☐ Courtroom facility is sufficient for the purpose of a courtroom.
- Courtroom is open to the public of all ages and large enough to reasonably accommodate the public, parties, and attorneys.
  - The facility chosen for the municipal division takes into consideration the safety and comfort of the public, parties, and lawyers.
  - The facilities chosen shall uphold the integrity and independence of the judiciary as a separate branch of government.
- ☐ Following applicable law, the judge relinquishes jurisdiction over a case when a motion to disqualify, motion for jury trial, or motion for trial de novo is filed.
- ☐ If applicable, when a case is transferred to circuit court, the transfer occurs within 15 days.
- ☐ Judge has read the Supreme Court's "Minimum Operating Standards for Municipal Divisions and Municipal Division Judges – Annual Certification Requirement" and substantially complies with the remaining minimum operating standards.
- ☐ Judge has attached to this certification the following:
- Semiannual disposition report of intoxication-related traffic offenses provided to the circuit court *en banc*,
  - Substantial compliance certification with section 479.360.1(1-10), RSMo., and
  - CLE compliance forms.

**I hereby certify that my municipal division has complied with the above minimum operating standards terms.**

\_\_\_\_\_

Date

\_\_\_\_\_

Signature