TABLE OF CONTENTS
ADMINISTRATION

1. Divisions of Court
2. Hours and Terms of Court
   - 2.1 Hours of Court
   - 2.2 Terms of Court
   - 2.3 Law Days
   - 2.4 Particular Matters on Particular Days
3. Pleadings
   - 3.1 Caption
   - 3.2 Style
4. Filing of Cases
   - 4.1 Criminal Cases
   - 4.2 Civil Cases
   - 4.3 Probate Cases
   - 4.4 Juvenile Cases
   - 4.5 Small Claims Cases
   - 4.6 Municipal Cases
   - 4.7 Facsimile Filing and Service
   - 4.8 Special Process Servers
   - 4.9 Party Information Sheet
5. Fees and Costs
   - 5.1 Filing Fee and Costs Deposit
   - 5.2 Costs
   - 5.3 Witness Fees
   - 5.4 Waiver of Fees
   - 5.5 Motion for Security
   - 5.6 Time Payment Fee Fund
   - 5.7 Law Enforcement Restitution Fund
6. Assignment of Judges, Cases, and Transfer of Cases
   - 6.1 Assignment to Associate Circuit Judge
   - 6.2 Assignment to Circuit Judge
   - 6.3 Certification to Circuit Division
   - 6.4 Trial de Novo
   - 6.5 Disqualification of Judge
   - 6.6 Absence of Judge
   - 6.7 Absence of Presiding Judge
7. Withdrawals of Papers from Clerk’s Office
   - 7.1 When Allowed
   - 7.2 Duplicating Policy
8. Publication of Dockets
   - 8.1 Trial Docket
   - 8.2 Dismissal Docket

9. Courtrooms
   9.1 Assignment of Courtroom
   9.2 Place of Hearing
   9.3 Use of Counsel Table
   9.4 Courtroom Decorum and Dress
   9.5 Who is Permitted Within Bar
10. Court Reporters and Compensation for Same
11. Recording of Judicial Proceedings
   11.1 Transcripts
12. Monies Paid into Court
   12.1 Bond in Civil Cases
13. Communication with Court
   13.1 Oral Communications with the Court
   13.2 Written Communication with the Court

GENERAL RULES

21. Attorneys
   21.1 Resolution of Conflicting Trial Settings
   21.2 Entries of Appearance
   21.3 Conduct of Attorneys
   21.4 Withdrawal of Attorneys
   21.5 Failure of Attorney to Answer Docket Call
   21.6 Appointment of Attorneys
   21.7 Agreement of Attorneys
   21.8 Advice to Clients and Witnesses of Courtroom Procedures
22. Appointment of Guardian ad Litem
23. Transcripts
24. Exhibits

PRE-TRIAL MATTERS

32. Discovery
   32.1 Use of Discovery and Certification to Circuit Division
   32.2 Interrogatories
   32.3 Depositions
   32.4 Motion for Sanctions
   32.5 Criminal Discovery
33. Pre-trial Motions
   33.1 Hearing Dates
   33.2 Briefs in Support of Motions, When Required

33.3 Oral Arguments – When Desired and How Requested
33.4 Motions in Limine
34. Continuances
34.1 Civil Cases
34.2 Criminal Cases
35. Case Management Conference
36. Setting Cases for Trial
36.1 Request for Trial
36.2 Date of Calendar Call
36.3 Preparation of Calendar
36.4 Calendar Call
36.5 Removal and Inactive Calendar
36.6 Revision of and Removal from Prepared Calendar
36.7 Special Assignments
37. Dismissals
37.1 Dismissal Docket
37.2 Reinstatement of Cause

SETTLEMENT AND DEFAULT

41. Settlement
41.1 Notice of Settlement
42. Default

TRIALS

51. Court-Tried Cases
51.1 Default and Uncontested Matters
51.2 Contested Matters
51.3 Preparation of Findings of Fact and Conclusions of Law
52. Selection of Jury
52.1 Jury Questionnaires
53. Jury Trials
53.1 Instructions
53.2 Closing Arguments
54. Judgment Entry
54.1 Contested Cases
54.2 Default or Uncontested Cases

RULES RELATING TO PARTICULAR ACTIONS

60. Child Custody or Placement
    61. Adoption
        61.1 Filing Requirements
        61.2 Home Study
    62. Drivers' Cases
        62.1 Application for Hardship Driving Privileges
        62.2 Petitions of Review
        62.3 Breathalyzer Test
    63. Associate Division Cases
    64. Cases Arising under Chapter 207 and 208, RSMo. 1978
        (Commonly Know as Title IV-D and H.B. 601 Actions)
    65. Civil Commitment
    66. Condemnation
    67. Criminal Cases
        67.1 Pre-trial Release
        67.2 Preliminary Hearing
        67.3 Grand Jury
        67.4 Attorneys
        67.5 Arraignments
        67.6 Discovery
        67.7 Motions
        67.8 Plea Bargaining
        67.9 Guilty Plea
        67.10 Calendar
        67.11 Probation and Parole
    68. Family Law
        68.1 Filing Requirements
        68.2 Family Law Interim Order
        68.3 Contested Cases
        68.4 Filing of Financial Statements
            68.4.1 Required Document Production in Family Law Cases
        68.5 Pre-Trial Conference
        68.6 Required Education Programs
        68.7 Court Order Mediation
        68.8 Parenting Plan
        68.9 Family Access Motion
        68.10 Alternative Dispute Resolution Program
            68.10.1 Alternative Dispute Resolution Specialist
            68.10.2 Mediator Responsibilities
            68.10.3 Termination of Mediation

68.10.4 ADR Program Costs
68.11 Failure to Comply with Rule
68.12 Entry of Judgment Upon Affidavit Requirements
69. Municipal Division
70. Partition
71. Administrative Reviews
72. Probate
73. Small Claims
74. Trust Estates
74.1 Inventory
74.2 Reports
74.3 Record
74.4 Audit

POST-TRIAL

81. Execution
82. Garnishment
83. Judicial Sales

INTERNAL ORGANIZATION

100.
100.1 Presiding Judge
100.2 Local Court Rules
100.3 Library Fund

RECORDS AND FILES

100.4 Storage of Records
100.4.1 Reproduction, Preservation, Archival Storage and Disposal of Original Circuit Court Files (and Their Contents)
100.4.2 Reproduction and Preservation of Court Records Other than Files (and Their Contents)
100.4.3 Responsibility for Indexing and Preserving Court Reporter Notes
100.4.4 Identification of Reporter's Notes
100.4.5 Index
100.4.6 Storage of Notes
100.4.7 Notes of Substitute Reporters

100.4.8 Storage of Notes upon Retirement, Termination or Death of Court Reporter
100.4.9 Boxing and Storing of Old Notes
100.4.10 Responsibility for Furnishing Materials and Space for Storage or Court Reporter Notes
100.4.11 Procedure for Examination of Criminal Records
100.4.12 Procedure for Expunging and Closing Criminal Records
100.5 Clerk's Duties
100.5.1 Monies Paid Into Court
100.6 Selection of Veniremen

103. Electronic Filing
103.1 Electronic Filing
103.2 Registration
103.3 Files of the Court
103.4 Format of Electronically Filed Documents
103.5 Electronic Filing with the Court
103.6 Electronic Filing Deadlines
103.7 Verified Documents and Affidavits
103.8 Service
103.9 Notice of Entry of Orders and Judgments
103.10 Issuance of Summons

MISCELLANEOUS RULES

110.1 Supervision Of Probationers

ADMINISTRATION

Rule 1. DIVISIONS OF COURT - No rule.

Rule 2. HOURS AND TERMS OF COURT

2.1 HOURS OF COURT

Court proceeding will commence at 9:00 o'clock a.m. unless otherwise ordered.

2.2 TERMS OF COURT

For purposes of jury selection and tenure there shall be two terms each year—the January term commencing on January 1st and continuing until June 30th; and the July term commencing July 1st and continuing until December 31st. (Effective 1-1-97)

2.3 LAW DAYS

For all other purposes there shall be a monthly term which shall commence on the first "Law Day" of the month, according to the published schedule of the law days published by the Circuit Judge, and continuing until the first such law day of the succeeding month. (Reference, Section 478.205, RSMo.)

2.4 PARTICULAR MATTERS ON PARTICULAR DAYS

The court will publish in advance a schedule of "Law Days" in the various Courts of the circuit for the hearing of motions and oral arguments thereon, ex parte matters uncontested matters and brief hearings and trials, and brief juvenile court hearings. The circuit clerk at the request of any party or of the court will schedule matters to be taken up on law days. Matters likely to require more than one-half hour should not be scheduled for law days except when set by the court.

Rule 3. PLEADINGS

3.1 CAPTION

Pleadings filed in the Circuit Court shall be entitled depending upon the division in which they are heard, "IN THE CIRCUIT COURT OF (stating the appropriated county) COUNTY, MISSOURI, GENERAL DIVISION" (cases filed with the Circuit Clerk, to be heard and determined by circuit judge), "IN THE CIRCUIT COURT OF (stating the appropriated county) COUNTY, MISSOURI, ASSOCIATE DIVISION" (cases filed with the Circuit Clerk, to be heard and determined by the associate circuit judge), "IN THE CIRCUIT COURT OF (stating the appropriated county) COUNTY, MISSOURI, PROBATE DIVISION", "IN THE CIRCUIT COURT OF (stating the appropriate county) COUNTY, MISSOURI, JUVENILE DIVISION", "IN THE CIRCUIT COURT OF (stating the appropriate county) COUNTY, MISSOURI, SMALL CLAIMS DIVISION", "IN THE CIRCUIT COURT OF (stating the appropriated county) COUNTY, MISSOURI, MUNICIPAL DIVISION FOR CITY (town, etc.) OF (stating the appropriate county)". (Effective 07-28-2014)

3.2 STYLE - No rule.(Effective 10-1-87)

Rule 4. FILING OF CASES(See Rule 103)

4.1 CRIMINAL CASES - (No Rule)

4.2 CIVIL CASES - (No Rule)

4.3 PROBATE CASES - (No Rule)

4.4 JUVENILE CASES - (No Rule)

4.5 SMALL CLAIMS CASES - (No Rule)

4.6 MUNICIPAL CASES - (No Rule)

4.7 FACSIMILE FILING AND SERVICE - (Rule rescinded 12-4-2025)

4.8 SPECIAL PROCESS SERVERS
In any case in which a party specifically requests the appointment of a special process server (pursuant to 506.140, RSMo, as amended) to serve process within the State of Missouri, such request may be granted by the Judge, Circuit Clerk, or Deputy Circuit Clerk, which appointment shall be valid only for the case in which such person is specially appointed. Such requests shall state that the person to be appointed is a qualified person to serve process. (Effective 10-1-98)

4.9 PARTY INFORMATION SHEET (Effective 3-1-00)
A completed party information sheet shall accompany all case filings.

Rule 5. FEES AND COSTS

5.1 FILING FEE AND COURT DEPOSIT - (Effective 1-1-92)
GENERAL DIVISION

(1) FILING FEES
The appropriate filing fee shall be paid at the time of filing any petition or other original pleading in the office of circuit clerk. In addition to the filing fee prescribed herein, if any petition filed requires attendance to Parent Education Program (see Rule 68.6) the clerk in whose office the petition is filed shall charge an additional filing fee of $50.00. No clerk shall accept any petition or other

original pleadings unless the filing fee, as aforesaid, has been paid; provided however, this provision shall not apply in cases filed in forma pauperis in compliance with Supreme Court rule or in cases of a type for which the amount of filing fee is specified by statute or Supreme Court rule or other.

A current list of the filing fee required by the Supreme Court or local court rule shall be maintained in the office of the Circuit Clerk and available on the courts website.

(2) COUNTY LAW LIBRARY FEE

(a) In all cases filed in circuit court which require payment of filing fees, the attorney for the party or parties filing the case shall deposit with the clerk a law library fee in the sum of $15.00 in addition to all other deposits required and further provided no law library fees shall be required in cases filed under small claims procedures, applications for trial de novo, and cases filed by the county, state or any city. (Reference 514.470, V.A.M.S.) (Effective 1-1-97)

(b) The circuit clerk of each county is designated treasurer of the law library fund for their respective county. On or before January 31st of each year each treasurer shall file with the presiding circuit judge an itemized, written report of library fee receipts and expenditures for the preceding year and a statement of the library fund balance as of the preceding December 31st.

5.2 COSTS – No rule.

5.3 WITNESS FEES – No rule.

5.4 WAIVER OF FEES – No rule.

5.5 MOTION FOR SECURITY – No rule.

5.6 TIME PAYMENT FEE FUND (Effective 03-04)
The Circuit Clerk of each county is designated as the Treasurer of the Time Payment Fee Fund for their county. The Circuit Clerk will collect the time payment fee pursuant to Section 488.5025 RSMo. The Circuit Clerk of the county

will maintain an ongoing record of receipts and expenditures from the fund, and report the account balance to the Court En Banc annually by the 15th day of December.

The Associate Circuit Judge of each county will allocate the use of the Time Payment Fee Fund. The use and balance in each fund will be reported to the Court En Banc, for ratification, at their last meeting of each year. (Effective 03-05, updated 10-10-08)

5.7 LAW ENFORCEMENT RESTITUTION FUND (Effective 04-30-18)

The Circuit Clerk shall assess a Three Hundred Dollar ($300.00) Law Enforcement Restitution Fund fee against a Defendant in every case unless stricken by the Court. If a Defendant pleads guilty to more than one (1) felony case on one (1) day in Court, the $300.00 fee shall be assessed on one (1) case only.

Rule 6. ASSIGNMENT OF JUDGES, CASES, AND TRANSFER OF CASES

(Effective 1-9-92)

6.1 ASSIGNMENT TO ASSOCIATE CIRCUIT JUDGE

The following classes of cases are hereby assigned, without further order, to the Associate Circuit Judge for the county were filed, who shall hear and determine them, to-wit:

(a) Dissolutions of marriage, legal separations, annulments, and paternity actions.
(b) Modifications of previously heard divorces, dissolutions, legal separations or annulments, including proceedings to enforce support orders, and to establish trusteeships through the Office of the Circuit Clerk.
(c) Cases involving civil relief for nonsupport, by contempt or otherwise, and cases brought under the Uniform Reciprocal Enforcement of Support Act, and Title IV-D cases.
(d) Adult abuse action, elderly abuse action and child protection orders actions.
(e) All cases brought under Section 577.041, 302.535 or 302.309 RSMo., 1986 as amended.
(f) Detention hearings required by the Juvenile Code or Supreme Court rules when the Circuit Judge is not available to hear the same.

(g) Cases certified to the circuit court, general division, by the Municipal Courts requesting jury trial or trial de novo. (Effective 3-1-95)

(h) All cases in which the parties have consented, in writing, to be heard by the Associate Circuit Judge, if consented to by said Judge. (Effective 6-1-96)

6.1.1 BY LOCAL COURT RULE OR ORDER – No rule.

6.1.2 SPECIAL ASSIGNMENT

(1) In addition to those cases permitted to be heard by associate circuit judges

by §478.225, V.A.M.S., associate circuit judges within the Twenty-eight Circuit shall hear such other types of case as may, from time to time, be assigned to a particular associate circuit judge by order of the presiding circuit judge pursuant to §478.240, V.A.M.S. Such special assignment may be in the county in which a particular associate circuit judge otherwise presides or may be in such other county within the Twenty eighth Circuit as specified by the presiding circuit judge.

(2) Any case of the type normally heard by a circuit judge to which an associate circuit judge is assigned pursuant to this rule 6.1.2 shall be heard pursuant to the rules and procedures which apply to cases heard by circuit judges. The record in any such cases may be preserved, at the discretion of the associate circuit judge assigned thereto, by either electronic recording devise or court reporter unless otherwise directed by the presiding circuit judge.

6.2 ASSIGNMENT TO CIRCUIT JUDGE – No rule.

6.3 CERTIFICATION TO CIRCUIT DIVISION – No rule.

6.4 TRIAL DE NOVO – No rule.

6.5 DISQUALIFICATION OF JUDGE – (Effective 1-15-02) Whenever a Judge is disqualified whether sua sponte or upon motion of a party, unless otherwise provided by specific order:

(1) If the Judge disqualified is an Associate Circuit Judge, that Judge shall certify the case to the Presiding Judge for reassignment.

(2) If the Judge disqualified is the Presiding Judge, that Judge shall certify the case to the Associate Circuit Judge of the county where the Secretary to the Presiding Judge's office is located for reassignment. (Effective through 12-31-18)

(2) If the Judge disqualified is the Presiding Judge, that Judge shall certify the case to the Associate Circuit Judge of Barton County for reassignment. (Effective 1-1-19)

6.6 ABSENCE OF JUDGE

In the absence or unavailability of the resident associate circuit judge of any county in the circuit, any other associate circuit judge in the circuit may act as the associate judge of the county from which the associate judge is absent or unavailable and perform all of the duties of the absent or unavailable judge. (Effective 8-13-84)

6.7 ABSENCE OF PRESIDING JUDGE

In the event the presiding judge shall be absent from the circuit for an extended period, he may by order designate an associate circuit judge as acting presiding judge during his absence.

Rule 7. WITHDRAWALS OF PAPERS FROM CLERK'S OFFICE

7.1 WHEN ALLOWED

Court files shall not be removed from the clerk's office or the courtroom unless written authorization to remove such file is obtained from the court; provided however, the judge of any division of the court or the official court reporter of any division of the court may remove court files for purposes of considering matters being tried or taken under submission or preparing transcripts of proceedings upon providing the circuit clerk with written receipt therefore. The circuit clerk of each county shall establish and maintain a procedure for accounting for all files removed from his or her office, and for acknowledging return of court files which are removed, and such procedure shall be maintained as part of the official records of the Office of Circuit Clerk of each county.

7.2 DUPLICATING POLICY – No rule.

Rule 8. PUBLICATION OF DOCKETS

8.1 TRIAL DOCKET – No rule.

8.2 DISMISSAL DOCKET
For failure of the plaintiff to prosecute (or the claimant in a counterclaim, cross-claim, or third party claim) the court may of its own motion, upon notice to the parties, place a case upon a dismissal docket. All cases in which six months has passed with no docket entry shall be put on the dismissal docket drawn up by the clerk. After the lapse of sixty days, the court may without further notice to the parties dismiss the same. (Effective 6-1-96)

Rule 9. COURTROOMS

9.1 ASSIGNMENT OF COURTROOM – No rule.

9.2 PLACE OF HEARING – No rule.

9.3 USE OF COUNSEL TABLE – No rule.

9.4 COURTROOM DECORUM AND DRESS
All matters pertaining to the court and its business must be carried on in an audible tone of voice and at a reasonable distance from the court bench. Neither attorneys nor litigants shall be permitted to stand or lounge unreasonably near the court's bench, desk of the clerk, or reporter, unless the court calls both sides of a controversy to the bench for conference. Attorneys present in the courtroom during transaction of business by the court shall assist the court in maintaining order and proper decorum. This rule applies to all divisions. (Effective 8-13-84)

9.5 WHO IS PERMITTED WITHIN BAR – No rule.

Rule 10. COURT REPORTERS AND COMPENSATION FOR SAME
Preparation of any transcript by an official court reporter for a record on appeal, except in appeals taken in forma pauperis, shall not begin until the person ordering such transcript makes a cash deposit with the reporter of such

amount as the official court reporter reasonably estimates such transcript will cost. In the event any cash deposit as aforesaid exceed the cost of the transcript ordered the excess shall be refunded to the person who ordered the transcript upon its completion. In the event any such cash deposit is insufficient to pay for a transcript, the remaining unpaid portion of the cost thereof shall be due and payable from the person who ordered the transcript to the reporter who prepared it upon delivery of the transcript.

In cases where an appellant is appealing as a pauper or indigent, the court reporter shall prepare an original and two copies of the transcript. (Effective 9-1-97)

Rule 11. RECORDING OF JUDICIAL PROCEEDINGS – No rule.

11.1 TRANSCRIPTS (Effective 7-28-2014)

(1) TRANSCRIPTS PREPARED FOR PURPOSES OF APPEAL.

The court reported shall prepare a paper and an electronic version of the transcript. The court reporter shall submit to the circuit clerk an electronic copy of same to be filed at Level 6.

(2) TRANSCRIPTS PREPARED FOR PURPOSES OTHER THAN APPEAL.

The court reporter shall prepare the transcript as requested by the ordering party. The court reporter shall submit to the circuit clerk an electronic copy of same to be filed at Level 6.

(3) DEPOSIT OF FUNDS FOR TRANSCRIPTS.

Upon receipt of a request for preparation of a transcript when the cost of said transcript is not to be paid from state funds, the court reporter shall provide the requesting party with a reasonable estimate of the cost of said transcript. Preparation of said transcript shall not begin until a full deposit is made to the court reporter.

Preparations of a typewritten transcript of a record preserved by electronic recording device shall not begin until the clerk is paid a sum sufficient to cover the estimated cost of this work. The estimated charge will vary depending upon how the typewritten copy is to be prepared.

The balance or refund due shall be settled upon delivery of said transcript.

Rule 12. MONIES PAID INTO COURT – No rule.

12.1 BOND IN CIVIL CASES – No rule.

Rule 13. COMMUNICATIONS WITH COURT – No rule.

13.1 ORAL COMMUNICATIONS WITH THE COURT- No rule.

13.2 WRITTEN COMMUNICATIONS WITH THE COURT – No rule.

GENERAL RULES

Rule 21. ATTORNEYS

21.1 RESOLUTION OF CONFLICTING TRIAL SETTINGS – No rule.

21.2 ENTRIES OF APPEARANCE – No rule.

21.3 CONDUCT OF ATTORNEY – No rule.

21.4 WITHDRAWAL OF ATTORNEYS

The conditions under which an attorney is allowed to withdraw from the employ of a client are set out in Supreme Court Rule 4, Code of Professional Responsibility, Canon 2, Ethical Consideration 2-32 and Disciplinary Rule 2-110. An Attorney who desires to withdraw as attorney of record for any party to any action pending in this Court shall comply with the following procedures:

The attorney shall file a written motion requesting leave of court to withdraw. If the case is then set for trial, the reason for the request must be set forth in the motion. Attached to the motion shall be a notice of the date and time at which the moving attorney will call up the motion before the court for hearing. A copy of the motion and the notice shall be served upon all parties, including the client for whose employ the attorney is seeking leave to withdraw, in the manner provided by Supreme Court Rule 43.01. If the case in which the attorney is seeking leave

to withdraw is a criminal case, the notice shall instruct the client that the client must appear in person at the hearing. The last know address of the client from whose employ the attorney is seeking leave to withdraw shall be plainly set out in the motion or the certificate of service thereon.

The attorney seeking leave to withdraw must appear in open court and call up the motion at the time specified in the notice. If the case in which the attorney is seeking leave to withdraw is a criminal case, it shall be the duty of the client to appear in person in compliance with the notice mentioned above.

If the client fails to appear, and if the attorney is granted leave to withdraw, the attorney shall immediately notify his former client by letter of the attorney's withdrawal and shall send a copy of the letter to the clerk. Such letter shall advise the former client of any scheduled court proceedings or pleading deadlines in the case.

The attorney may be granted leave to withdraw upon oral motion at the end of case when client is present and does not object to allowing his or her attorney to withdraw.

21.5 FAILURE OF ATTORNEY TO ANSWER DOCKET CALL
On the dates that cases are set for trial or hearing, all attorneys who have trial settings shall be present in the courtroom when the matter is called unless excused by the court and, unless the attorney be present or be excused, the case will be heard by the court, continued, or stricken from the docket by the court as the court, in its discretion, deems appropriate. Cases not tried on the day for which they are set due to absence of counsel for a party plaintiff are subject to dismissal, without prejudice, for lack of prosecution. This rule applies to all divisions. (Effective 8-13-84)

21.6 APPOINTMENT OF ATTORNEYS – No rule.

21.7 AGREEMENT OF ATTORNEYS – No rule.

21.8 ADVICE TO CLIENTS AND WITNESSES OF COURTROOM PROCEDURES

(1) All attorneys of record are to advise their clients not to discuss any phase of their case with the court.

(2) When the exclusionary rule as to witnesses is invoked in any proceeding, each attorney has the duty to assure that his clients' witnesses comply therewith. If any witness violates that rule, whether willfully or otherwise, that witness shall not be permitted to testify except by consent of opposing counsel or unless the court, in its discretion, rules that justice requires such testimony to be received.

(3) All attorneys are to advise their clients and witnesses not to discuss any matter related to a trial in process with any juror or in the presence of any juror.

Rule 22. APPOINTMENT OF GUARDIAN AD LITEM – No rule.

Rule 23. TRANSCRIPTS

Cash deposits, as required by rule 10 hereof, shall be made at such times as orders for transcripts for records on appeal are placed or promptly thereafter. Counsel for appellants shall consider that delays in providing sufficient deposits to permit commencement of transcribing trial records may prevent completion of transcripts within the time specified for the filing of records on appeal.

A copy of a court proceeding recorded on CD, shall be prepared and forwarded to a requesting party, when the established fee of $50.00 has been paid to the Circuit Clerk of the county where the recording was made.(Effective 03-05)

Rule 24. EXHIBITS

All exhibits introduced during the trial of a case, except depositions, shall remain in the custody of the attorney or attorneys introducing the same and shall at all times be subject to examination by opposing counsel. At the close of the trial of any case the Official Reporter or clerk of the associate circuit judge division or clerk of the municipal court division shall take a receipt from the attorney to whom an exhibit has been delivered and such receipt shall

be filed in the court file and shall be conclusive evidence as to the possession of such exhibit.

PRE-TRIAL MATTERS

Rule 32. DISCOVERY – No rule.

32.1 USE OF DISCOVERY AND CERTIFICATION TO CIRCUIT DIVISION – No rule.

32.2 INTERROGATORIES – No rule.

32.3 DEPOSITIONS – No rule.

32.4 MOTION FOR SANCTIONS – No rule.

32.5 CRIMINAL DISCOVERY – No rule.

Rule 33. PRE-TRIAL MOTIONS – No rule.

33.1 HEARING DATES – All substantive motions, e.g. motions to suppress, etc, shall be filed and noticed for hearing at least ten (10) days prior to the scheduled trial date. (Effective 3-1-08)

33.2 BRIEFS IN SUPPORT OF MOTION, WHEN REQUIRED – No rule.

33.3 ORAL ARGUMENTS – WHEN DESIRED AND HOW REQUESTED – No rule.

33.4 MOTIONS IN LIMINE – No rule.

Rule 34. CONTINUANCES - (Effective 1-15-02)
Continuances will be granted only for good cause shown, and only on written application, timely made, with notice to opposing counsel and the Court. Motions for continuance are not self-enforcing and will not be granted without appearance before the Court, absent prior consent by opposing counsel. If a motion for continuance is filed less than seven (7) days prior to a scheduled matter, the motion shall certify that opposing counsel has been notified of the filing of said motion.

In all cases set for trial, criminal or civil, the application must be filed no later than ten (10) days before trial. If the trial judge has not been designated more than ten (10) days before trial, then the application may be filed any time prior to trial. Costs, including jurors attendance fees, if any, which are incurred by reason of a continuance shall be assessed, at the discretion of the Court, against the party requesting the continuance.

34.1 CIVIL CASES

See rule 34 above.

34.2 CRIMINAL CASES

See rule 34 above.

Rule 35. CASE MANAGEMENT CONFERENCE– No rule.

Rule 36. SETTING CASES FOR TRIAL

36.1 REQUEST FOR TRIAL

(1) For a trial setting in any case in which the issues are joined and discovery is complete, or nearly so, or a reasonable time has elapsed for discovery, any party may informally request a trial setting and the court will set the case for trial.

(2) In lieu of the informal procedure described in paragraph (1) hereof, the court or any party may secure a trial setting by any of the procedures provided by Supreme Court Rule 63.01.

36.2 DATE OF CALENDAR CALL – No rule.

36.3 PREPARATION OF CALENDAR – No rule.

36.4 CALENDAR CALL – No rule.

36.5 REMOVAL AND INACTIVE CALENDAR

An inactive calendar or docket shall be maintained and cases dismissed for lack of prosecution upon their remaining thereon for more than six (6) months. The operation thereof shall be as prescribed by rule 8.2 of these rules. Rule 8.2 shall be strictly enforced. (Effective 9-1-97)

36.6 REVISION OF AND REMOVAL FROM PREPARED CALENDAR – No rule.

36.7 SPECIAL ASSIGNMENTS – No rule.

Rule 37. DISMISSALS

37.1 DISMISSAL DOCKET

The inactive docket as established by rule 8.2 hereof shall constitute the dismissal docket for cases filed in the office of the court clerks. The operation hereof shall be as prescribed by said rule 8.2 and shall be strictly enforced. (Effective 7-3-89)

37.2 REINSTATEMENT OF CAUSE

Once a case is placed on the inactive docket established by rule 8.2 hereof, that case may be reinstated to the active docket only upon written request.

SETTLEMENT AND DEFAULT

Rule 41. SETTLEMENT

41.1 NOTICE OF SETTLEMENT – No rule.

Rule 42. DEFAULT

Cases in default or in which consent judgments may be entered may be tried on any regular law day, or at any other time.

TRIALS

Rule 51. COURT-TRIED CASES

51.1 DEFAULT AND UNCONTESTED MATTERS – No rule.

51.2 CONTESTED MATTERS – No rule.

51.3 PREPARATION OF FINDINGS OF FACT AND CONCLUSIONS OF LAW
In court tried cases in which written findings of fact and conclusions of law are requested, the attorneys for the parties shall, after trial and within the time fixed by the court, submit proposed findings and conclusions to the court.

Rule 52. SELECTION OF JURY – No rule.

52.1 JURY QUESTIONNAIRES – No rule.

Rule 53. JURY TRIALS
(1) In all misdemeanor or civil cases tried before a jury in the Associate Division and in all cases tried before a jury in the Probate Division the Circuit Clerk shall be responsible for summoning a jury under such procedures applicable to trial before circuit judges.
(2) If a jury trial is requested in the General or Probate Division of the Circuit Court, or in a misdemeanor case pending in the Associate Division of the Circuit Court, said request must be made to the clerk of the court in which the case is pending at least ten (10) days before trial. (Effective 3-1-08)

53.1 INSTRUCTIONS
(1) CRIMINAL CASES
Prior to commencement of any jury trial of a criminal case, the prosecuting attorney shall prepare proposed jury instructions for use by the court.
(2) CIVIL CASES
The attorney for the plaintiff shall prepare the following instructions for use in jury trials of civil cases: cautionary, explanatory, facts not assumed, burden of proof, number of claims, package explanation and all applicable verdict forms. All parties shall have the proposed instructions they wish to submit prepared for tender to the court at the close of all evidence in the case including proposed verdict directors, definitions, damages, converse instructions and affirmative defense instructions.

53.2 CLOSING ARGUMENTS – No rule.

Rule 54. JUDGMENT ENTRY

54.1 CONTESTED CASES

Counsel for the party in whose favor an order is made or judgment or decree rendered shall prepare the formal order or judgment or decree and deliver the same to the clerk of the court within ten (10) days, with copy to opposing counsel. If opposing counsel objects to any proposed order, judgment or decree, that counsel shall promptly communicate such objection to the judge before whom the case was tried.

54.2 DEFAULT OR UNCONTESTED CASES

Counsel for the party in whose favor an order or judgment or decree is rendered shall prepare the formal order, judgment or decree and deliver the same to the clerk of the court within ten (10) days thereafter.

RULES RELATING TO PARTICULAR ACTIONS

Rule 60. CHILD CUSTODY OR PLACEMENT

In any matter involving the custody or placement of a child or children, the court may require any party to execute an affidavit stating whether any member of the household is required to register as a sex offender under the laws of any state.

Rule 61. ADOPTION

61.1 FILING REQUIREMENTS

The appropriate filing fee shall be paid at the time of filing any petition for adoption in the office of the circuit clerk, and in addition the petitioners shall post an additional cost deposit with the clerk that may be used for Guardian Ad Litem and other fees, in the amount of $300.00 if no home study is needed or $750.00 if a home study is needed. This will not apply to subsidy cases.

61.2 HOME STUDY – No rule.

Rule 62. DRIVERS' CASES

62.1 APPLICATION FOR HARDSHIP DRIVING PRIVILEGES – No rule.

62.2 PETITIONS FOR REVIEW – No rule.

62.3 BREATHALYZER TEST – No rule.

Rule 63. ASSOCIATE DIVISION CASES

Rule 64. CASES ARISING UNDER CHAPTERS 207 AND 208, RSMo 1978

(COMMONLY KNOWN AS TITLE IV-D AND H.B. 601 ACTIONS)

No rule.

Rule 65. CIVIL COMMITMENT – No rule.

Rule 66. CONDEMNATION – No rule.

Rule 67. CRIMINAL CASES – No rule.

67.1 PRE-TRIAL RELEASE – No rule.

67.1.1 MOTIONS TO SET BOND AND FOR BOND REDUCTION – No rule.

67.1.2 DEPOSIT OF OPERATOR'S LICENSE – No rule.

67.1.3 CASH BONDS

When a cash bond is posted, the receipt shall be made in the name of the defendant. Any money deposited shall be considered by the court as belonging to the defendant. If the defendant is found guilty, all assessments against the defendant, such as fines, court costs, and any other related court costs ordered by the judge may be deducted from the cash bond before any money is refunded to the defendant. A third party may claim any refundable money at the conclusion of the charges,

only if the defendant has properly assigned the defendant's bond receipt to that third party.

67.2 PRELIMINARY HEARING – No rule.

67.3 GRAND JURY – No rule.

67.4 ATTORNEYS – No rule.

67.5 ARRAIGNMENTS – No rule.

67.5.1 IN GENERAL – No rule.
67.5.2 DATES – No rule.

67.6 DISCOVERY – No rule.

67.7 MOTIONS – No rule.

67.8 PLEA BARGAINING – No rule.

67.9 GUILTY PLEA – No rule.

67.9.1 WHERE ENTERED – No rule.
67.9.2 PETITION TO ENTER A PLEA OF GUILTY – No rule.

67.10 CALENDAR – No rule.

67.11 PROBATION AND PAROLE (updated 3-15)

(1) All Probation Violation Reports shall be deemed closed records. However, the Prosecuting Attorney, the Defendant and his/her attorney shall have access to same without further Court Order. (Effective 3-1-08)

(2) All assessed Court costs, County jail board bills, Crime Victims' Judgments and Public Defender liens are considered to be in the nature of Restitution for purposes of Probation and Parole supervision. When a Judge Orders Probation and Parole to continue to supervise a Defendant and not apply Earned Compliance Credits until all costs and restitution are paid in full, no discharge of that Defendant from supervision shall occur until all are paid in full or the

Defendant's full term of probation has expired. (Effective 3-11-15)

Rule 68. FAMILY LAW (updated 6-22)

Family Law for the purposes of this rule, will apply to Dissolution of Marriage, Legal Separation, Family Access, Motions for Modification, and Paternity cases.

This Rule 68 shall be applicable to all Family Law cases currently pending or hereafter filed in or transferred to Barton, Cedar, Dade, and Vernon Counties. To the extent a provision of any other local court rule conflicts with any provision of this Rule 68, this rule shall govern.

For the purposes of this Rule 68, "date of service" is defined as the date upon which service process of the initial pleading is obtained upon a responding party, or the filing date of an entry of appearance by a responding party waiving service of process of the initial pleading.

68.1 FILING REQUIREMENTS

At the time of filing the petition, the attorney for the petitioners shall file a Certificate of Dissolution of Marriage (Vital Statistics Report) on a form to be provided by the clerk, as required by Section 193.360, RSMo, 1978. (Effective 1-1-83)

68.2 FAMILY LAW INTERIM ORDER (Updated 1-04)

(1) Immediately upon the filing of a petition for Dissolution of Marriage, Paternity, or Motion to Modify, the Court shall, unless good cause is otherwise shown, enter a Family Law Interim Order (Form 68-1). The clerk shall attach a copy of the Family Law Interim Order to the summons, and send a copy to the filing party, the filing parties attorney, or party who waives service of process.

(2) Violation of the Family Law Interim Order may constitute contempt of court and subject the violator to fine, imprisonment, or other sanction as allowed by law, plus payment of attorney's fees and costs to the other party.

(3) If either party is aggrieved by the Family Law Interim Order, a court hearing may be requested, however, the court urges the parties to attempt to resolve their dispute through mediation before requesting a hearing.

(4) The Family Law Interim Order does not supersede any temporary or final Order of Protection that may already be in effect. The Order of Protection remains in full effect.

68.3 CONTESTED CASES (Updated 1-04)

Every family law action shall be considered a contested case unless:

(1) All responding parties are in default, or

(2) All parties file a stipulation in writing that the case is uncontested and setting forth the agreement of the parties for the resolution of all issues raised in the pleadings filed by any of the parties.

68.4 FILING OF FINANCIAL STATEMENTS (Updated 6-22)

(1) In any contested case in which the award of property, maintenance, child support, attorney fees, or the division of debt is an issue, a "Statement of Income and Expenses," on the form substantially in accordance with Form OSCA CV-100, shall be completed by each party, executed under oath or affirmation, and served on the opposing party within forty-five (45) days after the date service. Each party shall file with the Circuit Clerk a Certificate of Service indicating compliance with this rule within such time period.

(2) In any contested case in which the award of property, maintenance, child support, attorney fees, or the division of debt is an issue, a Statement of Assets and Debts on Form OSCA CV-105, shall be completed by each party, executed under oath or affirmation, and served on the opposing party within sixty (60) days after the date of service. Each party shall file with the Circuit Clerk a Certificate of Service indicating compliance with this rule within such time period.

(3) The parties by written agreement filed with the court may agree to use an alternate format for the exchange of income, expense asset and debt information other than by use of OSCA forms CV-100 and CV-105. Such written agreement shall certify to the Court that such alternate format provides for the exchange of no less identifying information than that as required on OSCA forms CV-100 and CV-105.

(4) In any contested case in which the award of child support is an issue, a Missouri Supreme Court Civil Procedure Form No. 14 shall be completed by each party and served upon the opposing party, within sixty (60) days after the date of service. Each party shall file with the Circuit Clerk a Certificate of Service indicating compliance with this rule within such time period.

(5) In contested cases, at least 20 days before the date of the trial, Petitioner shall submit a Joint Statement of Marital and Non-Marital Property and Debts (Appendix A) to the Respondent in word or excel format. At least 10 days before the date of the trial Respondent shall submit a response to Petitioner and the parties and attorneys shall thereafter confer in good faith to create an accurate and complete joint statement of property and debts including a separate listing of items in dispute. A final joint statement of property and debts and list of items in dispute shall be filed with the court and provided to the trial judge in word or excel format at least 24 hours before the beginning of the trial. Appendix A may be used in lieu of the form required in subparagraph (2) above. Each party shall file with the Circuit Clerk a Certificate of Service indicating compliance with this rule within such time period. The court may strike the trial setting or impose sanctions for failure to comply with this rule. A copy of Appendix A, in Word format, may be obtained from the Circuit Clerk's office.

68.4.1 Required Document Production in Family Law Cases (Effective 1-04)

(1) In any contested case in which the award of property, maintenance, child support, attorney fees, or division of

debt is an issue, each party shall deliver to the other party, within sixty (60) days after the date of service, a complete and legible copy of each of the following documents in their possession or under their control:

(a) Any federal and state income tax returns (including all schedules, W-2, K-1 and 1099 forms) for the proceeding 3 calendar years; (updated 03-04)
(b) The last 6 pay periods "pay check" stubs or other evidence of wages, salaries or tips if no "paycheck" stub is issued;
(c) Any financial statements provided to a lender or prospective lender within the proceeding 3 calendar years;

The following documents, in addition to the preceding documents, shall be produced within such time period, only if the award of property or division of debt is an issue:

(d) Any benefit statements wherein a party has an interest in any form of pension plan whether vested or non-vested;
(e) The plan(s) relating to any pension benefits whether vested or non-vested;
(f) Any deeds to real estate, notes, deeds of trust, leases, titles to motor vehicles, stock or bond certificates and any other evidence of ownership of an asset or interest in an asset claimed as marital or separate property;
(g) The latest statement of account on all accounts held in any financial institution or brokerage firms;
(h) All declaration sheets or certificates of coverage for life insurance policies insuring the life of either party or a minor child involved in the proceedings;
(i) The most recent statement of value for any life insurance policy of either party or child, which has a cash value;
(j) Any appraisals relating to any marital or separate property done within the last thirty-six (36) months;
(k) Any trusts where a party is either the grantor or current income beneficiary of the trust;
(l) Any partnership agreements, operating agreements in any limited liability company and/or stock

certificates in any corporation in which a party holds an interest; and, (updated 03-04)

(m) Promissory notes, deeds of trust, security agreements and the latest statement of account on any debts owed by either party.

(n) All balance sheets and/or income and expense statements received within the immediately preceding three (3) years with respect to any and all proprietorships, joint ventures, partnerships, realty trusts, corporations, limited liability companies (LLC), limited liability partnerships (LLP) or other legal entities in which is held a legal or equitable interest, individually or otherwise. (Effective 03-04)

(2) Additional Information to be provided. For each document described in the preceding paragraph that is not produced by a party to the other, such party shall advise the other of the fact that such document may not now exist or has never existed, or that if such document exists, but is not in the possession or under the control of the delivering party, the name and current address of the person who has possession or control of the document.

(3) Certificate of Compliance Required. Within the time period provided herein for the production of these documents each party shall file with the court a Certificate of Compliance with this rule.

(4) Information shall be updated prior to trial. All interrogatories and document productions shall be updated and supplemented no less than ten (10) days prior to trial if any changes occur prior to the trial date, except significant changes such as employment, income, or expert witnesses which shall be updated immediately upon the happening of the event.

68.5 CASE MANAGEMENT CONFERENCE

(1) An initial Case Management Conference in all family law cases shall be set on the court's first available family law docket following sixty (60) days after the date service.

(2) Upon application or the court's own motion, the court may set subsequent Case Management Conference's from time

to time as are deemed necessary and appropriate to bring the case to an expeditious conclusion.

(3) The clerk shall send notice of the date and time of any Case Management Conference to all parties not in default and any attorneys who have entered an appearance in the case.

(4) At any Case Management Conference, the court will make inquiry as to the status of the case and may enter appropriate orders which may include, but are not limited to, ordering mediation, making discovery orders, setting the matter for trial, hearing evidence on and disposing of uncontested cases, or hearing any motion properly noticed for hearing by a party. A Case Management Conference does not obviate the need for counsel to notice for hearing any motion deemed necessary. Unless any such motion is properly noticed for hearing, the court will not consider the same at any Case Management Conference without consent of the opposing party and the court.

(5) Upon application showing good cause, or the court's own motion, any Case Management Conference may be continued to another date certain.

(6) All non-defaulting party and all attorneys of record are required to attend and participate in each scheduled Case Management Conference unless otherwise excused by the court in advance for good cause shown. (Updated 03-04)

68.6 REQUIRED EDUCATIONAL PROGRAMS (Rule rescinded 11/22/24)

68.7 COURT ORDERED MEDIATION

(1) Following compliance with Rule 68.6 the court, at its discretion, may order mandatory mediation. Mediation shall be scheduled, by the parties, from an appointment calendar of court approved Mediators.

(2) The Mediator shall be required to complete a Statement of NON-Compliance for any party which failed to appear at the mediation session. In the event the petitioner does

not attend the program, the court may dismiss the pending case. If the respondent does not attend, the court may strike responsive pleadings. The court may impose any other sanctions provided by law.

68.8 PARENTING PLAN (Updated 1-04)

A proposed parenting plan shall be filed with the court as required by Section 452.310 RSMo.

68.9 FAMILY ACCESS MOTIONS (Effective 1-04)

(1) At the time of filing for a Family Access Motion, the petitioner may request the form OSCA CV-137 from the circuit clerk. Clerks, under the supervision of the circuit clerk, shall explain to aggrieved parties the procedures for filing the form.

(2) The Clerk shall provide information to both parties regarding Alternative Dispute Resolution services available at the time of filing and service of respondent.

(3) Upon the return date on any contested motion, the court shall, unless good cause is otherwise shown, refer the case to the ADR Program Specialist for ADR services.

68.10 ALTERNATIVE DISPUTE RESOLUTION PROGRAM (Effective 1-04)

(1) Pursuant to Supreme Court Rule 17 and 88.02 through 88.08, the court adopts the following Alternative Dispute Resolution program. In every contested case involving Family Law Disputes including; Dissolution of Marriage, Family Access, Modification, and Paternity cases, participation in a minimum of two (2) hours of mediation pursuant to this local court rule is required, unless waived by the court for good cause shown.

(2) In all contested actions to which this rule applies, except motions for family access, both parties to the dissolution or motion shall attend a court-approved educational session to educate parties on the availability and advantages of Alternative Dispute Resolution. Each party shall attend said program within sixty (60) days of the date of service of

process, or of receipt of the petition, or motion if service is waived. Counsel for the parties should discuss alternative dispute resolution with their clients.

(3) At the CASE MANAGEMENT CONFERENCE the court will make inquiry as to the status of the case and will enter an order for Mediation if appropriate. If the parties cannot agree on a mediator the court will appoint one.

(4) The minimum qualifications of mediators are as set forth in Supreme Court Rule 17.04 and 88.05.

68.10.1 ALTERNATIVE DISPUTE RESOLUTION SPECIALIST (No rule)

68.10.2 MEDIATOR RESPONSIBILITIES (Effective 1-04)

(1) To be included on the court-approved list of mediators, the interested person must provide the court with the minimum information: business address, telephone number, fax number, e-mail address, if any; a copy of degrees and the institutions obtained therefrom; type and number of hours of mediation training with certification that the person has complied with Rule 88 requirements; current profession and hourly rate of mediation.

(2) If agreement is reached during mediation, a Memorandum of Agreement will be drafted by the Mediator and presented to the parties for submission to their attorneys, if any. Any understanding reached by the parties as a result of mediation shall not be binding upon the parties until it is reduced to writing, signed by the parties and their attorneys, if any, and approved by the court.

68.10.3 TERMINATION OF MEDIATION (Effective 1-04)

(1) At any time after two hours of mediation, either party may terminate mediation ordered under this rule.

(2) The mediator shall terminate mediation whenever the mediator believes:

(a) Continuation of the process would harm or prejudice one or more of the parties or any child of the parties; or
(b) The ability or willingness of any party to participate meaningfully in mediation is so lacking that a reasonable agreement is unlikely.

(3) The Mediator shall report the termination of mediation, to the court within seven (7) days of termination of mediation.

68.10.4 ADR PROGRAM COSTS (No rule)

68.11 FAILURE TO COMPLY WITH RULE (Effective 03-04)

If a party fails to comply with any provision of this rule, the court may, upon its own motion or the motion of a party, after reasonable notice to all parties, make such orders in regard to failure as are just and among others the following:

(1) An order requiring the party who fails to timely attend a scheduled mediation session to pay to the mediator an amount as determined by the court up to the total cost for the mediation session.
(2) An order requiring the party who fails to timely attend a scheduled mediation session to pay to the other party or parties required to attend the mediation session an amount as determined by the court for their lost wages and expenses in attending such session.
(3) An order refusing to allow the disobedient party to support or oppose designated claims or defenses or prohibits the disobedient party from introducing designated matters in evidence.
(4) An order treating as a contempt of court the failure to obey.
(5) An order requiring the disobedient party or the attorney advising the disobedient party or both to pay the reasonable expenses, including attorney's fees, caused by the failure, unless the court finds that the failure was substantially justified or that other circumstances make an award of expenses unjust.
(6) An order striking pleadings or parts thereof or staying further proceedings until the order is obeyed or dismissing the action or proceeding or any part thereof or, rendering a judgment by default against the disobedient party.

(7) Upon a showing of reasonable excuse, the court may grant the disobedient party additional time to comply and, if appropriate, impose any further sanctions as set forth herein should the disobedient party not comply within such additional time period.

68.12 ENTRY OF JUDGMENT UPON AFFIDAVIT REQUIREMENTS (Effective 3-1-00 and Updated 1-04, before 03-04 this was Rule 68.11)

(1) Final Orders Entered-When.
Final orders in a proceeding for dissolution of marriage or legal separation, motions to modify, and actions for declaration of paternity may be entered upon the affidavit of either or both parties when:

(a) There are no minor children of the mother and father and the mother is not pregnant, or both parties have entered into a written agreement determining custody and child support; and

(b) The adverse party has been served in a manner provided by the Missouri Rules of Civil Procedure or has formally filed a verified entry of appearance or responsive pleading; and

(c) There is no genuine issue as to any material fact; and

(d) There is no marital property to be divided or the parties have entered into a written agreement for the division of their martial property.

(2) Affidavit-Filing.
If one party desires to submit the matter for entry of final orders upon an affidavit, the submitting party shall file an affidavit setting forth sworn testimony showing the Court's jurisdiction and factual averments sufficient to support the relief requested in the proceeding, together with a copy of the proposed Decree or Order, a copy of any written agreement proposed for adoption by the Court, a completed Form 14, and any other supporting evidence. The filing of such affidavit shall not be deemed to shorten

any statutory waiting period required for entry of a Decree of Dissolution or Decree of Legal Separation.

(3) Hearing Required-When.
The Court shall not be bound to enter a Decree or Order upon the affidavits of either or both parties, but the Court may, upon its own motion, require that a formal hearing be held to determine any or all issues presented by the pleadings.

Rule 69. MUNICIPAL DIVISION – No rule.

Rule 70. PARTITION – No rule.

Rule 71. ADMINISTRATIVE REVIEWS – No rule.
Rule 72. PROBATE – (See rule 103).

Rule 73. SMALL CLAIMS – No rule.

Rule 74. TRUST ESTATES – No rule.

74.1 INVENTORY – No rule.

74.2 REPORTS – No rule.

74.3 RECORD – No rule.

74.4 AUDIT – No rule.

POST-TRIAL

Rule 81. EXECUTION – No rule.

Rule 82. GARNISHMENT – No rule.

Rule 83. JUDICIAL SALES – No rule.

INTERNAL ORGANIZATION

Rule 100.

100.1 PRESIDING JUDGE – No rule.
100.1.1 ELECTION – No rule.

100.1.2 DUTIES OF PRESIDING JUDGE – No rule.

100.1.3 DISPUTE RESOLUTION-PROCEDURE – No rule.

100.2 LOCAL COURT RULES – No rule.

100.2.1 FORMULATION

These rules may be modified or revoked, in whole or in part, from time to time, as permitted by section 478.245, V.A.M.S.

100.2.2 PUBLICATION – No rule.

100.3 LIBRARY FUND

See rule 5.1(b).

RECORDS AND FILES

100.4 STORAGE OF RECORDS

100.4.1 REPRODUCTION, PRESERVATION. ARCHIVAL STORAGE AND DISPOSAL OF ORIGINAL CIRCUIT COURT FILES (AND THEIR CONTENTS) – No rule.

100.4.2 REPRODUCTION AND PRESERVATION OF COURT RECORDS OTHER THAN FILES (AND THEIR CONTENTS) – No rule.

100.4.3 RESPONSIBILITY FOR INDEXING AND PRESERVING COURT REPORTER NOTES – No rule.

100.4.4 IDENTIFICATION OF REPORTER'S NOTES – No rule.

100.4.5 INDEX – No rule.

100.4.6 STORAGE OF NOTES – No rule.

100.4.7 NOTES OF SUBSTITUTE REPORTERS – No rule.

100.4.8 STORAGE OF NOTES UPON RETIREMENT, TERMINATION OR DEATH OF COURT REPORTER – No rule.

100.4.9 BOXING AND STORING OF OLD NOTES – No rule.

100.4.10 RESPONSIBILITY FOR FURNISHING MATERIALS AND SPACE FOR STORAGE OF COURT REPORTER NOTES – No rule.

100.4.11 PROCEDURE FOR EXAMINATION OF CRIMINAL RECORDS – No rule.

100.4.12 PROCEDURE FOR EXPUNGING AND CLOSING CRIMINAL RECORDS –

In order to comply with the redaction rules promulgated by OSCA and Article XIV of the Missouri Constitution, Clerks may raise the security level of any document located in CASENET to level 4. Any documents requested that have had their security level raised shall be properly redacted before dissemination.

100.5 CLERKS DUTIES

(1) FILE MAINTENANCE

The circuit clerk shall accept for filing and shall maintain the court files for all cases.

(2) PRESENCE IN COURTROOM – SHERIFFS AND CLERKS

The sheriff or a deputy sheriff and a clerk shall be in the courtroom at all times when court is in session unless excused by the judge then presiding; provided however, this rule 100.5 shall not apply to sessions conducted by municipal judges. The sheriff or a deputy sheriff shall perform the duties of bailiff and shall maintain order in the courtroom. The clerk shall administer such oaths as are required to bailiffs and other officers of the court, to jurors and to witnesses. This rule shall apply in all divisions except municipal division. (Effective 8-13-84)

100.5.1 MONIES PAID INTO COURT – No rule.

100.6 SELECTION OF VENIREMEN – No rule.

Rule 103. ELECTRONIC FILING (Effective 7-28-2014)

103.1 ELECTRONIC FILING

Rule 103 and Court Operating Rule 27 govern all matters subject to electronic filing.

103.2 REGISTRATION

Registration for electronic filing shall be made as required by Court Operating Rule 27.

103.3 FILES OF THE COURT (rule updated 12-4-2025)

(a) When a court accepts an electronic document for filing, the electronic document is the official court record. All pleadings including motions, notice of hearings and orders must be filed as separate documents.

(b) If a court digitizes, records, scans, or otherwise reproduces a document that is filed in paper into an electronic record, document, or image, the electronic record, document, or image is the official court record. The court may then destroy the paper document unless that document is required to be preserved by law or court order.

103.4 FORMAT OF ELECTRONICALLY FILED DOCUMENTS

(a) An electronic document shall be filed in the PDF format as defined in Court Operating Rule 27 and shall be formatted in accordance with the applicable rules governing formatting of paper documents, including page and word limits. Color coding of electronic documents is not required.

(b) Electronic documents that are part of the official court record shall be self-contained and shall not contain hyperlinks.

(c) For the convenience of the court, in addition to any electronic document filed as the official court record, a party or amicus curiae may submit to the

court a copy of an electronic document on a read-only disc (CD-R or DVD-R). A copy of any such disc also shall be provided to all other counsel and all self-represented parties.

The electronic document shall be submitted in text searchable PDF that must be identical in content and format as the electronic document filed as the official court record, except that the document may also include hyperlinks to the complete text of any authorities cited therein and to any document or other material contained in the record on appeal. In order for the hyperlinks to function properly, the record (or the cited portions of the record) and authorities must be included on the same disc as the electronic document.

An adhesive label shall be affixed to each disc legibly identifying:

(1) The caption of the case;

(2) The party filing the disk;

(3) The disc number (e.g., "Disc 1 of 2").

The filing party shall certify that the disc has been scanned for viruses and that it is virus-free.

(d) An electronic document requiring a signature shall be signed by an original signature, stamped signature or an electronic graphic representation of a signature, or in the following manner: /s/ John or Jane Person.

103.5 ELECTRONIC FILING WITH THE COURT

(a) Any filing shall be made with the clerk of the court through the electronic filing system. Attachments, including exhibits, that are part of any filing shall be filed electronically at the same time.

(b) An attachment or exhibit that exceeds the technical standards for the electronic filing system or is unable to be electronically filed must be filed with

the court on approved media as defined in Court Operating Rule 27. When an attachment or exhibit is filed on approved media, a notice of exhibit attachment shall be filed through the electronic filing system.

103.6 ELECTRONIC FILING DEADLINES

(a) Electronic filing is permitted at all times when the electronic filing system is available. If the electronic filing system is unavailable at the time the user attempts to file a document, the registered user shall make reasonable efforts to file the document as soon as the unavailability ends.

(b) If a registered user believes the unavailability of the electronic filing system prevented a timely filing to the party's prejudice, the registered user may submit a motion to the court within ten days of the user's first unsuccessful attempt to file the document. The motion shall state the date and time of the first unsuccessful attempt to file the document electronically and why the delay was prejudicial.

(c) If the court determines that the unavailability of the electronic filing system prevented the court from receiving the filing, the court shall deem the document filed on the day that the user initially attempted to file the document.

(d) The filing deadline for any document filed electronically is 11:59:59 p.m. central time.

(e) A document is submitted for filing when the electronic filing system receives the document and sends a confirmation receipt to the filer. The electronic filing system will issue a confirmation receipt that includes the day and time.

(f) If the clerk accepts a document for filing, the date and time of filing entered in the case management system shall be the date and time the electronic filing system received the document.

103.7 VERIFIED DOCUMENTS AND AFFIDAVITS

A document required by law to be verified, to be signed under penalty of perjury, or to be signed by a notary public may be filed as an electronic document if the affiant, declarant, or notary public has signed a paper document. By electronically filing the attorney filing the document verifies that Supreme Court Rule 103.07 has been complied with, and a paper document has been signed. Until the entire case is finally disposed, the registered user shall be the custodian of the paper document.

103.8 SERVICE

Service shall be made to registered users through the electronic filing system and to all others as provided in Rule 43.01(c). Service by the electronic filing system is complete upon transmission except that, for the purposes of calculating the time for filing a response, a transmission made on a Saturday, Sunday, or legal holiday, or after 5:00 p.m., shall be considered complete on the next day that is not a Saturday, Sunday, or legal holiday.

103.9 NOTICE OF ENTRY OF ORDERS AND JUDGMENTS

Any notice to the parties required by Rule 74.03 shall be made to the registered users through the electronic filing system and to all others as provided in Rule 43.01.

103.10 ISSUANCE OF SUMMONS

If the electronic filing system is used to file a document that must be served with a summons, the clerk shall transmit the summons electronically to the registered user.

MISCELLANEOUS RULES

110.1 SUPERVISION OF PROBATIONERS (Effective 4-30-18)

This Order will govern all probation cases without the necessity of particular orders on each case.

(1) Violation and other reports are to be filed with the Circuit Clerk and the Clerk is to send a copy to judge's secretary or Associate Judge if so assigned.

(2) If a probationer has absconded (as defined by Probation & Parole rules) or is confined under a penitentiary or jail sentence in any jurisdiction, the Probation Officer need not supervise the case until the probationer is found or released from custody, then supervision shall resume. The Probation Officer may administratively close the file after notifying the Court of the incarceration (including, place & length of term) or the probationer's absconding.