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Local Rules

Rule 1. DIVISIONS OF COURT

(1) CIRCUIT JUDGES

There shall be three circuit judges in the Twenty-sixth Judicial Circuit, and each circuit judge shall separately try causes and exercise and perform the duties imposed on circuit judges. The three circuit judges of the Twenty-sixth Judicial Circuit shall sit in divisions numbered one, two and three as provided by section 478.705, R.S.Mo.

(2) JUVENILE DIVISION

The court shall, from time to time, by order of the presiding circuit judge, designate one of its divisions to act as the general juvenile division of the court; provided however, division one, two and three of the court shall, at all times, retain concurrent jurisdiction in matters of adoption, and, in the absence from the circuit of the judge of the division designated to act as the general juvenile division, any circuit judge may so act.

An associate circuit judge may hear and determine juvenile matters when assigned by the presiding circuit judge.

(3) ASSOCIATE CIRCUIT JUDGES

There shall be one associate circuit judge in each of the counties of Miller, Moniteau, and Morgan. There shall be two associate circuit judges in each of the counties of Camden and Laclede.

In Camden County, Judge Michael J. Gilley and his successors in office shall serve as judge of Division IV and Probate Division. Judge Heather L. Miller and her successors in office shall serve as judge of Division V.

In Laclede County, Judge Larry Winfrey and his successors in office shall serve as judge of Division IV. Judge Steve Jackson and his successors in office shall serve as judge of Division V and Probate Division.

(4) MUNICIPAL JUDGES

There shall be a municipal judge in each municipality which provides for such by duly enacted city ordinance. Any municipal judge so provided for shall serve as a municipal division of the circuit court of the county in which the municipality is located and shall hear and determine only municipal ordinance violations as prescribed by section 478.230, R.S.Mo.

Rule 1.1. Establishment of a Family Court.

(1) Effective September 1, 2011, a Family Court for the 26th Judicial Circuit is hereby established pursuant to Chapter 487 RSMo. 2004. This Family Court, which shall not have a Family Court Commissioner, shall operate for the purposes, principles, and goals promulgated by Chapter 487 RSMo, 2004 et seq. The Family Court shall have exclusive original jurisdiction of those matters set forth in Section 487.080 RSMo as further defined herein.

(2) The following Judges are designated as Family Court Judges for the 26th Judicial Circuit:

Division I: Judge Matthew P. Hamner and his successors in office
Division II: Judge Kenneth M. Hayden and his successors in office
Division III: Judge Aaron G. Koeppen and his successors in office

who shall have original and concurrent jurisdiction in all Family Court matters set forth in 487.080 RSMo.

(3) The following Judges are designated as the Family Court Judges in the counties in the 26th Judicial Circuit:

a. Camden County: Judge Michael J. Gilley & Judge Heather L. Miller and their successors in office;
b. Laclede County: Judge Larry Winfrey & Judge Steven Jackson and their successors in office;
c. Miller County: Judge Jon A. Kaltenbronn and his successors in office;
d. Moniteau County: Judge Aaron Martin and his successors in office;
e. Morgan County: Judge Stephen Grantham and his successors in office.

These Family Court Judges shall have concurrent jurisdiction of the following Family Court matters transferred to or filed in that county without need for further assignment:

a. All actions for dissolution of marriage, annulment, legal separation, or separate maintenance proceedings, and qualified domestic orders;

b. All actions to modify decrees of dissolution of marriage, legal separation, separate maintenance, child custody and child support, including proceedings to change, abate, or enforce support orders by administrative order, to establish trusteeships through the office of the circuit clerk, and third-party visitation rights;

c. All actions for support brought pursuant to Chapters 207 and 208, RSMo, and pursuant to the Uniform Reciprocal Enforcement of Support Law as set forth in Chapter 454, RSMo;

d. All actions brought pursuant to Chapter 455, RSMo, known as the Adult Abuse Act;

e. All actions brought pursuant to Chapter 455.500 et seq., RSMo, known as Child Protection Orders;

f. All actions brought pursuant to Chapter 210.817 et seq., known as the Uniform Parentage Act.

g. Proceedings for change of name of a person;

h. All paternity actions arising out of or as a part of an action for child support, IV-D cases, and/or any domestic relations matters.

i. Family Access motions pursuant to §452.400, RSMo.

(4) Disqualification of any Family Court Judge for any reason shall be governed by Local Court Rule 6.5.

(5) Rule 1.1 shall be applicable to all Family Court Matters filed after September 1, 2011. To the extent a provision of any other local court rule conflicts with any provision of this Rule 1.1, this rule shall govern.

Rule 2. HOURS AND TERMS OF COURT

2.1 HOURS OF COURT

Court will convene at 9:00 a.m. unless otherwise specified.

2.2 TERMS OF COURT

(1) REGULAR TERMS OF COURT

The circuit court of each county of the Twenty-sixth Circuit shall be in continual session as provided by section 478.205, R.S.Mo. To the extent that a term of circuit court may be required or specified by these rules or by any provision of law, the "terms" of court, for any purposes so required or specified, shall be considered as commencing on the dates hereafter stated:

(a) In Camden County and Laclede County, on the first Mondays in February, May, August and November;

(b) In Miller County, Morgan County and Moniteau County, on the third Mondays in January, May and September.

Court shall not be required to convene in any county within the Twenty-sixth Circuit on the first day of any designated "term" of court solely because of this Rule 2.2. Proceedings may by scheduled on the days specified as first days of "terms" of court in the same manner as on any other business day for the court.

(2) SPECIAL TERMS OF COURT

The presiding circuit judge may, by administrative order, call special terms of court for any of the counties within the Twenty-sixth Circuit for any reason which the presiding circuit judge deems sufficient. Any special term of court called pursuant to this rule 2.2 shall commence on the date specified by the administrative order convening that special term of court and shall terminate upon the commencement of the next regular "term" of court for that county as provided by rule 2.2(1).

2.3 LAW DAYS

Regular law days will be held within the circuit. Divisions I and II will sit alternating months with Division I sitting the even numbered months and Division II sitting the odd numbered months. Division III will sit each month. The regular schedule will be as follows:

Division I and II:

Camden County	First Thursday following the first Monday of each month
Laclede County	First Tuesday following the first Monday of each month
Miller County	First Wednesday following the second Monday of each month
Moniteau County	First Friday following the second Monday of each month
Morgan County	The second Monday of each month

Division III

Camden County	Third Tuesday following the first Monday of each month at 9 a.m.
Laclede County	Third Monday of each month at 1 p.m.

Miller County	Fourth Thursday following the first Monday of each month at 9 a.m.
Moniteau County	Fourth Friday following the first Monday of each month
Morgan County	Fourth Monday of each month

*Dates subject to change to meet the scheduling needs of the Court. Contact the Circuit Clerk's Office for a copy of the published calendar of dates.

If a Law Day falls on a holiday, contact that County's Circuit Clerk for the re-scheduled date.
(Amended 8-8-2025, Effective 9-1-2025)

2.4 PARTICULAR MATTERS ON PARTICULAR DAYS

(1) MATTERS HEARD AT LAW DAYS

(a) ROUTINE MATTERS

Motions requiring notice and hearing, matters which do not require testimony for disposition, matters in default, and other proceedings set specially by the court may be heard and disposed of on regular law days. Matters requiring notice to opposing parties will be scheduled by the clerk for disposition in the order that notices calling the matters are received by the clerk. ALL NOTICES CALLING MATTERS FOR DISPOSITION SHALL STATE THE NAME(S) AND ADDRESS(ES) OF ALL OPPOSING COUNSEL IN THE CASE. Notices received by the clerk which do not conform to this rule shall be disregarded, and the cases to which they apply shall not be called for disposition.

If counsel for all parties to a case agree to a disposition of one or more matters which would otherwise be heard at a regular Law Day, they may prepare a memorandum showing the agreed upon disposition and file that memorandum with the clerk. The memorandum shall be approved by counsel for each party and shall be substantially in the form approved by the court and which format is on file with the circuit clerk. Counsel who have agreed to such a disposition of a matter, as aforesaid, are not required to appear at Law Day but may file the appropriate memorandum with the clerk for presentation to the court. The clerk shall present all such memoranda to the court at law days. Orders shall be entered as provided by each memorandum unless the court finds any such agreed disposition to be inappropriate.

(b) MATTERS REQUIRING TESTIMONY

No matters requiring testimony will be heard on law days unless specially set by the court. Matters requiring testimony which are specially set by the court may be continued to a day certain, other than a Law Day, if time requires.

(c) PROCEDURE FOR SCHEDULING MATTERS FOR HEARING AT LAW DAYS

Motions, all other matters preliminary to trial, and other dispositions which are permitted by these rules to be heard on law days may be heard on any regular Law Day occurring at least five (5) days following service of process and after five (5) days' written notice to other parties in the case. TIME SHALL BE CALCULATED FOR PURPOSES OF GIVING REQUIRED NOTICE AS SPECIFIED BY SUPREME COURT RULE 44.01. WHEN NOTICE IS GIVEN BY MAIL, AN ADDITIONAL THREE (3) DAYS SHALL BE ADDED TO THE PRESCRIBED PERIOD AS PROVIDED BY SUBSECTION (e) OF SAID SUPREME COURT RULE. An original copy of the notice shall be filed with the clerk. IN ORDER TO BE FILED, ALL NOTICES SHALL INCLUDE ALL INFORMATION REQUIRED BY RULE 2.4(1)(a). All matters to be heard on law days shall be heard in the order docketed by the clerk. Any matter not ready for hearing when called shall be recalled at the end of the court's other scheduled business for the day if time permits.

(2) JUVENILE MATTERS

(a) ADOPTIONS

Adoptions shall be set by the Juvenile Judge at or after a pre-trial conference.

(b) OTHER JUVENILE MATTERS

Juvenile matters, other than adoptions, shall be scheduled by the juvenile officer on such dates as are designated for juvenile hearings. Juvenile matters, other than motions, will not be heard on regular law days unless specifically set by the court.

Rule 3. PLEADINGS

3.1 CAPTION

(l) CASES FILED IN OFFICE OF CIRCUIT CLERK

All pleadings filed with the circuit clerk of any county within the Twenty-sixth Circuit shall contain the following designation at the top of the first page: "IN THE CIRCUIT COURT OF (stating the appropriate county) COUNTY, MISSOURI." Pleadings in juvenile proceedings shall state "Juvenile Division" immediately below the above-described designation.

(2) CASES FILED WITH DIVISION CLERK OF ASSOCIATE

CIRCUIT COURT DIVISION

All pleadings filed with the division clerk of any associate circuit judge division of the circuit court of any county within the Twenty-sixth Circuit shall contain the following designation at the top of the first page: "IN THE CIRCUIT COURT OF (stating the appropriate county) COUNTY, MISSOURI." Immediately below the above-described designation shall be one of the following identifications, as appropriate: "PROBATE DIVISION" or "ASSOCIATE CIRCUIT JUDGE DIVISION."

3.2 SERVICE INSTRUCTIONS

The names and addresses of all parties shall be provided at the time of filing.

(a) In those cases where the defendant's address is a rural route, or post office box number, directions for service shall be set forth in a separate document.

(b) In those cases where a domestic corporation is a defendant, the filing information shall also set forth the address of the corporation and the names and addresses of (l) its officers, or (2) its registered agent, or (3) an agent in charge of the office.

(c) In those cases where a foreign corporation is a defendant, the filing information shall set forth: (l) its registered agent and address, or (2) the address of a local office and the name of the officer in charge that may receive service.

(2) Pro Se Pleadings

Any pleading filed pro se shall contain the telephone number and address of the party filing that pleading, and any email address he/she has.

3.3 SIZE OF PAPERS

All papers offered for filing in any division of any court within the Twenty-sixth Judicial Circuit shall be 8½ x 11 inches, and pleadings or other papers which have other dimensions shall not be accepted for filing. Any form used in any division of any court within the Twenty-sixth Judicial Circuit shall be 8½ x 11 inches.

3.4 NUMBER OF COPIES OF PLEADINGS

All pleadings filed which require summons to issue and service on other parties shall be filed with sufficient numbers of copies to permit service upon all adversary parties.

3.5 FILINGS BY FACSIMILE

Fax filing is not permitted.

3.6 FILINGS WITH JUDGES

(1) Applications for search warrants and affidavits in support thereof; arrest warrants and informations; complaints and probable cause statements; ex parte orders and petitions and affidavits in support thereof; mental health/drug and alcohol commitments and petitions and affidavits in support thereof; detention and protective custody orders and petitions, motions, police reports, statements and affidavits in support thereof, and other pleadings and orders as may be desirable by the Court shall be filed with the appropriate Associate or Circuit Judge by electronic transmission or paper with the approval of the Judge.

(2) Any such document so filed shall have the same effect as the filing of an original document, even though it may be required to be verified or submitted by affidavit. An electronic signature shall have the same effect as an original signature.

(3) Court orders, commitments, docket entries, judgments or decrees, including warrants and search warrants, and any other document as may be desirable may be transmitted to the clerks of the various divisions or others by electronic transmission or paper at any time by a Judge.

Rule 4. FILING OF CASES

4.1 CRIMINAL CASES

A. All Informations in felony cases bound over for trial upon preliminary hearing or upon waiver of preliminary hearing shall be filed with the circuit clerk.

B. FILINGS WITH DIVISION CLERKS – ASSOCIATE CIRCUIT JUDGES

The following cases shall be filed in the office of the division clerk of the associate circuit judge for the appropriate county within the Twenty-sixth Judicial Circuit and shall be heard and determined in that division by an associate circuit judge unless otherwise transferred as provided by these rules or applicable statute:

(a) All cases of misdemeanor or infraction; and

(b) Felony cases prior to the filing of the Information.

4.2 CIVIL CASES

Pursuant to Supreme Court Rule 54.21, if process is not served in any civil case within thirty (30) days after its date of issue, time for service is extended an additional thirty (30) days in the case, and this Rule 4.2 shall be deemed an order of court so directing.

(1) All civil actions where the sum demanded, exclusive of interest and costs, is $25,000.00 or more shall be filed with the clerk of the circuit court. This rule does not include those cases under the exclusive jurisdiction of any other division of court.

4.3 PROBATE CASES

All cases within the jurisdiction of the probate division shall be filed with the clerk of the probate division.

4.4 JUVENILE CASES

(1) All juvenile proceedings shall be filed in the office of the circuit clerk of the appropriate county within the Twenty-sixth Circuit.

(2) Juvenile files may be inspected, examined, or copied only by leave of the Juvenile Judge.

4.5 SMALL CLAIMS CASES

Small Claims cases shall be filed as follows:

(1) Camden, Laclede and Miller Counties – in the office of the circuit clerk for the appropriate county.

(2) Moniteau, and Morgan Counties – in the office of the associate division clerk for the appropriate county.

4.6 MUNICIPAL CASES

(1) Municipal ordinance violation cases for municipalities which provide municipal judges shall be filed at the site of the appropriate municipality with those clerks provided for that purpose by the respective municipalities and shall be heard and determined by the appropriate municipal judges.

(2) Municipal ordinance violation cases which are heard by an associate circuit judge shall be filed:

(a) in Camden, Laclede and Miller counties with the circuit clerk of the appropriate county;

(b) in Moniteau, and Morgan Counties with the division clerk of the associate judge division of the circuit court for the county in which the particular municipality is located.

Rule 5. FEES AND COSTS

5.1 FILING FEE AND COST DEPOSIT

(1) Subject to the provisions of subparagraphs 2 and 3 of this rule, in all cases filed in this circuit, excepting cases filed by the State of Missouri or any political subdivision, a juvenile officer, appeals, or transcripts from any Federal or State Commission, there shall be deposited with the appropriate clerk upon filing, the following sums:

(a) Circuit Divisions -	
All original civil cases	$100.50
Domestic Relations	$132.50
Adoptions	$210.50
(b) Associate Divisions -	
All original civil cases	$ 48.50
(c) Small Claims –	$ 20.50
(d) Probate Division –	
Guardianship/Conservatorship	$200.00
Decedent's Estates (excluding summary proceedings)	$200.00

Refusal of letters, small estates, annual settlements, and other administrative procedures – costs and fees must be paid when the application/settlement is filed.

(e)	Request for trial de novo	$45.00
(f)	Filing of foreign judgment	$ 25.00
(g)	Garnishment Clerk Fee Surcharge -	$10.00 plus any other fee authorized by law.

(2) Any party to a civil cause of action may request the circuit clerk to issue up to four subpoenas for any hearing or trial. Any party requesting more than four witnesses to be subpoenaed for any hearing or trial shall include with the request an additional cost deposit of $30.00 for each additional subpoena requested. If the fee is

not included with the request for subpoenas for all additional witnesses, the subpoenas shall not be written or issued.

This rule shall not apply when the typing and serving of subpoenas is undertaken by an attorney's office.

(3) In cases where service by publication is requested, the clerk shall be responsible for forwarding the publication notice to the newspaper office requested by the attorney. The attorney shall be responsible for paying the publication bill directly to the newspaper, obtaining the affidavit of publication, and filing same with the court. The attorney is also responsible for contacting the newspaper office to determine if the publication fee must be paid in advance.

(4) If the cost deposit is insufficient to pay actual anticipated expenses, including service of process, the clerk may require the party requesting service to deposit an additional sum prior to issuance of service.

(5) INSUFFICIENT FILING FEES. Pleadings requiring a filing fee which are submitted with insufficient funds to cover the filing fee will be accepted. The Clerk shall notify the filer that further fees are needed and no summons shall issue. If the required fees are not received within 10 days of notice from the clerk, the cause shall be dismissed without prejudice by the Court. This provision however, shall not apply in cases filed in forma pauperis in compliance with Missouri Supreme Court Rules, or if a different filing fee is specified by statute or Missouri Supreme Court Rule or order.

Rule 5.1.1. FAMILY SERVICES AND JUSTICE FUND

(1) With the establishment of the Family Court in the 26th Judicial Circuit and pursuant to Section 488.2300 RSMo, a Family Services and Justice Fund is hereby established for each county in the 26th Judicial Circuit.

(2) The Circuit Clerk of each county of the 26th Judicial Circuit shall charge and collect a surcharge of thirty dollars ($30.00) pursuant to section 488.2300 RSMo from the filing fee paid in all proceedings falling within the jurisdiction of the Family Court. The surcharge shall not be charged when no court costs are otherwise required, shall not be charged against the petitioner for actions filed pursuant to the provisions of Chapter 455 RSMo, but may be charged to the respondent in such actions, shall not be charged to a government agency, and shall not be charged in any proceeding when costs are waived or are to be paid by the state, county, or municipality.

(3) In juvenile proceedings under Chapter 211, RSMo, a judgment of up to thirty dollars may be assessed against the child, parent, or custodian of the child, in addition to other amounts authorized by law, in informal adjustments made under the provisions of Sections 211.081 and 211.083, RSMo, and in an order of disposition or treatment under the provisions of Section 211.181, RSMo. The judgment may be ordered paid to the Circuit Clerk of the county where the assessment is imposed. Only sums collected

in Chapter 211 proceedings shall be used to provide services set forth in 488.2300(4) in Chapter 211 Juvenile matters and these sums shall not be used to provide services except in Chapter 211 proceedings.

(4) All sums collected pursuant to Section 488.2300 RSMo and those funds designated for payment to the Family Services and Justice Fund from the law library fee as set forth in local court rule 5.6 shall be payable to the Family Services and Justice Funds for each county and shall be expended to provide enhanced services as set forth by Section 488.2300 RSMo under Order of the Administrative Judge of the Family Court or under Order of the Presiding Judge adopted by the Court En Banc. These funds shall not replace or reduce the current and ongoing responsibilities of the counties of the 26th Circuit to provide funding for the Courts as required by law.

(5) Each Circuit Clerk shall report the receipts and expenditures therefrom on an annual basis to the Family Court Judge(s) for their respective county.

5.2 COSTS - No Local Rule

5.3 WITNESS FEES - No Local Rule

5.4 WAIVER OF FEES

All persons desiring to proceed in forma pauperis must submit an application accompanied by a verified affidavit of assets and income. In addition, any person in the custody of the Missouri Department of Corrections shall also submit Institutional Account Information from the Department of Corrections.

5.5 MOTION FOR SECURITY

In all appropriate cases, including but not limited to cases where guardians ad litem or defendants ad litem are or may be required to be appointed, any party may, by motion, seek an order of the court regarding advance deposits as security for payment of such fees and costs, and the court, on its own motion, may order deposits in advance from any party or parties to secure payment of same.

5.6 LAW LIBRARY FEE

(1) In all cases filed in circuit court which require a payment of filing fees, a surcharge of $15.00 as a law library fee shall be collected from the filing fee paid. No law library fee shall be required in cases sent to the county on a change of venue, cases filed under small claims procedures, applications for trials de novo, cases filed by the county, state, or any duly incorporated city, and cases where the court has waived a cost deposit.

(2) In Camden County $7.50 of this fee shall be disbursed to the Family Services and Justice Fund.

(3) The prosecuting attorney of each county is designated treasurer of the law library fund for that county. On or before January 3l of each year each treasurer shall file with the presiding circuit judge an itemized, written report of law library fee receipts and expenditures for the preceding year and a statement of the law library fund balance as of the preceding December 31.

5.7 FINES AND OTHER COURT-ORDERED MONEY

All fines, penalties, forfeitures, and other sums of money accruing to the state by virtue of any order, judgment, or decree of the court shall be collected by the clerk of the appropriate court.

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

6.1 ASSIGNMENT TO ASSOCIATE CIRCUIT JUDGES

6.1.1 BY LOCAL COURT RULE OR ORDER

The following cases are hereby assigned, without further order of assignment or transfer, to the associate circuit judge(s) in the particular county where the action is filed:

(1) All trial de novo proceedings from municipal divisions;

(2) All petitions seeking reinstatement of a driver's license (ten year denial); petitions filed as circuit cases under Section 577.041 R.S.Mo. (refusal cases); applications seeking limited driving privileges; petitions filed as circuit cases seeking reinstatement of driving privileges due to suspension for non-payment of child support;

(3) All actions for support brought pursuant to Chapters 207 and 208, R.S.Mo., and pursuant to the Uniform Reciprocal Enforcement of Support Law as set forth in Chapter 454, R.S.Mo.;

(4) Uncontested proceedings for the approval of settlement of suits involving claims by persons under eighteen years of age;

(5) Uncontested actions involving the title to real estate;

(6) All actions submitted to the circuit court, in any form, seeking periodic approval or final approval of settlements related to or within inter vivos or testamentary trusts;

(7) All petitions for trial de novo submitted to the circuit court pursuant to §302.535, R.S.Mo. (Appeal from Administrative Suspension or Revocation of Driving Privilege);

(8) All paternity actions arising out of or as a part of an action for child support, IV-D cases, and/or any domestic relations matters.

(9) Associate circuit judges of the counties within the Twenty-sixth Circuit may hear motions for judgments on bail bond forfeitures in any case in which the particular associate circuit judge has, prior to hearing such motion, entered a bond forfeiture regardless of whether the offense alleged is an infraction, a misdemeanor, a felony, or in any such type of case to which the particular associate circuit judge is assigned subsequent to a bond forfeiture having been entered by another associate circuit judge. Rules applicable to proceedings before circuit judges shall apply in any motions for judgment on bail bond forfeitures.

6.1.2 SPECIAL ASSIGNMENT

(1) In addition to those cases permitted to be heard by associate circuit judges by Rule 6.1.1, associate circuit judges within the Twenty-sixth Circuit shall hear such other types of cases 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, R.S.Mo. Such special assignments may be in the county in which a particular associate circuit judge otherwise presides or may be in such other county within the Twenty-sixth Circuit as is specified by the presiding circuit judge.

(2) In addition to special assignments to such types of cases referred to in subparagraph (1) of this Rule 6.1.2, associate circuit judges may, from time to time, be assigned to counties within the Twenty-sixth Circuit other than that county in which a particular associate circuit judge presides to hear a case of the type usually heard by the associate circuit judge for such other county. Such special assignments shall be by order of the presiding circuit judge pursuant to §478.240, R.S.Mo.

(3) Any case of the type normally heard by a circuit judge to which an associate circuit judge is assigned pursuant to Rule 6.1 shall be heard in accordance with the rules and procedures which apply to cases heard by circuit judges. The record in any such case may be preserved, at the discretion of the associate circuit judge assigned thereto, by either electronic recording device or court reporter unless otherwise directed by the presiding circuit judge.

(4) The Presiding Judge may assign any case to a Senior Judge as authorized by the Supreme Court of Missouri or may request any case be assigned a judge by the Supreme Court of Missouri.

6.2 ASSIGNMENT TO CIRCUIT JUDGES

Cases other than those for hearing and determination before associate circuit judges and municipal judges pursuant to statutes, rules of court and special assignment shall be heard and determined by a circuit judge. Cases for trial before a circuit judge will be assigned to a circuit judge division at such time as the case is given a trial setting. Notwithstanding that a case may be set for trial before one particular circuit judge, another circuit judge may assume jurisdiction therein for purposes of ruling on pretrial matters or to effect settlement agreements.

6.3 CERTIFICATION TO CIRCUIT DIVISION

Whenever an associate circuit court case is required by law or rule to be certified to the presiding judge to be heard on the record, the file shall be delivered to the circuit clerk and docketed with other cases as if originally filed in the circuit division.

6.4 TRIAL DE NOVO

(1) Municipal. See Rule 6.1.1(c).

(2) Chapter 302.535. (Department of Revenue). See Rule 6.1.1(n)

(3) Chapter 482 (Small Claims), Chapters 534 (Forcible Entry and Unlawful Detainer), and 535 (Landlord-Tenant):

(a) Camden and Laclede Counties: Upon application for trial de novo being filed, the case, without further order, shall be heard by the other associate circuit judge of the county unless the other associate circuit judge was previously disqualified therein. If the remaining associate circuit judge is disqualified, the clerk of the division in which the case is pending shall promptly notify the presiding circuit judge for assignment.

(b) Miller, Morgan, and Moniteau Counties: Upon application for trial de novo being filed, the clerk of the division in which the case is pending shall promptly notify the presiding circuit judge for assignment.

(c) This rule shall not preclude other assignments of any judge by the presiding circuit judge or the Missouri Supreme Court.

6.5 DISQUALIFICATION OF JUDGE

(1) CIRCUIT JUDGE

When a Circuit Judge is disqualified, whether upon the Court's own motion or the motion of a party, the following procedures shall apply, unless otherwise provided by specific order:

a. If the Judge disqualified is a Circuit Judge other than the Presiding Circuit Judge, the case shall automatically be transferred to the Presiding Circuit Judge for reassignment;
b. If the Judge disqualified is the Presiding Circuit Judge, the case shall automatically be transferred to the Circuit Judge not sitting as the Juvenile Judge. If both of the above Circuit Judges have previously been disqualified or have recused, the case shall be transferred to the remaining Circuit Judge without need for Judicial Assignment.
c. This rule shall not preclude other assignment of any case by the Presiding Circuit Judge in compliance with other rules herein, Missouri Supreme Court Rule, or applicable statute.

(2) ASSOCIATE CIRCUIT JUDGES

In cases pending in associate circuit judge divisions in counties with only one associate circuit judge, the clerk of the division in which a case is pending shall promptly notify the presiding circuit judge upon an application for change of judge being granted. The case number, caption, division in which the case is pending, and the names of previously disqualified judges, if any, shall be included in the notification.

In counties with more than more than one associate circuit judge, upon an application for change of judge being granted in a case, that case shall, without further orders, be transferred to the other associate circuit judge division of the county for further proceedings unless the other associate circuit judge was previously disqualified. This rule shall not preclude other assignment of any judge by the presiding circuit judge or the Missouri Supreme Court. If both associate circuit judges of the county are disqualified the clerk of the division in which a case is pending shall promptly notify the presiding circuit judge upon an application for change of judge being granted. The case number, caption, division in which the case is pending, and the names of previously disqualified judges, if any, shall be included in the notification.

6.6 JURISDICTION TO HEAR AND DETERMINE

(1) CIRCUIT JUDGE

In the absence or unavailability of a circuit judge, the other circuit judges may, during any absence or unavailability, sit as judge of the division in which the circuit judge is absent or unavailable, and perform all the duties of the absent or unavailable judge.

(2) ASSOCIATE CIRCUIT JUDGES

(a) In counties with more than one associate circuit judge: In the absence or unavailability of an associate circuit judge, another associate circuit judge may, during

any absence or unavailability, sit as judge of any division in which the associate circuit judge is absent or unavailable and perform all the duties of the absent or unavailable judge.

(b) IN counties with only one associate circuit judge: In the absence or unavailability of the associate circuit judge, any other associate circuit judge within the circuit may, by consent of both judges during such absence or unavailability, sit as judge of any division in which the associate circuit judge is absent or unavailable and perform all the duties of the absent or unavailable judge.

(c) Twenty-sixth Judicial Circuit: When an associate circuit judge is absent or otherwise unavailable, any circuit judge may, during any absence or unavailability, sit as judge of any division in which the associate circuit judge is absent or unavailable and perform all duties of the absent or unavailable judge.

(3) JUDGES OF THE PROBATE DIVISION

(a) Camden County: In the absence or unavailability of the Judge of the Probate Division, the Judge of Division IV shall serve as the Judge of the Probate Division.

(b) Laclede County: In the absence or unavailability of the Judge of the Probate Division, the Judge of Division IV shall serve as the Judge of the Probate Division.

6.7 ABSENCE OF PRESIDING JUDGE

In the event the circuit judge who serves as presiding circuit judge is absent from the Twenty-sixth Circuit or is disabled or disqualified from acting in the capacity of presiding circuit judge then, during any such period of absence, disability or disqualification, the circuit judge, who is not sitting as Juvenile Judge, shall be the acting presiding circuit judge and may exercise the responsibilities prescribed by law for presiding circuit judges. This rule shall not be interpreted as intending to apply to the type of disqualification referred to in subparagraph l of §478.240, R.S.Mo., and in Article 5, section 24, Missouri Constitution.

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 courtroom unless written authorization to remove such files is obtained from the court except as is provided in this local court rule 7.l. The judge of any division of the court, or a member of such judge's staff, e.g., the judge's secretary or clerk, the court administrator, or a juvenile officer, may remove court files for use in conducting hearings, reviewing cases or otherwise conducting the business of the court upon providing the circuit clerk with written receipt therefor. The official court reporter of any division of the court or the division clerk of the associate circuit judge division of the court may remove court files

for purposes of considering matters being tried, taken under submission, or preparing transcripts of proceedings upon providing the circuit clerk with written receipt therefor. The clerk of each division of each county shall establish and maintain a procedure for accounting for all court files removed from that clerk's office, and for acknowledging return of court files, and such procedure shall be maintained as part of the official records of the office of that clerk of each county.

7.2 DUPLICATING POLICY

Requests for copies of court records should be directed to the appropriate clerk. No charge shall be made for copies of documents furnished to any city, town, county, state agency, state department, federal agency, or federal department. Parties shall be charged the following for documents requested, and these sums must be paid in advance or as the clerk directs.

Authenticated Copies		$4.50
Certified Copies		$1.50
Photocopies	per page	$ .25
Fax Copies	per page	$1.00

Rule 8. PUBLICATION OF DOCKETS

8.1 CIRCUIT DIVISION TRIAL DOCKET

No printed docket of pending cases is required.

Rule 9. COURTROOMS

9.1 ASSIGNMENT OF COURTROOM - No Local Rule

9.2 PLACE OF HEARING - No Local Rule

9.3 USE OF COUNSEL TABLE - No Local 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.

Attorneys appearing before the court and their clients shall be dressed in appropriate attire consistent with professional standards and the dignity of the court. Inappropriate attire may result in a party or an attorney not being permitted to proceed before the court until corrections in conduct or attire are made to the reasonable satisfaction of the court. The same rule applies to witnesses.

9.5 WHO IS PERMITTED WITHIN BAR - No Local 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 in such an amount as the official court reporter reasonably estimates the transcript will cost. In the event the cash deposit exceeds the cost of the transcript ordered, the excess shall be refunded to the person who ordered the transcript upon its completion. In the event the cash deposit is insufficient to pay for the transcript, the remaining unpaid portion shall be due and payable from the person who ordered the transcript to the reporter who prepared it upon delivery of the transcript.

Rule 11. RECORDINGS OF JUDICIAL PROCEEDINGS

(1) USE OF RECORDING DEVICE OR FTR GOLD RECORDING DEVICE BY CIRCUIT JUDGE

A circuit judge may choose to use a recording device or FTR Gold recording device to preserve the record as a substitute for preservation of the record by the official court reporter.

(2) USE OF RECORDING DEVICE, FTR GOLD RECORDING DEVICE OR COURT REPORTER BY ASSOCIATE CIRCUIT JUDGE

(a) Any case assigned to an associate circuit judge for hearing and which requires a record of the proceedings shall have the record preserved by a recording device, FTR Gold recording device or court reporter, at the discretion of the associate circuit judge to which the case is assigned, unless the original assignment order or a later assignment order specifies otherwise. (Reference: §478.072, R.S.Mo.) Any court reporter used shall be a certified court reporter unless a certified court reporter is unavailable and authorization to use a reporter not certified pursuant to Missouri Supreme Court Rule 14 is given by a circuit judge of the Twenty-sixth Circuit.

(b) A certified court reporter who is not one of the official reporters of the Twenty-sixth Judicial Circuit and who is employed to report a case of the type described in paragraph (a) of this rule 11(2) shall be paid a daily rate as agreed between the judge and reporter and which does not exceed the daily rate of pay of an official court reporter. The daily rate of pay of an official court reporter, for purposes of this rule, shall

be calculated by dividing the amount of the monthly salary of an official court reporter by 30. The amount charged per page for any transcript shall not exceed the rate established for the official court reporter.

(c) Access to recordings of court proceedings shall be governed by Court Operating Rules. Requests shall be made using Form E and a copy provided upon payment of the fee set forth therein.

(3) UNAUTHORIZED RECORD

All persons except those authorized by the court to preserve the record and those authorized by a Judge in accordance with Missouri Supreme Court Operating Rule 16 shall not use any recording device including stenographic reporting inside the courtroom or circuit clerk's office or through the windows into the courtroom or circuit clerk's office, unless authorized by a Circuit or Associate Judge. (Amended 8-8-2025)

(4) TELEVISION, BROADCASTING, PHOTOGRAPHING

All persons except those authorized by the court to preserve the record and those authorized by a Judge in accordance with Missouri Supreme Court Operating Rule 16 shall refrain from broadcasting, televising, recording, or taking photographs in the courtrooms and in the corridors and stairways adjacent thereto while Court is in session and during recesses. A Judge may permit a camera or other photography device to be used by a party for the presentation of their case.

Rule 12. MONEYS PAID INTO COURT

COLLECTION OF FINES BY COURT CLERK

The judge of any division of any circuit court within the Twenty-sixth Circuit may authorize and direct collection by a court clerk of fines, penalties, forfeitures, and other sums of money accruing to the state in lieu of such collections being performed by the county sheriff. Any court clerk who makes such collections shall account for all moneys received and shall distribute those moneys as prescribed by law.

12.1 BOND IN CIVIL CASES - No Local Rule

Rule 13. COMMUNICATIONS WITH COURT - No Local Rule

13.1 ORAL COMMUNICATIONS WITH THE COURT - No Local Rule

13.2 WRITTEN COMMUNICATIONS WITH THE COURT - No Local Rule

Rule 14. SPECIAL PROCESS SERVERS

14.1 APPOINTMENT OF SPECIAL PROCESS SERVERS

The Court or the Circuit Clerk may appoint a Special Process Server as authorized by §506.140, RSMo upon written request. The request shall state that the person to be appointed is over the age of eighteen and not a party to the action as required by Missouri Rules of Civil Procedure Rule 54.13(a). The fees of the special process server shall be paid directly to the special process server by the requesting party.

GENERAL RULES

Rule 20. ELECTRONIC FILING

20.1 ELECTRONIC FILING

Except for documents filed by self-represented litigants, documents originally filed in a Municipal Division which is not yet part of the statewide court automation system, documents prepared within a courtroom during trials and hearings and documents required or allowed by law to be filed otherwise, all filings in all types of cases shall comply with Missouri Supreme Court Rule 103 and Court Operating Rule 27. Bonds, Wills, Codicils, Trusts and documents required or allowed by law to be filed otherwise must be filed both electronically and in their original paper form. Any attempted filing that does not meet the requirements of the System or any other rules promulgated by this Court may be rejected and deemed as not filed.

With regard to documents filed by self-represented litigants, documents originally filed in a Municipal Division which is not yet part of the statewide court automation system, documents prepared within a courtroom during trials and hearings, documents required or allowed by law to be filed otherwise and as otherwise provided by these rules, the Clerk shall be responsible for determining the procedures for the proper filing of and preservation of the same, consistent with Missouri Supreme Court Rules and the Local Rules of this Court.

Cases in Municipal Divisions which have implemented the statewide court automation system or which are being presided over by an Associate Circuit Judge sitting in the Associate Division are subject to the electronic filing requirements of this rule.

20.2 PLEADINGS WITH PROTECTED CLASS OF VICTIMS

In accordance with 595.226 RSMo. regarding the redaction of

identifying information of victims of certain crimes, a party electronically filing any pleading or document which includes information identifying a member of the protected class of victims described in 595.226 RSMo. shall file, in addition, to the original document, a redacted electronic copy of the pleadings or document, so-marked, eliminating any such identifying information. The original electronic document shall be posted at a security level for attorneys of record to access and the redacted electronic copy at a level that is accessible to the public.

20.3 PROBATE FILINGS

A Court may order a courtesy paper copy of exhibits, attachments and settlements electronically filed with the Court.

20.4 DEBIT ACCOUNTS

Debit accounts established by registered users of the Electronic Filing System shall have a minimum balance of two hundred ($200.00) dollars. The Circuit Clerk may suspend the use of a debit account which does not have a minimum balance of two hundred ($200.00) dollars and direct the registered user to submit payment by credit card, electronic check or other method of payment authorized by the Missouri Supreme Court.

Rule 21. ATTORNEYS

21.1 RESOLUTION OF CONFLICTING TRIAL SETTINGS

Cases set before circuit judges shall generally take precedence over cases set before associate circuit judges. Continuances of proceedings in associate circuit judge divisions shall be promptly given so as to resolve such conflicts without undue burden being placed upon litigants or attorneys, all subject to individual arrangements which may be made between the respective judges of the courts involved.

21.2 ENTRIES OF APPEARANCE - No Local Rule

21.3 CONDUCT OF ATTORNEYS - No Local Rule

21.4 WITHDRAWAL OF ATTORNEYS

Any attorney who desires to withdraw as attorney of record for any party to any action pending in the courts of the Twenty-sixth Judicial Circuit shall comply with the following procedures:

(1) 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.

The attorney shall also file a separate written notice of date and time at which the moving attorney will call up the motion before the court for hearing.

(2) A copy of the motion and the notice shall be served upon all parties, including the client from whose employ the attorney is seeking leave to withdraw. The notice shall instruct the client that the client must appear in person at the hearing.

(3) The last known 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.

(4) 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 in subparagraph (2) above.

(5) 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 deadlines in the case.

21.5 FAILURE OF ATTORNEY TO ANSWER DOCKET CALL

On the dates that cases are set for trial or hearing, all attorneys who have settings shall be present in the courtroom when the matter is called, unless excused by the court, and the case will be heard, continued, or stricken from the docket by the court as the court 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.

21.6 APPOINTMENT OF ATTORNEYS - No Local Rule

21.7 AGREEMENT OF ATTORNEYS

See Rule 2.4(1)(a) herein with respect to dispositions of matters in accordance with agreements of counsel.

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 or her client's witnesses comply. If any witness violates the rule, whether willfully or otherwise, that witness shall not be

permitted to testify except by consent of opposing counsel or unless the court 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 progress with any juror or in the presence of any juror.

Rule 22. APPOINTMENT OF GUARDIAN AD LITEM - No Local 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. 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.

Rule 24. EXHIBITS

All exhibits introduced during the trial of a case 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, 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 possession. Or, the court may announce on the record that the attorneys are retaining possession of the exhibits, and this shall be conclusive evidence as to possession.

PRE-TRIAL MATTERS

RULE 32. DISCOVERY

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

32.2 INTERROGATORIES

Each party is limited to propounding a total of twenty-five (25) interrogatories, including sub-parts. With leave of the court, upon good cause shown, additional interrogatories may be propounded.

Answers to interrogatories shall recite each particular interrogatory immediately prior to its answer. Answers to interrogatories may be in the following form:

INTERROGATORY 1. State the name of any person you believe observed the occurrence described in plaintiff's petition?

ANSWER: John Doe.

Answers to interrogatories which do not recite the particular interrogatories answered may be ordered stricken by the court and the party answering directed to file further answers in the form required.

32.3 DEPOSITIONS

(1) Notice. Any party noticing an individual for deposition shall include with the notice the date(s) on which his/her own party will be available for deposition.

(2) Use and Filing. In accordance with Missouri Supreme Court Rule 57.03, depositions are not to be filed with the court except upon court order or contemporaneously with a motion placing the deposition in issue. If a party intends to use a deposition at a hearing or a trial for any purpose other than impeachment, then that party shall file with the court a statement identifying by line and page number the portions of said deposition the party intends to use at hearing or trial. The party intending to use such deposition shall have the deposition in its entirety at the hearing or trial for presentation to the court. At the conclusion of the hearing or trial the deposition shall be retrieved by the party that tendered the deposition.

32.4 REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS AND REQUESTS FOR ADMISSIONS

Each party is limited to propounding a total of twenty-five (25) requests for production of documents and things, and twenty-five (25) requests for admission. With leave of the court, upon good cause shown, additional requests for production of documents and things and requests for admissions may be propounded.

The procedure set out for interrogatories in this Rule 32 shall also apply to requests for production of documents and things and for requests for admissions.

32.5 MOTION TO COMPEL OR FOR SANCTIONS

Any motion for sanctions pertaining to discovery disputes filed with the court shall include a statement as to what attempts have been made by counsel to obtain the information prior to filing the motion for sanctions. The court will not consider a motion for sanctions without this statement.

32.6 CRIMINAL DISCOVERY – No Local Rule

Rule 33. PRE-TRIAL MOTIONS

All motions require notice and hearing unless otherwise determined by the court. Motions which do not require testimony for disposition, motions in which a party is in default, and other proceedings set specially by the court may be heard and disposed of on regular law days upon being noticed by a party. See Rule 2.4(1)(a).

All pretrial motions in the circuit division requiring evidentiary hearing shall be filed and noticed no later than thirty (30) days prior to trial.

33.1 HEARING DATES

See Rule 2.3 of these rules.

33.2 BRIEFS IN SUPPORT OF MOTIONS, WHEN REQUIRED

All motions shall be in writing and may be accompanied by a written memorandum or brief setting forth reasons in support thereof with citations and points relied upon. If a motion is accompanied by a written memorandum or brief, an adverse party may within ten (10) days file a written memorandum or brief in opposition with citations and points relied upon. Suggestions in support or in opposition, shall not exceed two (2) pages. No motion shall be noticed up for ruling until the time to respond has expired. If no memorandum is filed, the court may summarily overrule or grant the motion. If the filing party or adverse party desires to make oral argument they must request same in writing. Either party may notice the motion for hearing as provided by Supreme Court Rules on the next law day docket after the time for responding has expired. The time to file a written memorandum or brief may be extended by the court for good cause shown.

33.3 ORAL ARGUMENTS - WHEN DESIRED AND HOW REQUESTED

If the moving party or responding party requests oral argument, the request shall be filed with the party's motion or response.

Oral arguments on pre-trial motions may be heard at law days upon being scheduled for hearing as required by rule 2.4(1)(c).

Oral argument shall be limited to ten (10) minutes for each party including rebuttal. On application by either party the court may grant additional time.

33.4 PRE-TRIAL MOTIONS

In the event there are pre-trial issues remaining to be resolved in any case for which trial setting is requested or which is already set for trial, counsel shall promptly notify the court in order that the need for a pre-trial conference may be determined. Any request for pre-trial rulings shall be presumed to be untimely made if presented to the court the day of trial without prior notice.

Rule 34. CONTINUANCES

In all cases (criminal or civil), set for trial, continuances will be granted only by court order for good cause shown, and only by written application, timely made, with the required accompanying affidavit (See Rules 34.1 and 34.2 below) and with reasonable notice to opposing counsel and the court. Costs, including juror attendance fees, if any, which are incurred by reason of a continuance may be assessed against the party requesting the continuance. Every request for continuance shall include the requesting party's available dates for the next three (3) months.

Counsel shall appear on the date scheduled for hearing, prepared to proceed, unless a ruling has been obtained at least two (2) days prior to the hearing date.

34.1 CIVIL CASES

Counsel shall comply with Missouri Supreme Court Rule 65.

34.2 CRIMINAL CASES

Requests for continuance in a criminal case shall comply with and be subject to sections 545.710 to 545.730 RSMo. The request may be made in a format to include an appropriate place thereon for the court to enter an order granting or denying the continuance.

Rule 35. PRE-TRIAL/CASE MANAGEMENT CONFERENCE

(1) Cases are subject to being set for pre-trial/case management conference by any division in accordance with Missouri Supreme Court Rules 24.12 and 62.01.

(2) Criminal cases may be set for pre-trial conference on criminal docket days upon notice being given to the attorneys of record. All defendants in criminal cases shall personally appear at the pre-trial conference in their respective cases unless specifically excused by the judge presiding at the pre-trial conference.

Rule 36. SETTING CIVIL CASES FOR TRIAL

36.1 REQUEST FOR TRIAL

(1) Requests for trial settings shall state that discovery is complete, except that for good cause shown the Court may waive this requirement. Requests for trial settings shall also state the estimated time requested for the trial of the case, and whether trial by jury is waived. Unless an opposing party contradicts any such statements by filing an objection to the request for trial setting, opposing parties shall be deemed to concur in the statements made including, but not limited to, whether the case is to be tried before a jury or the court. Requests for trial setting shall be noticed for hearing in compliance with Missouri Supreme Court Rules and these local rules.

(2) Associate circuit judges shall establish procedures for setting cases for trial in the division in which they sit.

(3) At the time a trial request is filed for a dissolution of marriage there must be filed in the case typed and verified schedules of marital and non-marital property, monthly income and expense statements, and a Form 14 for child support calculation as required under local court rule 68. If a party does not file such schedules and statements, then that party is deemed to have accepted the statements and schedules that have been filed as their own. If the party requesting a trial setting has not filed all of the documents set out above, then the request for trial setting shall be stricken. Any party requesting a trial setting in a domestic relations case shall file with the request a verification that all of the documents specified herein are on file.

36.2 ANNOUNCEMENT OF TRIAL SETTINGS

Cases to be set for trial shall be assigned to one of the divisions of the court for trial or for pre-trial conference on a date certain. The clerk shall send notice of the trial setting to all attorneys of record and all unrepresented parties. The Clerk shall note on the docket sheet the date notice was sent. A copy of the notice shall be filed in the case file.

36.3 CONFLICTS

(1) Parties in cases which have been placed on the docket for trial setting shall be responsible for timely notifying the court of trial conflicts. This may be done by:

(a) Providing the court with a list of conflict dates at the time a case is placed on the docket for trial setting;

(b) Appearing at the docket for trial setting and providing notice of any conflicts.

Failure of any attorney or party (if not represented by counsel) to timely notify the court of a prior setting or other conflict shall be considered to be an acknowledgment that the trial date or date for pre-trial conference as announced does not conflict with any other matter. CASES SET FOR TRIAL ARE EXPECTED TO BE FOR DISPOSITION ON THE DAY SET. See also Rule 36.1(1) regarding scheduling cases for trial with or without juries.

36.4 CALENDAR CALL – No Local Rule

36.5 REMOVAL AND INACTIVE CALENDAR - No Local Rule

36.6 REVISION AND REMOVAL FROM PREPARED CALENDAR - No Local Rule.

36.7 SPECIAL ASSIGNMENTS - No Local Rule

Rule 37. DISMISSALS

37.1 DISMISSAL DOCKET

(1) CIVIL CASES

(a) CIRCUIT CIVIL

Circuit court civil cases, which have been on file for one year are placed on the dismissal docket and are subject to dismissal as provided herein. Circuit court civil cases which have been removed from the dismissal docket which are not disposed of within one year of removal from the dismissal docket shall be placed upon the dismissal docket and subject to dismissal as provided herein.

(b) DOMESTIC RELATIONS

Domestic relations cases which have been on file for six months are subject to dismissal as provided herein.

(c) ASSOCIATE CIVIL

Associate civil cases which have been on file for six months are subject to dismissal as provided herein.

(2) The clerk of the appropriate court shall notify the attorneys of record, or to a party not represented by an attorney at the party's address last shown in the court file, that the case is on the dismissal docket.

(3) Any case on the dismissal docket shall be dismissed without prejudice after sixty days. No case shall be removed from the dismissal docket except by hearing before the court prior to the date of dismissal and upon good cause shown with notice of said hearing to all counsel and unrepresented parties having been given in accordance with the Mo. Supreme Court Rules of Civil Procedure.

(4) The clerk shall notify the attorney or unrepresented party, at his/her last address shown in the court file, of the court's judgment of dismissal.

37.2 REINSTATEMENT OF CASE - No Local Rule

SETTLEMENT AND DEFAULT

Rule 41. SETTLEMENT - No Local Rule

Rule 41.1 ALTERNATIVE DISPUTE RESOLUTION

The court hereby encourages the use of alternative dispute resolution programs as described in Supreme Court Rule 17.01 to resolve civil litigation issues. Such programs may be initiated at the behest of any of the parties to the litigation or by the court, sua sponte. If the court shall order the parties participation in a program, the court shall give the parties the reasonable opportunity to agree upon the program and the neutral. If the parties are unable to agree as to the program and/or the neutral, the court shall enter an appropriate order. The cost of participation in any program shall be borne equally by the parties. At the request of any of the parties to the litigation or by the court sua sponte, the court may order the deposit for costs for participation in the program. Unless otherwise ordered by the court, participation in a program shall not serve to delay the discovery process. Unless agreed by the parties in writing, the alternative dispute resolution processes shall not be binding on the parties. Notwithstanding the foregoing, prior to any request for a trial in excess of 2 days, the parties shall file a statement with the court that an alternative dispute resolution program has been completed and has been unsuccessful or a statement by one or all of the parties that such process has no reasonable chance of being productive (though such statement shall not be binding on the court, nor shall it prohibit the court from ordering the completion of an alternative dispute resolution program or waiving completion of the same).

Rule 42. DEFAULT

Cases, in which the responding party is in default, or in which the parties desire a consent judgment be entered, may be noticed for hearing on any regular Law Day, or at any other time authorized by a division of the court assuming jurisdiction.

TRIALS

Rule 51. COURT-TRIED CASES

51.1 DEFAULT AND UNCONTESTED MATTERS

See Rule 42 and, for cases which may be heard before associate circuit judges, see Rule 6.1.1.

51.2 CONTESTED MATTERS - No Local Rule

51.3 PREPARATION OF FINDINGS OF FACT AND CONCLUSIONS OF LAW

Request for findings of fact and conclusions of law shall be made in writing prior to trial commencing. 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. If the parties do not file proposed findings of fact and conclusions of law within the time prescribed, the court may rule that the requesting party has abandoned the request and enter judgment.

Rule 52. SELECTION OF JURY

A jury may be drawn for any county on such dates as may be established by that county's board of jury commissioners upon a quorum of that board being in attendance.

52.1 JURY QUESTIONNAIRES

Juror questionnaires are maintained in the circuit clerk offices. Questionnaires are available for review by counsel at the circuit clerks' offices, or copies may be obtained by counsel upon payment of the cost of photocopying. Copies of the questionnaires shall not be given by any attorney to any person, nor shall addresses or phone numbers of jurors be copied down or supplied to any person. The attorneys shall maintain possession of the questionnaires, but may use them to consult with the parties during voir dire.

Rule 53. JURY TRIALS

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 Local 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 document and deliver it to the clerk of the court within ten (10) days, and provide a copy to opposing counsel. If opposing counsel objects to the proposed formal document, then counsel shall promptly communicate such objection to the court.

54.2 DEFAULT OR UNCONTESTED CASES

Counsel for the party in whose favor an order or judgment or decree is to be rendered shall prepare the formal order, judgment, or decree and present it to the court for its approval at the time the case is presented.

Rule 55. AMERICANS WITH DISABILITIES ACT

55.1 NOTIFICATION

An attorney who has a disability as defined in the Americans With Disabilities Act, an attorney representing a party who has a disability as defined in the Americans With Disabilities Act, or a witness to be called who has a disability as defined in the

Americans With Disabilities Act and who will require special accommodations shall, within five (5) days of receipt of notice of the hearing, provide written notice to the court.

A party not represented by an attorney shall comply with the same notification requirements of an attorney.

RULES RELATING TO PARTICULAR ACTIONS

Rule 61. ADOPTION

61.1 FILING REQUIREMENTS

Petitions for adoption shall be filed in the office of circuit clerk for the appropriate county upon payment of such filing fee as is required by these court rules.

61.2 HOME STUDIES

All adoptions require home studies unless waived or otherwise specified by the court. At the time a final adoption is granted, counsel for petitioners shall file a Certificate of Decree of Adoption on a form to be provided by the clerk and as required by §193.125 R.S.Mo.

61.3 CONSENTS TO TERMINATION OF PARENTAL RIGHTS

Any parent consenting to termination of parental rights shall execute the Division of Social Services, Children's Division General Consent To Termination of Parental Rights and Consent to Adoption form. (Forms are available in Word or PDF versions at www.dss.mo.gov/cd/info/forms).

61.4 PRETRIAL CONFERENCES AND TRIAL SETTINGS

Petitioners attorney shall contact the Circuit Clerk or the Office of the Juvenile Judge for setting a pretrial conference. All cases shall have a pretrial conference before setting for a final hearing or trial on petition.

61.5. DISCLOSURE OF INFORMATION TO ADOPTED ADULTS

(1) Pursuant to Section 453.121, RSMo, information concerning biological parents and/or adult siblings of an adopted adult may be requested by an adopted adult or his/her lineal descendants if the adopted adult is deceased upon proper request.

(2) Requests for information shall be submitted on a form substantially similar to the form appended to this rule and filed with the Circuit Clerk or the Juvenile Office in the County in which the adoption occurred or in which the biological parent(s)'s parental

rights were terminated.

(3) No identifying information shall be disclosed to the applicant unless a consent to such disclosure has been executed by the biological parent or adult sibling(s) of the adopted adult before a notary public in a form substantially similar to the applicable consent form appended to this rule or unless the remaining provisions of section 453.121.7, RSMo, are applicable and then only upon order of the Family Court Division.

(4) To facilitate searches for such information Search Contractors may be employed at the cost of the person submitting such request at the cost of the applicant. Approval of such Search Contractors shall be at the discretion of the Family Court Division upon provision of information establishing the authenticity of the Search Contractor, references if available, and their affidavit that no information will be disclosed to the applicant unless authorized by the Family Court Division. Any Search Contractor employed by the Applicant shall file its report as described in Section 453.121, RSMo, with the Family Division within 3 months of the filing of the application for information.

(5) Submission of an Order Authorizing Search for Adoption Information shall accompany any application and shall be substantially in the form of the order appended to this rule.

(6) Applications for Adoption Information and proposed Orders Authorizing Search for Adoption Information shall be available to the public from the Circuit Clerk's Office and Juvenile Office.

(7) No application for the same or substantially the same information may be made within one year from the end of the three-month period during which attempted notification was made unless good cause is shown and leave of court is granted.

(8) In addition to any fee charged by a search contractor, the child-placing agency or juvenile court personnel may charge actual costs to the adopted adult or adopted adult's lineal descendants for the cost of making such search.

Rule 62. DRIVER'S LICENSE CASES

62.1 APPLICATIONS FOR HARDSHIP DRIVING PRIVILEGES – No Local Rule

62.2 PETITIONS FOR REVIEW

Petitions for review shall be filed with the circuit clerk, but shall be assigned to the associate division.

Rule 64. CASES ARISING UNDER CHAPTERS 207 AND 208, R.S.Mo. (COMMONLY KNOWN AS TITLE IV-D AND H.B. 601 ACTIONS)

See Rule 6.1(13).

Rule 65. CIVIL COMMITMENT - No Local Rule

Rule 66. CONDEMNATION - No Local Rule

Rule 67. CRIMINAL CASES

67.1 PRETRIAL RELEASE

(1) Defendants in criminal cases shall be considered for release upon their own recognizance or upon bail.

(2) If the court from which an arrest warrant has issued has not either set bail or authorized release upon recognizance, a defendant incarcerated as a result of the outstanding warrant may request release upon bail or recognizance. The associate circuit judge for the county in which any such defendant is incarcerated may set bail or authorize release upon recognizance. However, if an offense charged is one for which bail may be denied, and if the court from which the arrest warrant issued has denied bail, further request for bail or other release shall be referred to the court which issued the arrest warrant.

(3) The associate circuit judges within the 26th Circuit shall establish procedures within each of their respective counties to assure the setting and approval of bail or authorization of release upon recognizance at all hours and times. If the associate circuit judge for any county is not available to set and approve bail or to authorize release upon recognizance, any such request shall be referred to a circuit judge or to such other associate circuit judge as has been assigned by the presiding circuit judge for that purpose.

(4) A person may serve as bail bondsman and give surety bonds to guarantee the appearance of defendants in criminal cases as directed by the court before which each criminal case is pending, if that person meets the following qualifications:

(a) He or she is a licensed and approved bail bond agent or general bail bond agent pursuant to §§374.700 through 374.775, R.S.Mo.; and

(b) He or she has satisfied those qualifications required by Missouri Supreme Court Rules 33.17 through 33.20.

The judge of any division of the circuit court may suspend the authority of any bail bondsman to give bail bonds in the particular court over which that judge presides upon that bondsman ceasing to meet those qualifications prescribed by statutes or rules of court.

67.1.1 MOTIONS TO SET BOND AND FOR BOND REDUCTION - No Local Rule

67.1.2 DEPOSIT OF OPERATOR'S LICENSE - No Local Rule

67.2 PRELIMINARY HEARING - No Local Rule

67.3 GRAND JURY - No Local Rule

67.4 ATTORNEYS

Attorneys for defendants in criminal cases shall be present with their clients for all scheduled arraignments and pre-trial conferences.

67.5 ARRAIGNMENTS

67.5.1 IN GENERAL

All defendants scheduled for arraignment shall be present in person on the date and at the time scheduled pursuant to Rule 67.5.2 of these rules. Counsel for defendant shall also be present unless a written waiver of arraignment, on a form approved by the court, has been filed with the circuit clerk.

67.5.2 DATES

(1) SCHEDULING ARRAIGNMENT AND FILING OF INFORMATION

All felony cases in which preliminary hearings have been held or waived and which result in the defendant being ordered to appear to answer for the alleged offense shall be scheduled for arraignment on the next following criminal docket day. The prosecuting attorney shall cause each defendant in any criminal case to be given a copy of the information before any such defendant is called upon to plead.

(2) CRIMINAL DOCKET DAYS

Effective September 1, 2025 criminal docket days will be held in the counties within the Twenty-sixth Circuit on the following dates:

Division I and Division II

Camden County	First Wednesday following first Monday of each month
Laclede County	First Monday of each month
Miller County	Second Tuesday following the first Monday of each month
Moniteau County	First Friday following the second Monday of each month
Morgan County	Second Monday of each month

Division III

Camden County	Third Wednesday, and Thursday following the first Monday of each month at 9 a.m.
Laclede County	Third Monday of each month at 9 a.m.
Miller County	Fourth Thursday following the first Monday of each month at 10 a.m.
Moniteau County	Fourth Friday following the first Monday of each month
Morgan County	Fourth Monday of each month

*Dates subject to change for November and December, contact the Circuit Clerk's Office for date.

If a county's scheduled criminal docket day is a holiday, contact that county's Circuit Clerk for the re-scheduled date. (Amended 8-8-25, Effective 9-1-25)

67.5.3 CASE MANAGEMENT ORDER

Upon formal arraignment or waiver thereof, the Circuit Clerk shall enter a Case Management Order in each felony case. Said Case Management Order shall be on a form adopted by the court and shall be filed in the case.

67.6 DISCOVERY - No Local Rule

67.7 MOTIONS FOR SPEEDY TRIAL OR DISPOSITION OF DETAINER . The clerk shall mark any file with such a request. (Amended 8-8-2025)

67.8 PLEA BARGAINING – No Local Rule.

67.9 GUILTY PLEA

Dispositions of criminal cases based upon pleas of guilty shall be shown by means of docket entry by the court. (Amended 8-8-2025)

67.9.1 WHERE ENTERED - No Local Rule

67.9.2 PETITION TO ENTER A PLEA OF GUILTY

In all felony cases wherein the defendant desires to plead guilty, the defendant and the defendant's attorney shall prepare a petition to enter a plea of guilty on a form adopted by the court and available in the circuit clerk's office.

67.10 CALENDAR – No Local Rule

67.11 PROBATION AND PAROLE - No Local Rule

67.12 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. Any third party posting a cash bond relinquishes any and all right, claim, or interest to the sums. The sheriff of each county within this circuit shall use cash bond forms wherein the third party agrees to relinquish all right, claim, or interest to any cash bond posted. If the defendant is found guilty, all assessments against the defendant, such as fines, costs, jail costs, medical/dental bills, and restitution 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.

67.13 SURETY BONDS

In addition to complying with all statutory licensing requirements and proving financial ability when requested, any person posting a surety bond for any defendant shall provide the following:

(1) an approved bond form containing the State license number for both the principal and agent, and

(2) the form shall contain the original signature of the principal with the corporate seal attached, or the original signature of the agent with a power of attorney attached containing the name of the agent authorized to act on behalf of the principal with the original signature of the principal. Any preprinted or typed bond form shall have

the authorized agent's name typed or printed on the power of attorney. No handwritten names of agents shall be accepted.

No surety bond shall be accepted by any sheriff or court that does not comply with this rule.

Rule 67.14 Treatment Court

67.14.1 Purpose of the Treatment Court

To provide a treatment based alternative to prison, jail, and probation for non-violent, low community risk criminals to the end that participants will lead crime free lives.

67.14.2 Treatment Court of the 26th Judicial Circuit

Treatment Court, as used herein, shall mean all treatment courts of the 26th Judicial Circuit, including but not limited to Drug, DWI, Veterans, and Mental Health courts in Camden, Laclede, Miller, Moniteau and Morgan counties in the 26th judicial circuit.

67.14.3 Appointment of Treatment Court Coordinator

The Presiding Judge of the 26th Judicial Circuit may appoint a Treatment Court Coordinator as recommended by the Treatment Court Committee, who shall serve at will.

67.14.4 Duties of Treatment Court Coordinator

The Treatment Court Coordinator shall be under the supervisory authority of the Presiding Judge and the Treatment Court Committee and shall assist in the administration of the Treatment Court.

67.14.5 Budget of the Treatment Court

The budget of the Treatment Court shall be compiled and submitted in accordance with the regular procedures of the 26th Judicial Circuit and shall be approved by the Court en banc.

67.14.6 Treatment Court Committee

The Treatment Court Committee shall consist of all the treatment court judges in the 26th Judicial Circuit. The Chairperson of the Treatment Court Committee shall be appointed by the Presiding Judge. The committee shall meet when convened by the chairperson for purposes of

consultation; approval of the current Treatment Court Programs; approval of any new programs or grant applications; approval and submission of the Treatment Court's budget to the Court en banc; establishment and approval of the criteria for the admission of defendants into the Treatment Court program; and approval of the Treatment Court Policies and Procedures Manual and the Participants Handbook.

67.14.7 Treatment Court Policies and Procedures

For the purposes of establishing management principles concerning the administration of the Treatment Court, there shall be a Treatment Court Policies and Procedures Manual. The manual shall be prepared and reviewed by the Treatment Court Coordinator and the Treatment Court Committee and approved by the Court en banc.

67.14.8 Referral of Cases to Treatment Court

(a) a referral form shall be completed by the defendant, defendant's counsel or officer of the court and submitted to the Prosecuting Attorney in the county where charges are pending; then
(b) a determination shall be made by the prosecuting attorney or assistant prosecuting attorney that the defendant is non-violent and an appropriate candidate for Treatment court, then
(c) the case will be submitted to the Treatment Court Coordinator to evaluate the defendant's eligibility criteria pursuant to the Policy and Procedures Manual and advise the appropriate Treatment Court Judge; accordingly, then
(d) the treatment court judge shall upon considering advice of his treatment team and all relevant factors determine whether the defendant meets the criteria to be accepted into Treatment Court. The Treatment Court judge shall advise the referring court judge of it's determination; then
(e) the judge assigned to the criminal case may agree to the referral and make the appropriate referral order and entry in the criminal case. Form _____ may be used to expedite this process.

67.14.9 Termination of Treatment Court Participation

Upon the successful completion of Treatment Court, the referral court shall be notified so that the appropriate entries and orders can be made in the criminal case. Upon the termination of Treatment Court due to the failure of the defendant to complete the requirements of Treatment Court as set out in the Policies and Procedures Manual and after being afforded a due process hearing regarding the termination; the referral court shall be notified of said termination.

TREATMENT COURT APPLICATION FORM

Please check the box in which you are applying for:
Drug Treatment Court_____ Veterans Court_____ DWI Court_____
Defendant's Name:
_____
Defense Attorney:
_____
Date of Birth: _____SSN:
_____
Current Address:
_____
City:_____ County: _____ State: _____ Zip:
_____
Phone Number: _____ Alternate Phone Number:
_____
Case Number(s):
_____
Charge(s):
_____
Division case is pending _____

Has Defendant signed the Consent for Disclosure form for the 26th Circuit Treatment Court?
Yes: _____ No: _____

Is Defendant currently receiving or has Defendant in the past received substance abuse treatment?
Yes: _____ No: _____

Is Defendant currently receiving or has Defendant in the past received mental health services?
Yes: _____ No: _____

Has the Defendant served in the Armed Forces? Yes: _____ No:
_____

Please return this form and the release form to the Treatment Court Coordinator at 1 Court Circle, Suite 9, Camdenton, MO 65020 or email to Rebecca.cummins@courts.mo.gov (Amended 8.8.25)

I, _____, BEING THE Defendant in Case Number _____, and having agreed to enroll and participate in the 26th Circuit Treatment Court Program, hereby consent to allow on-going communications about my compliance status among the following parties or agencies and all team members involved in the Treatment Court Program to include, but not limited to: The Judge of the 26th Circuit Court (and his/her Judicial Designee) and Judge of the Treatment Court, the Treatment Court Coordinator, the employees engaged in the Treatment Court operations of the 26th Circuit, the Prosecuting Attorney's Office, the Office of the Public Defender or my private counsel, the Office of Probation and Parole, the Juvenile Office, Children's Division, court-contracted drug and alcohol testing companies, court-contracted locator (GPS) companies, OCCS, Inc and Court Probationary Services, their employees or contract providers, Lane Change employees or contract providers, LACAB employees or contract providers, and/or other referring or treating agencies involved in the direct delivery of services through the 26th Circuit Treatment Court Program. Any treatment reports distributed by the aforementioned entities or persons or other contract providers may also be scanned into secure case.net. I understand that the purpose of, and the need for this disclosure, is to inform the Court and the other above-named parties or agencies of my eligibility and/or acceptability for substance abuse treatment services as well as to report on and adequately monitor my treatment, attendance, prognosis, and compliance with the terms and conditions of my probation and to discuss and assess my status as a participant in the Treatment Court Program and assess and comment on my progress in accordance with the Treatment Court's reporting and monitoring criteria. I agree to permit disclosure of this confidential information only as necessary for, and pertinent to, hearings, and/or reports concerning the status of my participation and compliance with the conditions of my probation as defined by the Treatment Court. I understand that information about my medical status, mental health, and/or drug treatment status, my arrest history, my levels of compliance or non-compliance with the conditions of my Treatment Court participation (including the results of urinalysis or other drug screening tools), and other material information will be discussed and shared among members of the Treatment Court team. I further understand that summary information about my compliance or lack thereof will be discussed in open court, specifically, whether I have attended all meetings, treatment sessions, and the results of urinalysis other drug/alcohol testing as required, and the disclosure of my compliance or noncompliance with the terms and conditions of my probation as defined by the Court. There may be visitors in court that may hear this information as well and I consent to their attendance in court and information they may hear. I understand that treatment information normally is confidential under federal law. I understand that any disclosure made is bound by Part 2 of Title 42 of the Code of Federal Regulations, which governs the confidentiality of substance abuse patient (or client) records and that it is a crime to violate this confidentiality requirement unless I voluntarily consent to permit its disclosure. Recipients of this information may re-disclose it only in connection with their official duties. I also acknowledge receipt of the Notice of Rights of Confidentiality. I understand that this consent will remain in effect and cannot be revoked by me until there has been a formal and effective termination of my involvement with the Treatment Court for the case named above such as the discontinuation of all court-ordered supervision or probation upon my successful completion of the Treatment Court

requirements, or upon sentencing for violating the terms of my Treatment Court involvement.

_____
Date_____ SIGNATURE OF PROGRAM PARTICIPANT

_____Date_____
_____ SIGNATURE OF WITNESS

COMES NOW the Defendant's attorney of record and the State of Missouri by PA/APA for _____ County and agree and stipulate that _____ should be referred to the 26th Circuit Treatment Court in _____ County.

_____ _____

Defense Attorney Prosecuting Attorney

COMES NOW the Treatment Court Judge for _____ County and certifies that _____ has met the criteria and has been accepted into the _____ County Treatment Court program pending approval from the Circuit Court.

_____

Judge

REFERRAL ORDER

IT IS THEREFORE ORDERED, that _____ in case number _____ shall be and is hereby referred to the _____ County Treatment Court. Satisfactory completion of the _____ County Treatment Court shall be a condition of probation in case number _____.

SO ORDERED,

_____

Circuit Judge

Rule 68. DISSOLUTION OF MARRIAGE

68.1 FILING REQUIREMENTS

(1) The following document filing requirements shall apply in all actions for Dissolution of Marriage, Legal Separation, Child Custody, Paternity or Modifications of a prior judgment in any such action, unless specifically limited to a particular action. At the time of filing a Petition for Dissolution of Marriage, Petitioner shall file a Certificate of Dissolution of Marriage (Vital Statistics Report) as required by Section 193.205, RSMo. Petitioner/Moving party shall file the following documents within 60 days after service of process or the filing of the Entry of Appearance by Respondent, or five days before any scheduled temporary hearing, whichever event first occurs. Respondent shall file the following documents within 60 days after being served or filing an entry of appearance, or five days before any scheduled temporary hearing, whichever occurs first:

a. Proposed Parenting Plan for any child under the age of eighteen who remains unemancipated.
b. Statement of Income and Expenses.
c. Statement of Property (required only for an action for dissolution or legal separation).
d. Proposed Form 14(s) prepared in accordance with Civil Rule 88.01 and shall be filed with Court by the temporary custody hearing.

(2) If there are children at issue who are born out of wedlock, without a statutory legal presumption of paternity that the Petitioner or Respondent is the natural father, a separate paternity action must be filed simultaneously with the action for dissolution. The two cases are to be consolidated as a matter of rule and court costs are to be waived on the paternity filing. Each action will require a separate judgment.

(Amended 4-13-2023)

(3) FINANCIAL STATEMENTS AND SCHEDULES

(a) In all actions for dissolution of marriage or legal separation, a Statement of Marital and Non-Marital Assets and Debts (Form A) and a Statement of Income and Expenses (Form C) shall be completed by each party, executed under oath, filed with the court, and served on the opposing party. Petitioner's Statements shall be filed within 30 days after service of process or the filing of the entry of appearance, whichever event first occurs. Respondent's Statements shall be filed within 45 days after service of process or the filing of the entry of appearance, whichever event first occurs. The Statement of Marital and Non-Marital Assets and Debts shall include a brief description of the assets, the estimated fair market value and any encumbrances, the name of the party

having possession or control, the classification of the property (i.e. marital or non-marital), and which party is recommended to receive the property.

(b) In all motions to modify child support, alimony, or maintenance, a Statement of Income and Expenses (Form C) shall be completed by each party, executed under oath, filed with the court with the initial pleadings. Opposing parties have 30 days from the date of service of the motion to complete, execute under oath, file with the court, and serve on the moving party.

(c) Property and Income and Expense Statements of defaulting respondents who are not requesting affirmative relief or contesting any relief sought by petitioner shall not be required.

(d) In any action involving custody issues, the petition shall include allegations required under the Uniform Child Custody Jurisdiction and Enforcement Act, or a separate verified affidavit shall be attached to the petition.

(e) Parties to a dissolution of marriage action may join in filing a single statement of marital property in lieu of separate statements. If the parties join in filing one such statement, that statement shall be filed at the time specified in subparagraph (3)(a) of this Rule 68.1 and shall contain those itemizations required therein. A joint schedule of marital property may be labeled PETITIONER'S AND RESPONDENT'S SCHEDULE OF MARITAL PROPERTY.

(f) A consolidated Summary Statement of Property and Liabilities of Petitioner and Respondent (Form B) shall be submitted as an exhibit at trial in every contested dissolution of marriage or legal separation action. The form shall be available in the circuit clerk's office. The parties shall file their consolidated Summary 5 days prior to the scheduled trial date. If the parties are unable to agree upon a consolidated Summary, then each shall submit a proposed form to the court. Petitioner must file a consolidated summary ten (10) days prior to pre-trial. Respondent may file a proposed consolidated schedule 5 days prior to pre-trial.

(g) Any filing required by this Rule 68 shall be in such form as may be specified in these rules. The required forms are available in the circuit clerk's offices and may be obtained upon request.

(h) If documents are not filed as required by this rule, the judge may order sanctions against the offending party.

(i) All real estate included on any statement required by this rule shall be specifically described by accurate legal description, and all motor vehicles, trailers or boats included on any statement required by this rule shall be described by manufacturer's name and identification number, if any, and such other descriptions as may reasonably identify the items of property.

(j) Any party who obtains a judgment for child support and/or maintenance shall file an Information Statement with the circuit clerk if the payments are to be paid through the Family Support Payment Center. The Statement shall be filed on the date the judgment is entered.

(k) Each party in a contested dissolution of marriage or legal separation case shall submit as an exhibit at trial a proposed division of marital and non-marital property, and a proposed allocation of marital debts. The exhibit shall include a calculation of the values of the assets and debts to be awarded to each party, and shall also show a net proposed distribution of assets and debts for each party.

68.2 SEPARATION AGREEMENT

In all cases where written separation agreements are made under the provisions of §452.325, R.S.Mo., a copy of the executed agreement shall be submitted to the court during the hearing as an exhibit which is offered into evidence.

68.3 FORMS OF JUDGMENT

(1) All judgments shall contain the findings of the court as required by Chapter 452 R.S.Mo.

68.4 REQUIREMENTS FOR TRIAL SETTING

(1) Prior to any party requesting a dissolution of marriage trial setting, there shall be on file in the court file a verified certificate of readiness specifying that discovery is complete.

68.5 DISCOVERY

(1) Any party propounding interrogatories in actions for dissolution of marriage or legal separation, modification or paternity shall first use pattern interrogatories approved by the court (Form D). No objection to the pattern interrogatories will be entertained by the court, unless the objecting party simultaneously requests leave of court to so object because of some unusual or exceptional reason. Propounding the approved pattern interrogatories shall not be a violation of Local Rule 32.2. Copies of court approved pattern interrogatories are available in the appropriate circuit clerk's office.

(2) Each party must provide to the opposing party the following documents: six (6) immediate past pay stubs; three (3) past years of federal and state individual tax returns.

68.6 TEMPORARY MOTIONS (See initial hearing date)

68.7 PARENT EDUCATION PROGRAM

(1) In all contested domestic relations cases which have matters involving custody or visitation, the parties shall be required to attend a parent education program to educate parents as to the possible detrimental effects of custody/visitation litigation on children and how to avoid the negative effects.

(2) Per local rule, failure to file proof of completion of the Parent Education Program shall be admissible as evidence at trial as to which parent is more likely to co-parent.

Rule 70. PARTITION - No Local Rule

Rule 71. ADMINISTRATIVE REVIEWS

Cases for review of administrative decisions which are to be decided on the existing record and without further evidence, shall be scheduled and assigned to a judge for determination upon any party to the litigation presenting the matter to the court at a law day. A matter for review may be presented to the court at a law day upon any party thereto noticing the matter for disposition and thereby causing it to be docketed for a law day pursuant to Rule 2.4(1)(c) of these rules. The court may require a schedule for submitting memoranda of authorities and written suggestions by the parties.

Rule 72. PROBATE

See Rule 4.3 of these rules.

Rule 73. SMALL CLAIMS

See Rules 4.5 and 5.1 of these rules.

Rule 74. TRUST ESTATES

All trust estates shall be supervised and heard by the probate divisions in the respective counties, unless otherwise ordered by the presiding judge in a particular estate. All trust estates shall be docketed for settlement within thirty (30) days after the first anniversary of their filing and thereafter within thirty (30) days after the anniversary date of the last settlement. Any settlement may be continued by the court for good cause shown. Trustees failing to file their settlement at the time docketed, without showing good cause for such failure, will be liable to citation.

74.1 INVENTORY - No Local Rule

74.2 REPORTS - No Local Rule

74.3 RECORD - No Local Rule

74.4 AUDIT - No Local Rule

POST TRIAL

Rule 81. EXECUTION

Executions shall be issued by the appropriate clerk upon written request. Forms may be obtained in the clerk's office. The form shall then be submitted to the clerk accompanied by a check made payable to the sheriff for the $20.00 fee

plus service fees. The party requesting the execution shall contact the sheriff in advance to determine the proper amount to submit.

Rule 82. GARNISHMENT - No Local Rule

Rule 83. JUDICIAL SALES - No Local Rule

Rule 84. EXAMINATION OF JUDGMENT DEBTOR

Any petition filed for examination of judgment debtor(s) per Missouri Supreme Court Rule 76.27 shall contain the date of return of the unsatisfied execution. The proposed order for the court shall contain the date (secured from the appropriate court clerk) for appearance and examination of the judgment debtor.

Rule 85. DISCOVERY IN AID OF EXECUTION OR ENFORCEMENT OF JUDGMENT

Any proposed citation to show cause why a judgment debtor(s) should not be held in contempt of court for failure to comply with a discovery request per Missouri Supreme Court Rule 76.28/61/01 shall contain the appearance date secured from the appropriate court clerk.

INTERNAL ORGANIZATION

Rule 100.

100.1 PRESIDING JUDGE

There shall be a presiding judge of the circuit as provided by Article V, section l5, Missouri Constitution.

100.1.1 ELECTION - No Local Rule

100.1.2 DUTIES OF PRESIDING JUDGE - No Local Rule

100.1.3 DISPUTE RESOLUTION - PROCEDURE - No Local Rule

100.2 LOCAL COURT RULES

100.2.1 FORMULATION

These rules may be modified or revoked, in whole or in part, from time to time, as permitted by §478.245, R.S.Mo.

100.2.2 PUBLICATION - No Local Rule

100.3 LIBRARY FUND

See Rule 5.6 of these rules.

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 Local Rule

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

100.4.3 RESPONSIBILITY FOR INDEXING AND PRESERVING COURT REPORTER NOTES - No Local Rule

100.4.4 IDENTIFICATION OF RECORDER'S NOTES - No Local Rule

100.4.5 INDEX - No Local Rule

100.4.6 STORAGE OF NOTES - No Local Rule

100.4.7 NOTES OF SUBSTITUTE REPORTERS - No Local Rule

100.4.8 STORAGE OF NOTES UPON RETIREMENT, TERMINATION OR DEATH OF COURT REPORTER - No Local Rule

100.4.9 BOXING AND STORING OF OLD NOTES - No Local Rule

100.4.10 RESPONSIBILITY FOR FURNISHING MATERIALS AND SPACE FOR STORAGE OF COURT REPORTER NOTES - No Local Rule

100.4.11 PROCEDURE FOR EXAMINATION OF CRIMINAL RECORDS- No Local Rule

100.4.12 PROCEDURE FOR EXPUNGING AND CLOSING CRIMINAL RECORDS - No Local Rule

100.5 CLERK'S DUTIES

(1) FILE MAINTENANCE

The circuit clerk shall accept for filing and shall maintain the court files for all cases to be heard by a circuit judge. Those files shall continue to be

maintained by the circuit clerk at all times thereafter notwithstanding that an associate circuit judge may be specially assigned to the case.

(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 may administer such oaths as are required to bailiffs and other officers of the court, to jurors, and to witnesses.

100.5.1 MONEYS PAID INTO COURT

Circuit Judge and Associate Circuit Judge Divisions

The judge of any division of any circuit court within the 26th Circuit may authorize and direct collection by a court clerk of fines, penalties, forfeitures, and other sums of money accruing to the state in lieu of such collections being otherwise performed by the county sheriff. Any court clerk who makes such collections shall account for all moneys received, and shall distribute those moneys as prescribed by law.

Funds Deposited in Interest-Bearing Accounts

Income derived in accordance with §483.310, V.A.M.S., from investments by any circuit clerk, or any associate circuit judge division or clerk of any associate circuit judge division of funds which were paid into the registry of the court may be expended or designated to be expended only upon written authorization by the presiding circuit judge.

Rule 100.6 SELECTION OF VENIREPERSONS - No Local Rule

100.7 OFFICIAL COURT RECORD

If the 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 shall be the official court record.