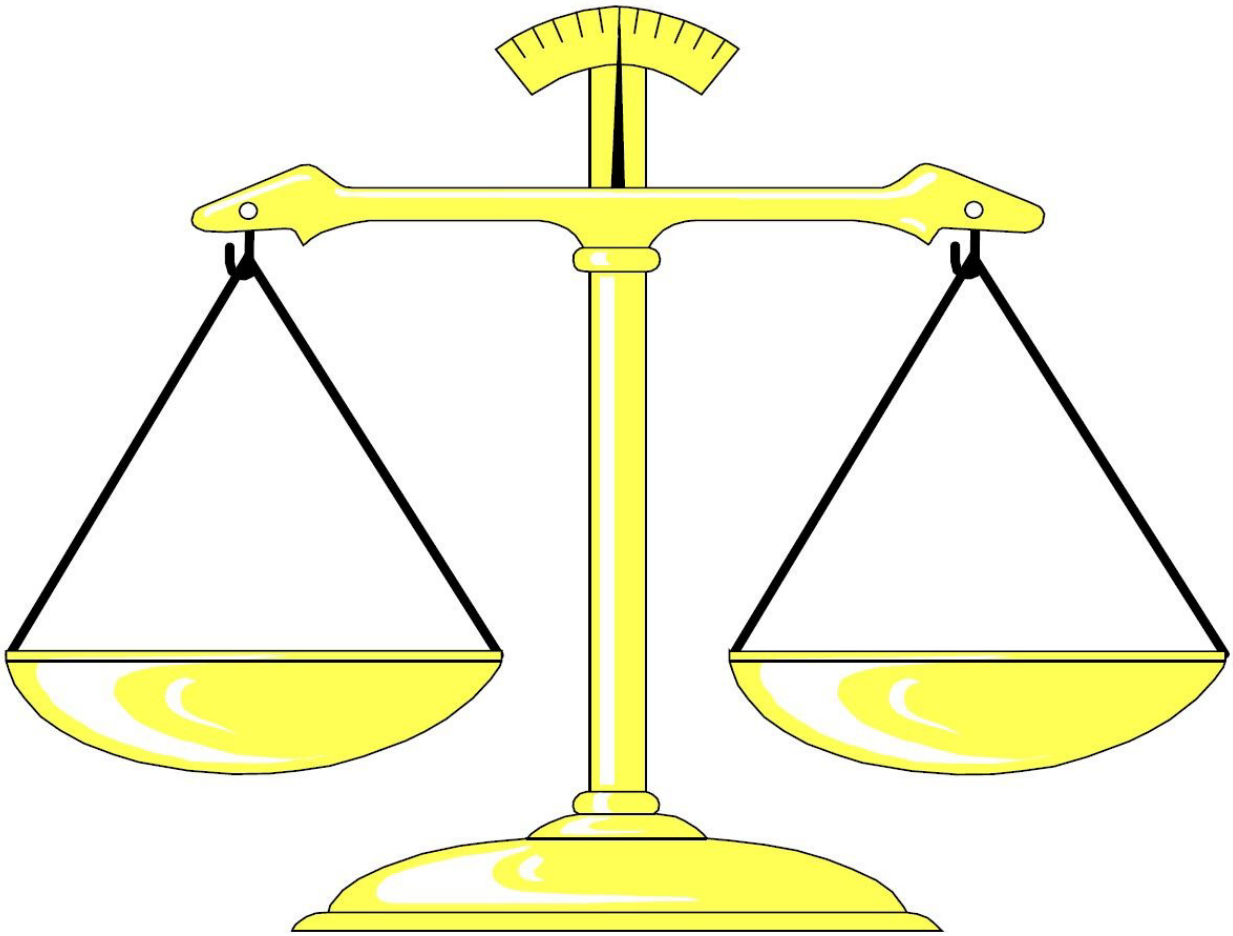
CIRCUIT 23
LOCAL COURT
RULES

TWENTY-THIRD JUDICIAL
CIRCUIT
JEFFERSON COUNTY



HILLSBORO, MISSOURI

REV 20251208

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RULE 1 DIVISIONS OF COURT

1.1 DIVISIONS OF COURT

There shall be twelve divisions of court which shall be divided as follows:

Division One:	Circuit Judge
Division Two:	Circuit Judge
Division Three:	Circuit Judge
Division Four:	Circuit Judge
Division Five:	Circuit Judge
Division Six:	Circuit Judge
Division Ten:	Associate Circuit Judge
Division Eleven:	Associate Circuit Judge
Division Twelve:	Associate Circuit Judge
Division Thirteen:	Associate Circuit Judge
Division Fourteen:	Associate Circuit Judge
Division Fifteen:	Associate Circuit Judge

RULE 2 HOURS & TERMS OF COURT

2.1 HOURS OF COURT

All sessions of court shall begin at 9:00 A.M., unless otherwise scheduled. The following hours are established for the Clerk's Office: 8:00 A.M. to 5:00 P.M.

The court is open five days a week, Monday through Friday, for the purpose of filing papers in the Clerk's Office. All attorneys must file all pleadings and memoranda electronically beginning April 29, 2013.

The court will observe holidays as provided by the Supreme Court and/or Office of State Courts Administrator. Those holidays may include First Day of January (New Year's Day), Third Monday of January (Martin Luther King Day), Twelfth Day of February (Lincoln's Birthday), Third Monday February (President's Day), Eighth Day of May (Truman's Birthday), Last Monday in May (Memorial Day), Fourth Day of July (Independence Day), First Monday in September (Labor Day), Second Monday in October (Columbus Day), Eleventh Day of November (Veteran's Day), Fourth Thursday in November (Thanksgiving Day), and the Twenty-Fifth Day of December (Christmas Day). When any such holiday falls on a Saturday, it is celebrated on the preceding Friday; and when it falls on a Sunday, then it will be celebrated on the following Monday.

2.2 TERMS OF COURT

The circuit court shall be in continual session as provided by 478.205, RSMo. To the extent that a term of circuit court may be required by law or Supreme Court Rule, or by these Rules, the "terms" of court shall be considered as commencing on the second Monday in the months of January,

May and September. (In case any of these days fall on a holiday, as specified in Rule 2.1, commencement of the "term" shall be on the day following said holiday.) The circuit court (or any of its divisions) shall not be required to convene on the first day of any "term" solely because of this rule.

2.3 LAW DAYS (or "ADJOURNED DAYS")

The law day of the circuit court divisions will be held on the second Monday of each month, unless otherwise directed by the division Judge. The law day of the associate court divisions will be held periodically on a date designated by the associate court division Judges. Judges may choose whether to hold or handle Law Days as they see fit.

2.4 PARTICULAR MATTERS ON PARTICULAR DAYS

Each Judge of each division, or the division clerk thereof, with the consent of the Judge, will set all matters, motions, defaults, pre-trial conferences, and trials at times and dates certain upon request at any law day docket call or as agreed by the court. Dockets will be distributed by the clerk in advance of each docket call, and all trial settings made at each law day docket call will be confirmed by communication to each attorney of record by the division clerk. Nothing in this rule shall be deemed to prohibit any judge of any division from "pre-setting" any case, or class of cases, so long as said pre-set dates are communicated to all necessary parties and attorneys of record.

RULE 3 PLEADINGS

3.1 CAPTION

The following caption format is required:

In the Circuit Court of the 23rd Judicial Circuit of Missouri at Hillsboro, Jefferson County, Missouri

Name _____	)	
	)	
Address _____	)	
	)	
City _____	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Cause No. _____
	)	
Name __**_____	)	
	)	
Address _____	)	

)
City _____)
)
Defendant)

PETITION FOR _____ ***_____

(Body in numbered Counts, if more than one; each count in numbered paragraphs.) Petition to be signed by the attorney of record and the party, and affirmed as required, in the following fashion:
(Signature)
Typed Name of Attorney or Party
Address
City
Telephone
Missouri Bar Number

* If a corporation is defendant, also list officer or registered agent in charge with address and telephone number on the petition. If it is a foreign corporation, also give address of local office and name of officer in charge on the petition.
** If defendant has a P.O. Box, or rural route address, also give directions to location for benefit of process server.
*** State succinctly what the cause of action is for (e.g. "Dissolution", "Damages", "Breach of Contract", etc.

3.2 STYLE

All pleadings and motions filed by attorneys shall be electronically filed in PDF format whereby they shall permit printing or viewing on paper 8 1/2 inches by 11 inches, shall be signed by the party or his attorney offering the same for filing together with address, telephone number and bar identification number of the attorney of record in the case; shall be captioned with the style and cause number of the case, the character of the pleading or motions and, if a petition, the nature of the suit and, if consisting of more than one sheet, shall be securely bound at the top with page numbers at the bottom. Paragraphs of pleadings shall be numbered consecutively. An attorney offering a paper for filing may sign it on behalf of a law firm or attorney when duly authorized to do so; but he must also subscribe his or her own signature on said paper. Unless so noted otherwise, the attorney signing the petition will be considered the attorney of record. Where service of summons or other pleading is requested, a copy of the pleadings for each party to be served shall be filed electronically in PDF format, together with the appropriate deposit of costs for service fees for each party to be served.

3.3 PARTY'S SOCIAL SECURITY NUMBER

On each filing of an original petition in a civil case, the last four digits of each Petitioner or Plaintiff's Social Security Number shall be included as part of the caption in such manner as to identify to which person it applies. Whenever known, the original Petition shall also include the last four digits of each Respondent's or Defendant's Social Security Number as part of the caption in such manner as to identify to which person it applies. On all original filings in any criminal case, the entity filing said original charge shall include the Social Security Number of the Defendant to be charged.

At the time of filing any entry of appearance, or other original responsive pleading in any civil case, the person so filing shall, in the caption thereof, provide the last four digits of the Social Security Number of each Respondent or Defendant on whose behalf the filing is made.

RULE 4 FILING OF CASES, MEMORANDA, MOTIONS, ETC.

4.0 ELECTRONIC FILING IN PDF FORMAT REQUIRED

In all cases attorneys are required to electronically file all written documents in PDF format.

Unrepresented parties or litigants may be permitted to file hard copies of any documents which shall then be scanned by the Circuit Clerk. Attorneys must name each electronic PDF file, after having received the cause number from the Circuit Clerk, in some identifying manner so the name of the file includes the CAUSE NUMBER and perhaps PET. for Petition or ANS. for Answer, or some similar abbreviation.

4.1 CRIMINAL CASES

(1) All complaints, information, or indictments shall be filed electronically in PDF format in the Office of the Circuit Clerk. The Prosecuting Attorney shall provide the appropriate Missouri Charge Code Number (as defined in 43.500 (6) RSMo which includes the required NCIC modifier) for each count or alternate count alleged in the pleading.

(2) Offense Cycle Number (OCN)

a. If the defendant is in custody or has been arrested on the alleged offense, the Prosecuting Attorney shall provide the OCN from the state criminal fingerprint card, as defined in 43.500 (7) RSMo on the complaint, information or indictment.

b. If the defendant has not been arrested or is not in custody at the time the pleading is filed, the law enforcement agency rendering the arrest shall indicate the OCN on the return of the warrant.

4.2 TRAFFIC CASES

The Prosecuting Attorney shall provide the appropriate Missouri Charge Code Number (as defined in 43.500 (6) RSMo which includes the

required NCIC modifier) for all cases filed by a Uniform Citation. Traffic cases need not be filed electronically in PDF format and may instead be submitted in hard copy for scanning into PDF format, at the discretion of the Circuit Clerk and Courts.

4.3 CIVIL CASES

(1) Civil cases filed by attorneys shall be filed electronically in PDF format in the Office of the Circuit Clerk.

(2) For each civil case, including domestic relations, the filing party shall provide a Filing Information Sheet as required in Missouri Supreme Court Operation Rule 4.07, and it shall accompany the initial filing, pleading or motion. The Filing Information Sheet, as found on the web site: www.courts.mo.gov under Court Forms shall reflect the appropriate case type and contain the following information for each party occupying the position of or on the same side as the plaintiff or defendant in the case:

1. Party type;
2. Party name;
3. Date of Birth, if the party is a person; and
4. Social Security Number if the party is a person.

(3) The Filing Information Sheets are confidential records. The clerk shall file the form in case number sequence and store it separately from the case file or shall destroy the form upon entry of the information.

4.4 PROBATE CASES

(1) Probate cases filed by attorneys shall be filed electronically in PDF format in the Office of the Circuit Clerk.

(2) For Probate cases, the filing party shall provide a Filing Information Sheet as required in Missouri Supreme Court Operating Rule 4.07 and it shall accompany the initial filing, pleading or motion. The Filing Information Sheet, as found on the web site: www.courts.mo.gov under Court Forms shall reflect the appropriate case type and contain the following information for each party occupying the position of or on the same side at the plaintiff or defendant; each decedent; or each ward/protectee in the case:

1. Party type;
2. Party name;
3. Date of Birth, if the party is a person; and
4. Social Security Number if the party is a person.

For probate applications, the Filing Information Sheet shall also list all available information on the heirs and their attorneys, if any.

(3) The Filing Information Sheets are confidential records. The clerk shall file the form in case number sequence and store it separately from the case file or shall destroy the form upon entry of the information.

4.5 SMALL CLAIMS CASES

(1) Small Claims cases shall be filed in the Office of the Circuit Clerk, and shall then be scanned and converted into electronically filed PDF format by the Circuit Clerk.

(2) For each Small Claims case, the filing party shall provide a Filing Information Sheet as required in Missouri Supreme Court Operation Rule 4.07, and it shall accompany the initial filing, pleading or motion. The Filing Information Sheet, as found on the web site: www.courts.mo.gov under Court Forms shall reflect the appropriate case type and contain the following information for each party occupying the position of or on the same side as the plaintiff or defendant in the case:

1. Party type;
2. Party name;
3. Date of Birth, if the party is a person; and
4. Social Security Number if the party is a person.

(3) The Filing Information Sheets are confidential records. The clerk shall file the form in case number sequence and store it separately from the case file or shall destroy the form upon entry of the information.

4.6 MUNICIPAL CASES

Municipal cases shall be filed in the Office of the Circuit Clerk and may be electronically filed in scanned PDF format or shall be filed and then be scanned by the Circuit Clerk and converted into electronically filed PDF format. The city attorney shall provide appropriate Missouri Charge Code Number (as defined in RSMo §43.500 (6) which includes the required NCIC modifier) for all cases filed by a Uniform Citation.

4.7 ASSIGNMENT OF CASES TO DIVISIONS

In regard to all cases required to be filed with the Circuit Clerk, they shall be assigned to the various circuit and associate circuit divisions as the Presiding Judge may from time to time direct. In cases of disqualification of a Judge, the Presiding Judge may provide for the automatic re-assignment to another division, circuit or associate circuit; provided, however, that such scheme of automatic re-assignment may be overridden by the Presiding Judge at any time, on a particular case or class of cases, as the circumstances require, or as required for the effective disposition of all the business of the 23rd Circuit.

4.8 FILING OF CASES AND PLEADINGS WITHOUT COUNSEL

Cases or pleading or memoranda filed by parties without counsel shall be in the format required by these rules and shall then be scanned and converted into electronically filed PDF format by the Circuit Clerk.

RULE 5 FEES AND COSTS

5.1 FILING FEES AND COST DEPOSIT

In all cases filed by attorneys in the 23rd Circuit, the filing attorney(s) shall have a previously approved electronic payment account established wherefrom the filing and other fees associated therewith shall before filing be electronically deposited with the Circuit Clerk's Office, and for which an electronic receipt shall be given, such sums in the various classes or categories as may from time to time be required by law or by order of the 23rd Circuit Court En Banc. A current schedule of such fees shall be displayed online on the internet and in a prominent place within the Circuit Clerk's Office and copies of such current schedule shall be available in the Circuit Clerk's Office to anyone upon request, without charge.

5.2 COSTS

In all cases filed, heard or disposed of in this circuit, the Circuit Clerk shall charge and collect for all court costs, fees, sheriff's charges, etc. as may be authorized and required by law. The Circuit Clerk shall, at least monthly, account for all such costs and fees charged and collected, to the officials and entities required by law, and shall remit said monies so collected to the persons or entities by law entitled thereto.

5.3 ADDITIONAL ASSESSMENT FOR JUDGMENTS PAID ON TIME-PAYMENT BASIS.

(1) In addition to any other assessment or cost authorized by law, there shall be assessed a fee of twenty-five dollars on each person who pays a court-ordered judgment, penalty, fine, sanction, or court costs on a time-payment basis, including restitution and juvenile monetary assessments. A time-payment basis shall be any judgment, penalty, fine, sanction, or court cost not paid, in full, within thirty days of the date the court imposed the judgment, penalty, fine, sanction, or court cost. Imposition of the time-payment fee shall be in addition to any other enforcement provisions authorized by law.

(2) Ten dollars of the time-payment fee collected pursuant to this Rule shall be payable to such person as is designated from time to time by order of the court en banc as treasurer of said fund, and said fund shall be applied and expended under the direction and order of the court en banc to improve, maintain, and enhance the ability to collect and manage moneys assessed or received by the courts, to improve case processing, enhance court security, preserve the record, or to improve the administration of justice. Eight dollars of the time-payment fee shall be deposited in the statewide automation fund pursuant to 476.055 RSMo. Seven dollars of the time-payment fee shall be paid to the director of revenue, to be deposited to the general revenue fund. (Effective August 1, 2008)

5.4 WAIVER OF FEES

(No Local Court Rule)

5.5 MOTION FOR SECURITY

(No local Court Rule.)

RULE 6 ASSIGNMENT OF JUDGES, CASES, AND TRANSFER OF CASES

6.1 ASSIGNMENT TO ASSOCIATE CIRCUIT JUDGES

6.1.1 BY LOCAL COURT RULES OR ORDER

(A) The following cases will be, upon filing, be assigned to and heard by an Associate Circuit Judge (either or the record or not as current statutes require), under the procedure applicable under Chapter 517, RSMo.

(1) Civil actions where the sum demanded, exclusive of interest and costs, does not exceed Twenty-Five Thousand dollars ($25,000.00);

(2) Actions against any railroad company to recover damages for killing or injuring animals;

(3) Replevin, attachment and mechanic's lien cases where the recovery sought is less than Twenty-Five Thousand dollars ($25,000.00);

(4) Actions for unlawful detainer authorized under Chapter 534, RSMo;

(5) Actions for rent and possession authorized under Chapter 535, RSMo;

(6) Any other case that does not require that an Associate Circuit Judge be assigned as an acting Circuit Judge, under any rule or statute, as may be currently in effect.

(B) In addition to the above-enumerated cases, an Associate Circuit Judge shall hear and determine the following cases:

(1) Cases of misdemeanor or infraction, except as otherwise provided by law;

(2) Felony cases prior to the filing of an information;

(3) Municipal ordinance violation cases (where the municipality has not provided for a municipal division, as assigned by the Presiding Judge;

(4) "Small Claims" cases as provided in Chapter 482, RSMo.

(C) The Associate Circuit Judges of this Circuit shall hear and determine the following cases on the record by electronic recording device, under procedure applicable before Circuit Judges:

1) Cases arising under the Uniform Reciprocal Enforcement of Support Act, when assigned;

2) Cases arising under Chapters 207 and 208, RSMo;

3) Contempt actions for child support enforcement in addition to those arising under preceding paragraphs (1) and (2) above, when assigned;
4) Cases arising under the Adult Abuse and Child Protection Order Acts of the State of Missouri, when assigned;
5) Change of name proceedings;
6) Trial de novo appeals and jury trial requests from the municipal divisions of this circuit;
7) Uncontested and default dissolution of marriage, legal separation or separate maintenance proceedings and uncontested or default motions to modify the foregoing, if assigned;
8) Uncontested and default actions involving the title to real estate;
9) Delinquent Income and/or Sales Tax cases;
10) Limited Driving Privilege cases;
11) Review of revocation of Driver's licenses whether arising under Chapters 302, 303, or 577 RSMo;
12) Any cases assigned pursuant to Rule 6.1 (2), infra;
13) Jefferson County Solid Waste Chapter 260, when assigned.
14) Any other cases as may be assigned from time to time by the Presiding Judge.

6.1.2 SPECIAL ASSIGNMENT

With the consent of either an Associate Circuit Judge or a Circuit Judge and all parties to a case, any Circuit or Associate Circuit Judge, on the day a case is set for trial, may assign such case to another Judge (Circuit or Associate) for trial, that day. The purpose of this rule is to expedite the hearing of cases on the date set when the Judge assigned cannot, for whatever reason, reach the case, and another Judge has time to try the case that day. The consents herein required shall be presumed unless objection thereto is filed, in writing, prior to commencement of the trial before the Judge where the case is transferred.

6.2 ASSIGNMENT TO CIRCUIT JUDGES

Cases shall be assigned to the various circuit and associate divisions according to categories, on a blind assignment basis, as may from time to time be directed by the Presiding Judge.

6.3 CERTIFICATION TO CIRCUIT DIVISION

(No local Court Rule.)

6.4 TRIAL DE NOVO

(No local Court Rule.)

6.5 CHANGE OF JUDGE

Except in case of joint application for Change of Judge and Change of Venue where testimony is required, all notices required by Supreme Court Rules 32.06 (b), 32.07(d), 32.08 (b), 51.04 (c), and 51.05 (c) regarding presentment of such requests for change of Judge shall be served on all parties at least five (5) days prior to the date of presentment. Such matters shall be regarded as informal matters and presentment may be set at 9:00 A.M. on any day when the division is in session where the case is pending. Presentment on the day noticed shall be made in person by the attorney of record for the party seeking the Change of Judge. Failure to appear and present in person the request for Change of Judge on the date noticed may be deemed a withdrawal of the request for Change of Judge. Settings for all motions wherein a request for Change of Venue is joined with a request for Change of Judge shall be obtained from the division clerk of the division where the case is pending and noticed accordingly at least five (5) days in advance thereof. (Nothing herein contained shall be construed to prevent a Judge from granting a requested Change of Judge prior to the presentment date, when the request on its face is regular and proper and the Judge can determine from the file that the request is timely made.)

6.6 ABSENCE OF JUDGE

In the absence of the Circuit Judge or the Associate Circuit Judge of any division, any other Judge may sit as the Judge of the division in which the Judge is absent and perform all the duties of the absent Judge.

6.7 ABSENCE OF PRESIDING JUDGE

In the event the Judge who serves as Presiding Judge, pursuant to Rule 100.1.1 infra, is from time to time absent from the circuit or is disabled or disqualified from acting in the capacity of Presiding Judge, in any case or matter whatsoever, then, during any such period of absence or disability or as a result of such disqualification, the next Division Number Circuit Judge of the Circuit shall be the Acting Presiding Judge, and shall exercise the responsibilities prescribed by law for the Presiding Judge. In the alternative, the Presiding Judge may designate by administrative rule, the order of Circuit Judges to succeed the Presiding Judge as Acting Presiding Judges, in case of absence, or other unavailability of the Presiding Judge. Where no other Circuit Judge is eligible or available to serve as Presiding Judge, or Acting Presiding Judge, the Chief Justice of the Supreme Court shall appoint a Judge to serve as Acting Presiding Judge.

RULE 7 WITHDRAWAL OF PAPERS FROM CLERK'S OFFICE

7.1 WHEN

No official files of the Circuit Court or any Division thereof shall be removed from the Office of the Circuit Clerk or the office of any division clerk except in the custody of the employees of the Circuit Clerk or the Court.

7.2 DUPLICATION POLICY

Requests for copies of court records should be directed to the Circuit Clerk. No charge shall be made for copies of documents furnished to any city, county, state agency or state department. Parties shall be charged the rate specified below for all other documents requested.

Photocopies of Microfilmed and Electronically Stored Records
Each page $2.00

Photocopies
Each page $1.00

Certified and Authenticated Photocopies
Each page, as above, plus an additional $.50 for each certification

Disc Copies of Recording of Trial or Hearing Record from Associate Circuit Court Divisions
Per Disc $30.00

Emailed Electronic Copies of Any of the Above (Except Disc)
Per Document $1.00
Certified or Authenticated Copies, additional $.50 for each certification

Electronic Copies of Audio Recordings Shall Not Be Emailed

Above referenced copies of Associate Circuit Court Trials or Hearings shall not be deemed an official transcript. If a party in possession of such recording desires to use same at any subsequent proceeding (for impeachment or for any other lawful purpose), that party shall furnish a copy of the recording, and a copy of any existing transcript of the recording, to the opposing party(s) at least ten (10) days in advance of the scheduled hearing, together with a notice of the intended use. Upon receipt thereof, any opposing party shall have five (5) days to file a Motion In Limine, which shall set forth all objections (as to accuracy or otherwise) to the use of such a recording or its transcript. (An official transcript may be obtained by contracting with any

Certified Court Reporter to prepare an official transcript from any Associate Circuit Court recorded record).

Attorneys may request that the cost of routine requests for copies be accumulated and billed and paid once at the end of each month, which accumulated bills shall be promptly paid from an electronic account previously established by the attorney. No copy charges shall be accumulated unless the attorney has an established sufficient electronic account. All applicable copy charges for those who do not have established electronic accounts, shall be paid prior to delivery or receipt of such copies.

RULE 8 PUBLICATION OF DOCKETS

8.1 TRIAL DOCKET

Each division clerk in all divisions calling a Term or Next Adjourned Day docket shall prepare a docket of all cases to be called in each such division, and which may include cases set or to be set for trial or other hearing, and cases set for a dismissal docket or case management control docket. The docket shall be available online on the internet for all attorneys having a case on said docket no later than five (5) days prior, if possible, to the date that said docket is to be called.

8.2 DISMISSAL DOCKET

Each division docket as set forth in the preceding Rule 8.1 shall identify those inactive cases that the court intends to dismiss on any such Term or Next Adjourned Day docket.

8.3 CASE MANAGEMENT CONTROL DOCKET

Each division clerk shall prepare from time to time, as directed by the Judge of the division, shall prepare and disseminate in the same manner as required in Rule 8.1 above (or as otherwise directed by the Judge of the division), a Case Management Control Docket. These dockets, which are computer-generated, reflect cases which show no action for a specified period according to category. They will be called for "announcement" or to be placed on a subsequent docket for dismissal, in the discretion of the Judge of the division where pending.

RULE 9 COURTROOMS

9.1 ASSIGNMENT OF COURTROOMS

(No local Court Rule.)

9.2 PLACE OF HEARING

(No local Court Rule.)

9.3 USE OF COUNSEL TABLE

Only counsel of record and parties of record are permitted to sit at counsel table, unless permission of the Judge is obtained in advance.

9.4 COURTROOM DECORUM AND DRESS

(No local Court Rule.)

9.5 WHO IS PERMITTED WITHIN THE BAR

Only counsel of record, court staff, jurors duly summoned for the case, parties of record and witnesses (as called) are permitted within the bar of the several courtrooms of this circuit, unless permission of the Judge is obtained in advance.

RULE 10 COURT REPORTERS AND COMPENSATION FOR SAME

Preparation of any transcript on appeal by an official court reporter shall not begin until the person ordering such transcript makes a cash deposit in the manner as required by the Office of State Courts Administrator or with the reporter of such amount as the reporter reasonably estimates such transcript will cost. In the event any 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 deposit is insufficient to pay for the complete cost of the transcript, the remaining unpaid portion of the cost shall be due upon the delivery of the transcript to the person who ordered it prepared. Payment will be made to the reporter who prepared it.

Preparation of a typewritten transcript of a record preserved by electronic recording device shall not begin until the clerk is paid a sufficient sum to cover the estimated cost of this work. If the appellant requests the Circuit Clerk to forward the material to the Office of State Courts Administrator for transcribing, the estimated cost will be based on rates authorized for transcripts prepared by an official court reporter. No transcript thus prepared will be delivered until payment of the costs of preparation by the Office of State Courts Administrator is tendered.

RULE 11 RECORDING OF JUDICIAL PROCEEDINGS

11.1 IN GENERAL

All persons except those authorized by the Court to preserve the record 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, provided however, nothing herein shall prevent such if done in accordance with the provisions of Supreme Court Administrative Rule 16 relating to "Cameras in the Courtroom." Even in cases being covered under the provisions of Supreme Court Rule 16, the prohibition remains against recording, televising or photographing in the

"hallways immediately adjacent to the entrances to the courtroom." Administrative Rule 16.02 (i) Said area shall be construed to include the entire Basement, Ground, First, and Second floors of said Courthouse and all stairways leading to any of such floors in the Jefferson County Courthouse.

11.2 CASES HEARD WITHOUT AN OFFICIAL RECORD

In the discretion of any Judge, and with the Judge's permission obtained in advance, a party may tape record proceedings not otherwise on the record (for example, a Preliminary Hearing). Such recordings shall not be deemed an official record. If a party in possession of such recording desires to use same at any subsequent proceeding (for impeachment or for any other lawful purpose), that party shall furnish a copy of the recording, and a copy of any existing transcript of the recording, to the opposing party(s) at least ten (10) days in advance of the scheduled hearing, together with a notice of the intended use. Upon receipt thereof, any opposing party shall have five (5) days to file a Motion In Limine, which shall set forth all objections (as to accuracy or otherwise) to the use of such a recording or its transcript.

RULE 12 MONIES PAID INTO COURT

(No local Court Rule.)

RULE 13 COMMUNICATIONS WITH COURT

13.1 ORAL COMMUNICATION WITH COURT

(No Local Court Rule)

13.2 WRITTEN COMMUNICATION WITH COURT

(No local Court Rule.)

RULE 14 FAMILY COURT

14.1 CREATION

There shall hereby be created within and for the 23rd Circuit Court of Jefferson County, a Family Court as provided in 487.010 RSMo et. seq.

14.2 DESIGNATION OF DIVISIONS

The divisions assigned as Family Court Divisions shall be as designated from time to time by Administrative Order of the Presiding Judge. The Administrative Judge of the Family Court shall be as designated from time to time by the Presiding Judge.

14.3 ASSIGNMENT OF FAMILY CASES

Family Court cases shall be assigned by the Administrative Judge of the Family Court to Family Court Divisions, including any Family Court Commissioner; or by assignment by the Presiding Judge, either by class of case, or on a case-by-case basis.

14.4 CONFIRMATION OF COMMISSIONER

The findings and recommendations of any Family Court Commissioner shall be adopted and confirmed by an order of such Circuit or Associate Circuit Judge as may be designated by the Presiding Judge, or by the Administrative Judge of the Family Court.

14.5 FAMILY SERVICES AND JUSTICE FUND

A fee of $30.00 per case as provided in 487.170 RSMo shall be collected and deposited in the "Family Services and Justice Fund" to be expended for such purposes and in such amounts as the Presiding Judge or the Family Court Administrative Judge may from time to time authorize, with the concurrence of the Circuit Court En Banc.

14.6 AVOIDANCE OF APPEARANCE OF CONFLICT IN JUVENILE CASES

The Administrative Judge of the Family Court (who is designated a judge of the juvenile court pursuant to 211.351, RSMo, for this purpose) shall be the sole appointing and supervising authority of all personnel of the Juvenile Office of the Twenty-Third Judicial Circuit, except that the appointment of the Chief Juvenile Officer shall be made by the Court en banc; and the Administrative Judge of the Family Court shall in no event hear any case brought by the Juvenile Officer under the provisions of Chapter 211, RSMo, or otherwise, nor shall the Administrative Judge of the Family Court hear any case in which the Juvenile Officer is a party.

14.7 ORDERS OF CUSTODY, CHILD SUPPORT, VISITATION, AND PATERNITY AT THE CLOSURE OF JUVENILE CASES

1. The judge presiding over any juvenile case may enter an order regarding paternity, custody, child support, or visitation pursuant to section 211.093, and immediately thereafter close the juvenile file and terminate juvenile court jurisdiction. Under this Rule, the court may grant any person physical and legal custody which will operate in the juvenile's best interest. The court may enter such an order on the motion of any party or on its own motion.
2. The court may enter its order under this rule based upon evidence already received in the juvenile proceedings or in a separate evidentiary hearing which may be held at the judge's discretion. The court may enter such an order at any time or at any dispositional review hearing, permanency planning hearing, or permanency review hearing.
3. Any order entered pursuant to this rule will remain in full force and effect until such time as a contrary order would be entered under Chapters 452, 453, 454, 455, or 475. Consistent with the principles of a Unified Family Court, the judge who entered an order under this rule

shall hear any subsequent case regarding the juvenile subject to the order, provided that the judge continues to serve in that capacity.

RULE 15 TREATMENT COURTS

15.1 CREATION

There shall hereby be created within and for the 23rd Circuit Court of Jefferson County, courts referred to as "Treatment Courts".

15.2 DESIGNATION OF DIVISIONS

The divisions assigned as Treatment Court Divisions shall be as designated from time to time by Administrative Order of the Presiding Judge. The Administrative Judge of the Treatment Courts shall be as designated from time to time by the Presiding Judge.

15.3 ASSIGNMENT OF TREATMENT COURT CASES

Treatment Court cases shall be assigned to Divisions by the Administrative Judge of the Treatment Court or by assignment by the Presiding Judge, either by class of case, or on a case-by-case basis.

15.4 TREATMENT COURT ACCOUNT

1) The Treatment Court Account shall receive deposits from treatment court fees and reimbursements from the participants of the treatment courts. The Administrative Judge of the Treatment Court shall oversee this account with the Treatment Court Administrator using this account to meet the day to day expenses of the treatment courts.

2) These deposits shall be collected by the Circuit Clerk and deposited into the "Jefferson County Alternative Court Fund" bank account. All funds shall be maintained in an interest-bearing account with check writing facilities.

A) All bank accounts shall include as signatories the Treatment Court Administrator as well as the Administrative Judge of the Treatment Court.

B) If sufficient funds exist, the Administrative Judge of the Treatment Court may direct that a portion of the funds be placed in certificates of deposit, money market funds, treasury bills or other secure deposits.

3) The Treatment Court Administrator has the authority to make decisions regarding Treatment Court Account expenditures less than $500.

4) The Administrative Judge of the Treatment Court has the authority to make decisions regarding Treatment Court Account expenditures exceeding $500.

5) The Treatment Court Administrator shall provide a monthly report of account activity and fund balances to the Administrative Judge of the Treatment Court, as well as the Presiding Judge. The Administrative Judge of the Treatment Court shall make a quarterly report to the Court En Banc, concerning finances, acquisitions, and long-range plans.

RULE 21 ATTORNEYS

21.1 RESOLUTION OF CONFLICTING TRIAL SETTINGS

The acceptance of a trial setting in circuit divisions does not allow for the acceptance of any conflicting trial settings in any other court on any later date.

21.2 ENTRIES OF APPEARANCE

Entries of appearance shall be electronically scanned and filed in PDF format by the attorney prior to appearance in court, and any writing, shall be legible, and contain the full name, address, telephone number, email address, and Missouri Bar number of the lawyer primarily responsible for the case. The entry shall be signed by the lawyer primarily responsible for the case. Entries of appearance in criminal cases shall also include an electronic mail address for the attorney primarily responsible for the case. When practical, any entry of appearance, as referenced above, shall be electronically filed prior to any related court date, but in the event it is not possible then any hard copy shall then be scanned and converted into electronically filed PDF format by the Circuit Clerk.

21.3 CONDUCT OF ATTORNEYS

All attorneys shall conduct themselves in accordance with the Code of Ethics currently in effect under Missouri Supreme Court Rules.

21.4 WITHDRAWAL OF ATTORNEYS

1. Withdrawal under circumstances not requiring leave of Court.
   A. Open Case: Subject to the other requirements of this Rule 21.4, an attorney may withdraw from an open or pending civil or criminal case without leave of Court by 1) filing a "Substitution of Counsel" pleading signed by the attorney withdrawing as well as the attorney entering, or 2) filing a "Motion to Withdraw" (Form GN285) accompanied by the entry of appearance of another attorney or other assertion that the attorney's client continues to be represented by other counsel of record.
   B. Closed Case: Subject to the other requirements of this Rule 21.4, an attorney may withdraw from a closed civil or criminal case without leave of Court by filing a "Memorandum of Withdrawal" (Form GN290) asserting that there are no pending claims or issues in the matter.

1. Probation Revocation Proceedings: In cases where an attorney is listed as counsel of record in a probation revocation proceeding, but has not filed an entry of appearance for the open probation revocation proceeding, leave of Court shall not be required to withdraw. This would commonly include situations where counsel had represented the defendant during the underlying plea, or in a prior probation revocation proceeding where the defendant was continued on probation.
2. Contempt Proceedings: In cases where an attorney is listed as counsel of record in a proceeding arising from an allegation of contempt of a court judgment, but has not filed an entry of appearance for the contempt proceedings, leave of Court shall not be required to withdraw. This would commonly include situations where counsel had represented the party during an underlying family law matter but has not re-entered on the contempt proceeding.

C. Any such pleadings shall include the full address of the client and shall be served on the client in addition to all others required to be served.

D. In all other instances, such withdrawal may only be allowed with leave of Court, and upon a showing of compliance with Supreme Court Rule 4-1.16 and this Rule 21.4.

2. Withdrawal under circumstances which require leave of Court.

A. Subject to the exceptions set forth in Subsection 1 above, an attorney who desires to withdraw as attorney of record for any party to any action pending in this Circuit shall comply with the following procedures:
   1. The attorney shall file a "Motion to Withdraw" (Form GN285);
   2. The reason for the request must be set forth in the motion;
   3. The motion shall state whether the attorney's client has consented to the withdrawal;
   4. 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 certificate of service thereon;
   5. The motion shall include any existing court dates;
   6. A separate "Notice of Hearing" shall be filed at the same time providing notice of the date and time at which the moving attorney will call up the motion before the court for hearing.
      A. Division clerks can provide available dates.
      B. In non-criminal cases, the Court may waive the necessity of an in-person appearance and grant the withdrawal summarily if the withdrawal request is by consent.

7. 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, in the manner provided by Supreme Court Rule 43.01.

B. Special provisions relating to criminal cases:
   1. 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 for the motion hearing and the notice shall instruct the client of such obligation.
   2. Any attorney seeking leave to withdraw from a criminal case in which a warrant has been issued for the client for failing to appear shall certify that all reasonable efforts have been made to establish contact with the client and that the attorney is unable to locate the client. Under such circumstances the attorney may serve the notice required by this Rule by mailing a copy of the notice to the last address the client provided to the Court and any additional address provided by the client to the attorney.

C. 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 advise the former client of any scheduled court proceedings or pleadings deadlines in the case.

21.5 FAILURE OF ATTORNEYS TO ANSWER DOCKET CALL

(No local Court Rule.)

21.6 APPOINTMENT OF ATTORNEYS

The Circuit Clerk under the direction of the Presiding Judge, shall maintain a list of attorneys who regularly practice in this circuit, who shall be eligible for appointment to serve as Guardian Ad Litem, counsel for indigent parties in Juvenile cases or any other case where provided by law. The list shall be a rotating list, so as to minimize the service of any one individual and to ensure, as far as possible, that all such attorneys serve in such capacities in an equitable fashion.

21.7 AGREEMENT OF ATTORNEYS

No private or prior stipulation or agreement between attorneys, or the parties, in a pending case will be recognized unless made in writing and filed with the clerk or made orally on the record in open court.

21.8 ADVICE TO CLIENT & WITNESSES OF COURTROOM PROCEDURES

Each attorney is to advise their respective clients and witnesses as to the formality of the court, including proper dress, and seek their cooperation therewith, thereby avoiding embarrassment.

Each attorney is to advise their client to avoid discussing any phase of the case with the court.

When the "rule of exclusion" as to witnesses is invoked, each attorney is charged with the duty to seeing that the witnesses comply with that rule. If any witness violates the rule, whether willfully or otherwise, such witness shall not be permitted to testify, except by consent of the opposing counsel, or unless the court, in the exercise of its discretion under all the circumstances, rules that justice requires such testimony be received.

RULE 22 APPOINTMENT OF GUARDIAN AD LITEM

22.1 WHEN A GUARDIAN MUST BE APPOINTED

The appointment of a Guardian Ad Litem shall be made where child abuse or neglect is alleged. The appointment should be made as soon as the allegation of child abuse or neglect is made, including at the filing of the petition if such allegations are made in the petition. The Court may appoint a Guardian Ad Litem in such cases with or without a hearing. In the Court's discretion, it may delay appointment of a Guardian Ad Litem until a later date in the interests of Justice Utilization of resources in Cases for Adult or Child Orders of Protection.

22.2 WHEN A GUARDIAN MAY BE APPOINTED

The appointment of a Guardian Ad Litem may be done in the discretion of the Court:

(A) Upon the request of any party with or without a hearing, or

(B) In an action for declaration of paternity where the child is named as a defendant, or if the Court determines that the interest of the child and his Next Friend are in conflict, or

(C) Upon the request of the parties in a Dissolution of Marriage, Modification thereof, or Legal Separation case where child custody, child support or visitation rights are contested issues. (In the context of this Rule 22, "Contested Issue" means the claim for and denial by any adverse party of child support, child custody, or request by any party and denial by any adverse party for more liberal, or more restricted, visitation rights.)

22.3 PAYMENT OF GUARDIAN FEES

Full payment of Guardian Ad Litem fees shall be made upon Court order. Payment may be made from funds deposited as security therefor under order of the Court, at the conclusion of the case, or at intervals designated by

the Court while the case is pending. When appropriate, additional security therefor may be required by the Court at any time during the pendency of the case without a hearing. Even if no security for such fees is ordered, at the conclusion of the case, the Court may award judgment for such fees in favor of the Guardian Ad Litem against any one or more parties, or from public funds available for such purpose. Any public entity liable for such fees from public funds in their control shall be entitled to notice and a hearing as to the reasonableness of such fees.

22.4 STANDARDS FOR GUARDIANS

(A) APPOINTMENT

Only a lawyer licensed by the Supreme Court of Missouri (or from another State with approval of the Court) shall be appointed as a Guardian Ad Litem in the 23rd Judicial Circuit. The Guardian Ad Litem in a Juvenile proceeding shall be appointed upon the filing of and Order of Protective Custody or the filing of a Petition, and in a Domestic case as soon as the Court becomes aware of allegations of abuse or neglect as provided by Rule 22.1 supra or in accordance with Rule 22.2 supra. If there is more than one case involving the same child, the Court should appoint the same Guardian Ad Litem for each case, if possible.

(B) INDEPENDENT JUDGMENT OF GUARDIAN AD LITEM

A Guardian Ad Litem shall be guided by the best interests of the child at all times, and shall exercise independent judgment on behalf of the child in all matters. [COMMENT: Although the parties are normally interested in the child's well-being, they are not necessarily focused on the best interests of the child. The Guardian Ad Litem therefore must recommend only what is in the best interests of the child on each issue, and must maintain an objectivity that preserves a clear focus on the child's best interest. The role of Attorney for a child is different from the role of Guardian Ad Litem. The Guardian Ad Litem must advocate the best interests of the child and not merely represent the child's preferences or positions.]

(C) FAITHFUL PERFORMANCE OF DUTIES

The Court shall insure that the Guardian Ad Litem maintains independent representation of the best interests of the child. The Court shall require that the Guardian Ad Litem perform their duties faithfully and diligently and, upon failure to do so, shall discharge the Guardian Ad Litem and appoint another. [COMMENT: The Guardian Ad Litem should relate to the child according to the child's age, understanding, and stage of development. The Guardian Ad Litem should meet personally with the child as often as necessary to observe the child's physical, mental, social, educational and familial status; and form opinions concerning the underlying cause of any problems the child may exhibit. The Guardian Ad Litem should not diagnose or work therapeutically with the child, but should, through

regular visits with the child, be able to insure forming informed opinions when conferring with diagnostic or therapeutic specialists.]

(D) GUARDIAN ACCESS TO CHILD

The Guardian Ad Litem shall not be denied reasonable access to the child by any agency or person, including at the child's current residence or placement, so as to perform the Guardian's duties as set forth in Rule 22.2 (B) & (C) supra.

(E) GUARDIAN ACCESS TO REPORTS AND RECORDS

Unless otherwise provided by law, the Guardian Ad Litem shall be provided, upon request, with all reports relevant to the case made to, or by, any agency or any person; and shall have access to all relevant records of such agencies or persons related to the child or the child's family members, or placements of the child.

(F) CONFIDENTIALITY

A Guardian Ad Litem shall observe all statutes, rules, and regulations concerning confidentiality. A Guardian Ad Litem shall not disclose information, or participate in the disclosure of information, relating to an appointed case, to any person who is not a party to the case, except as reasonably necessary to perform the duties of the Guardian Ad Litem, or as required by law or Order of the Court.

(G) COURT PROCESS

The Guardian Ad Litem shall review the progress of the child's case through the court process and advocate for timely hearings. To decrease the trauma to the child, the Guardian Ad Litem shall explain to the child the court process, hearings, depositions and other proceedings in which the child is to participate; and explain to the child the role the child is to play and the roles of other participants. The Guardian Ad Litem shall assure the child that the child's feelings and opinions will be made known to the Court, even when they are inconsistent with the recommendations of the Guardian Ad Litem. The Guardian Ad Litem shall participate in any out of court matters affecting the child, including the development and negotiation of any plans, orders, settlements, or staffings that affect the best interests of the child. The Guardian Ad Litem shall monitor implementation of any service plans and Court Orders to insure timely compliance therewith.

(H) COURT APPEARANCE

The Guardian Ad Litem shall appear at all Court proceedings to represent the best interests of the child. As authorized by law, the Guardian Ad Litem may present evidence and, where appropriate, see that witnesses are summoned and presented, including foster parents, teachers, other persons having a significant impact on the child, and professionals such as

medical, psychiatric, psychological, or other expert witnesses. The Guardian Ad Litem shall file such pleadings and engage in such discovery as necessary to perform the duties imposed under this Rule 22.

(I) PROTECTING THE CHILD AS A WITNESS

The Guardian Ad Litem shall protect the interests of the child as a witness in any legal proceeding related to the matter for which the Guardian Ad Litem was appointed, including opposing multiple and repetitive depositions or examinations that are not in the child's best interest. All interested parties shall notify the Guardian Ad Litem of any and all contacts with the child related to the case, so the Guardian Ad Litem may appear on behalf of the child. The Guardian Ad Litem shall be present during any conferences between counsel for any party and the child.

(J) CONFLICTS OF INTEREST

The Guardian Ad Litem shall inform the Court of any conflict between the child's opinions or preferences and the recommendations of the Guardian Ad Litem as to the child's best interests.

(K) RECOMMENDATIONS TO THE COURT

The Guardian Ad Litem shall make recommendations to the Court based on the evidence presented and shall provide reasons in support thereof. The Guardian Ad Litem shall insure that all relevant information is available to the Court, and should testify, subject to cross examination, if the Guardian Ad Litem has relevant information from the Guardian's own independent investigation. The Guardian Ad Litem should request Court Orders that are clear, specific and, where appropriate, include a time line for implementation, assessment, services, placement, treatment and evaluation of the child, and the child's family members, so as to provide stability for the child as soon as possible.

(L) TRAINING OF GUARDIANS

The court shall not appoint a lawyer to serve as guardian ad litem until the lawyer has completed eight hours of continuing legal education devoted to guardian ad litem training. Thereafter, to continue to be appointed as a guardian ad litem, a lawyer shall complete three hours of continuing legal education devoted to guardian ad litem training annually. The hours required for guardian ad litem training qualify toward the mandatory annual 15 hours of continuing legal education.

The program sponsor shall obtain approval of the program for continuing legal education from The Missouri Bar and from the presiding judge of the circuit where the training is offered. Any continuing legal education required by this standard shall not be completed by self-study. In addition, the program sponsor shall obtain approval of the program as

guardian ad litem training from the presiding judge in a circuit where the training is offered.

Completion of the training hours shall be documented by an affidavit or other evidence filed with the Family Court Administrator by July 31st of each year.

RULE 23 TRANSCRIPTS

23.1 Transcripts Prepared for Purposes of Appeal of Post-Conviction Relief

The court reporter shall prepare an electronic version of the transcript pursuant to Supreme Court Rule 24.03 and Rules 24.035(k) or 29.15(k). The court reporter shall file with the circuit clerk an electronic copy of same to be filed at Level 6.

23.2 Transcripts Prepared for Other Appeals or Other Purposes

The court reporter shall prepare the transcript as requested by the ordering party. The court reporter shall submit to the circuit clerk a notice that same has been prepared.

23.3 Deposit of Funds for Transcript of Notes

Upon receipt of a request for preparation of a transcript when the cost of same is not to be paid from State funds, the court reporter shall provide the requesting party with a reasonable estimate of the cost of said transcript. Preparation of said transcript shall not begin until a full deposit is made to the court reporter. The balance or refund due shall be settled upon delivery of said transcript.

23.4 Homicide Preliminary Hearings

An official court reporter shall report the proceedings of homicide preliminary hearings, as schedules permit. Transcripts and costs thereof shall be pursuant to Rules 23.2 and 23.3.

RULE 24 EXHIBITS

Each attorney is responsible for all exhibits before, during and after trial; provided however, that the Judge of each division may enforce a different rule, generally or in a specific case or category of cases. Arrangement should be made with the division court reporter or the clerk responsible for electronic recording to mark all exhibits prior to the commencement of the trial or during recesses, so as to not delay the actual presentation of evidence. Electronic versions of all Exhibits shall be filed or provided in electronic format to the court for the purpose of maintaining an accurate record, and may be required at the court's discretion in particular hearings, trials, or pre-trial conferences.

RULE 25 ELECTRONIC FILING REQUIRED-FACSIMILE FILING PROHIBITED

(No Local Court Rule)

RULE 26 SPECIAL PROCESS SERVERS

(No Local Court Rule)

RULE 32 DISCOVERY

All discovery and pre-trial pleadings (other than summonses requiring personal service or service of process) and motions and correspondence which are filed with the court shall be electronically filed in PDF format AND may be sent electronically by email in the same format to all attorneys or by email informing attorneys and other parties of its availability on the CASENET website.

32.1 USE OF DISCOVERY & CERTIFICATION TO CIRCUIT DIVISION

(No Local Court Rule)

32.2 INTERROGATORIES

Copies of all interrogatories and answers thereto shall be sent to all parties. Answers and objections to interrogatories shall state the question being answered or objected to immediately before the response.

32.3 DEPOSITIONS

(No local Court Rule.)

32.4 MOTION FOR SANCTIONS

(No local Court Rule.)

32.5 CRIMINAL DISCOVERY

(See Supreme Court Rule 25. No local Court Rule.)

32.6 "THE GOLDEN RULE"

1. In any civil action where answers to discovery are more than three (3) days late, the attorney who propounded the discovery shall send a "golden rule" request to opposing counsel. The "golden rule" request shall notify opposing counsel of exactly what discovery has not been answered, the date the discovery was due, and shall provide opposing counsel with a date ten (10) days in the future when the discovery must be received by the propounding attorney. "Golden rule" requests may be sent to opposing counsel by either letter or e-mail.
2. In the event discovery is not received within the period specified in the "golden rule" request, the propounding attorney may file a motion to compel with the court, which will be summarily ruled on by the court without hearing. Such motion shall have attached as an exhibit a copy of

the "golden rule" request. If the court finds that the motion and "golden rule" request have complied with Local Rule 32.6, the court shall grant the motion and require all requested discovery to be provided within ten (10) days of the court order. In the event the order to compel is not complied with, after a hearing, sanctions may be imposed on the party who has failed to respond when requested by the propounding party.

RULE 33 PRE-TRIAL MOTIONS

33.1 HEARING DATES

Hearing dates for pre-trial motions shall be set by the Judge of each division, and settings thereon shall be obtained by contacting the division clerk of the division where the case is pending. Parties or attorneys filing motions must obtain dates from the clerk and file with the court, as well as serve upon the parties and counsel of record; a Notice of Hearing of the date such motion is to be heard. Otherwise, the motion may not be ruled upon and may merely be filed in the court file.

33.2 BRIEFS IN SUPPORT OF MOTIONS, WHEN REQUIRED

All motions and accompanying memoranda shall be electronically filed in PDF format. All motions shall be in writing and accompanied by a written memorandum setting forth reasons in support thereof with citations and points relied upon. Either party thereafter upon five (5) days' notice may call up said motion for hearing. If no memorandum is filed, then upon notice by either party, the court will consider the motion without argument. After submission, the court may require such memorandum or briefs as the court may deem advisable. Time to file written memorandum may be extended by the court for good cause shown.

33.3 ORAL ARGUMENT, WHEN DESIRED, HOW REQUESTED

Notwithstanding the preceding Rule, upon filing of a motion, the party filing same may request and obtain a date for oral argument of same from the division clerk of the division where the case is pending.

33.4 MOTIONS IN LIMINE

All motions in limine shall be in writing and electronically filed in PDF format and must be accompanied by citations of authority to be considered.

33.5 MOTIONS TO COMPEL

1. All Motions to Compel Answers to Interrogatories, Production of Documents, or other discovery shall be electronically filed in PDF. See Rule 32.6 for procedure.
2. The Party against whom a Motion to Compel is filed may automatically stay the application of the preceding Rule 33.5.1 only if that party obtains a Motion Hearing date from the Court and notices the Moving Party for said Motion Hearing date. The Notice of said hearing date shall be

electronically filed in PDF format. To validate this automatic stay, the Motion Hearing date shall be applied for and obtained from the Court within five (5) days after filing of the Motion to Compel. The automatic stay shall then be effective until the Motion to Compel is heard.

RULE 34 CONTINUANCES

34.1 CIVIL CASES

An application for continuance shall be made by a written motion electronically filed in PDF format and accompanied by the affidavit of the applicant or some other credible person setting forth the facts upon which the application is based, unless the adverse party consents that the application for continuance may be made orally. For good cause shown, the court may continue a civil action to a fixed day, or to a day for trial to be re-set thereafter. Every continuance granted on the application of a party may be at the cost of such party, if so ordered by the court. All applications for continuances shall conform to Supreme Court Rule 65.

34.2 CRIMINAL CASES

See Missouri Supreme Court Rules regarding continuances on criminal cases.

RULE 35 PRE-TRIAL CONFERENCE

Pre-trial conferences in any case, or category of cases, may be required in the discretion of the Judge of the division in which the case is pending.

RULE 36 SETTING CASES FOR TRIAL

(See Rules 2.3 & 2.4)

RULE 37 DISMISSALS

In addition to cases on a regular Term or Next Adjourned Docket which are designated for "dismissal", the Judge of any division may direct the division clerk to prepare and publish a "Dismissal Docket" for call on a specified date. Cases appearing on such a docket will be dismissed upon call, unless, at the request of a party to said case, the Judge orders some other action thereon. Failure of anyone to "announce" on such a case will result in its dismissal without prejudice for failure to prosecute.

RULE 41 SETTLEMENT AND DEFAULT

The division clerk shall be notified promptly if a case is settled after it has been set for trial, so that other matters may be scheduled. As soon as reasonably practicable thereafter, the parties shall file their dismissal memoranda to finally close the case file.

RULE 42 DEFAULT TRIALS

(No local Court Rule.)

RULE 51 COURT-TRIED CASES

51.1 DEFAULT & UNCONTESTED MATTERS

The petitioner, if unrepresented, shall submit to the court prior to the commencement of any default or uncontested hearing a proposed decree or order. The court may direct that the attorney submit such proposed decree or order after the hearing within a period not to exceed thirty (30) days. The court may allow an extension upon good cause shown.

51.2 CONTESTED MATTERS

In the discretion of the Judge trying the case, one party may be directed to prepare and submit a proposed order or decree containing such provisions as the Judge shall direct.

51.3 FINDINGS OF FACT AND CONCLUSIONS OF LAW

Unless findings are required as a matter of law, requests for findings of fact, when desired, must be made prior to the commencement of taking of evidence. When findings are not required by law, no request therefor will be deemed valid unless made prior to the commencement of the trial and the taking of evidence. The trial Judge may request and order, at the conclusion of the evidence, that all parties submit suggested findings of fact and conclusions of law for the court's consideration, within such reasonable time as the court shall direct. In the event such suggested findings and conclusions are not filed within the time specified, the court may nevertheless enter its judgment notwithstanding such failure.

RULE 52 SELECTION OF JURIES-QUESTIONNAIRES

For each call of prospective jurors, a jury questionnaire shall be mailed to and completed by all prospective jurors under oath and filed with the Circuit Clerk. The jury questionnaires shall be available for inspection by attorneys no later than 48 hours in advance of the scheduled commencement of the trial, unless the Trial Judge, by written memorandum, specifies an earlier date and time. At the completion of the voir dire examination, it is the trial attorney's responsibility to return the copy of the jury questionnaires provided to the division clerk. No notes, comments or writing of any kind should be made by attorneys on the jury questionnaires. The copies will be used again for the entire term of each juror’s service. Unless granted specific authorization in advance by the Trial Judge, attorneys may investigate the prospective jurors only from information available in the public domain. Interviewing of friends, neighbors, family members, co-workers, or the like is specifically forbidden without prior approval of the Trial Judge, upon a showing of substantial need and good cause. The State of Missouri shall, if

they obtain a criminal record check of any prospective jurors, provide a copy of the results thereof to the Court and to Defense Counsel as soon as practicable and no later than the date and time when the trial is scheduled to commence. Attorneys shall not, as part of the voir dire examination, examine a member of the jury panel as to any matter contained on the jury questionnaire (except to clarify any answer therein) without the permission of the court obtained in advance of the commencement of the voir dire examination.

RULE 53 JURY TRIALS

53.1 INSTRUCTIONS

In all jury trials, attorneys are required to have prepared and typed in proper form ALL approved instructions necessary for the submission of their case or defense, and all such instructions must be submitted electronically in PDF format to the Judge prior to the commencement of the trial.

53.2 CLOSING ARGUMENTS

An attorney will be given a reasonable time for argument, as directed by the Judge. Plaintiff may divide his time between opening and closing, but not more than one-half thereof may be spent in the final closing. Time may be extended in the discretion of the Judge. The court may, in its discretion, change the order of the arguments. Arguments by multiple parties are made in the order named in the pleadings unless otherwise agreed to by the parties or directed by the court. Plaintiff may decline to make an opening argument, but by doing so waives the final closing argument. Defendant may nevertheless make an argument. Any attorney intending to waive argument shall inform the court and all other attorneys on the record at the final instruction conference.

RULE 54 JUDGMENT ENTRY

54.1 CONTESTED CASES

Unless otherwise ordered, the attorney for the prevailing party shall prepare and submit the form of judgment entry to the court for its approval.

54.2 DEFAULT OR UNCONTESTED CASES

In default or uncontested cases, the attorney for the prevailing party shall submit to the court for its approval the judgment entry or decree to be entered in the case on the day the case is heard, or within no more than thirty (30) days in the discretion of the court. Extensions thereof may be granted for good cause shown. In all matters of default or uncontested cases which are presented pro se, the party presenting same shall present a proposed judgment entry or decree in proper form to the Judge prior the commencement of any hearing thereon.

RULE 61 ADOPTION

61.1 FILING REQUIREMENTS

At the time of filing the petition, attorney for the petitioners shall file a Certificate of Adoption (Vital Statistics Report) on a form to be provided by the Circuit Clerk, as required by 193.360, RSMo.

61.2 HOME STUDY

Petitioners shall arrange for an investigation to be made pursuant to 453.070 RSMo, unless waived pursuant to that Section. Upon filing the Petition, the Petitioners shall designate a proposed person or entity to complete the investigation or shall request the investigation requirement be waived pursuant to Section 453.070.5. The investigation shall be conducted by Children's Division (referenced in the statute as The Division of Family Services), a juvenile court officer, a licensed child placement agency, a social worker licensed pursuant to Chapter 337 RSMO, or other suitable person appointed by the Court. The investigation shall be completed with ninety (90) days of the filing of the Petition and shall comply with all of the requirements set forth in 453.070 RSMo.

61.3 ADOPTION POLICIES AND PROCEDURES

The Chief Administrative Judge of the Family Court, with approval of the Court En Banc, may promulgate from time to time such adoption policies and procedures as may be prudent and necessary to assure the orderly flow of documentation, timely disposal of cases and proper access to information in adoption matters. All such policies and procedures shall be in accordance with the Revised Statutes of the State of Missouri, and Missouri Supreme Court Rules.

RULE 62 DRIVER'S CASES

(No Local Court Rule)

RULE 63 ASSOCIATE DIVISION CASES

(No local Court Rule.)

RULE 64 CASES ARISING UNDER CHAPTERS 207 & 208, R.S.MO. TITLE IV-D ACTIONS

(No local Court Rule.)

RULE 65 CIVIL COMMITMENT

(No local Court Rule.)

RULE 66 CONDEMNATION

(No local Court Rule.)

RULE 67 CRIMINAL CASES

67.1 PRE-TRIAL RELEASE

67.1.1 MOTIONS TO SET OR REDUCE BOND

Motions to set bond and for bond reduction shall be made in writing and filed with the division clerk in the division where the case is pending. In the absence or unavailability of the Judge of the division where the case is pending, such motions shall be submitted to the Presiding Judge, or the Acting Presiding Judge.

67.1.2 DEPOSIT OF DRIVER'S LICENSE

(No local Court Rule.)

67.2 PRELIMINARY HEARING

(No local Court Rule.)

67.3 GRAND JURY

(No local Court Rule.)

67.4 ATTORNEYS

(No local Court Rule.)

67.5 ARRAIGNMENTS

Each circuit division with a felony trial docket shall provide a schedule of arraignment dates for cases assigned to their caseload. Upon waiver of preliminary hearing or upon bind over, the associate circuit court shall direct the defendant to appear for arraignment in the assigned circuit division on the next scheduled arraignment date according the aforementioned schedule so provided. Bond, if any, shall continue to say arraignment date, unless otherwise ordered. All defendants shall be required to appear at the arraignment on their bond unless a memorandum waiving arraignment is filed, signed by both the defendant and his attorney, on or before the date and time set for arraignment. Signing of a waiver of arraignment by an attorney shall be deemed an entry of appearance, for all purposes, by such attorney. Such cases will be set for trial on the arraignment date. Therefore, it will be necessary for counsel to appear at court whether defendant has waived arraignment or not. Shall counsel fail to appear, the matter will be set for trial or disposition by the court. Nothing herein shall prohibit the parties from obtaining a trial or disposition date by consent, in advance of the day of arraignment. Unless otherwise directed by that division, arraignment shall be called at8:30 A.M. of that division's arraignment date.

67.6 DISCOVERY

(No local Court Rule.)

67.7 MOTIONS

(No local Court Rule.)

67.8 PLEA BARGAINING

All plea bargains in felony criminal proceedings shall be in writing and filed with the division where the case is pending prior to the commencement of the plea proceeding.

Said copy of the plea bargain agreement shall be signed by the Prosecuting Attorney or an Assistant Prosecuting Attorney, and by the Defendant and his attorney of record. Disposition of misdemeanors that are part of the felony plea bargain shall be included in the written agreement. Plea bargains of misdemeanors not a part of a felony disposition shall be in writing only if the division where the misdemeanor is pending so requires.

67.9 GUILTY PLEA

67.9.1 WHERE ENTERED

Pleas of guilty may be entered only in the division of the court where the case is assigned for trial, unless said Judge and the Judge where the plea is to occur both consent. However, the initial filing of a felony case in the associate circuit division does not allow the defendant to plead guilty in that division.

67.9.2 PETITION TO ENTER GUILTY PLEA

(No local Court Rule.)

67.10 CRIMINAL CALENDAR

(No local Court Rule.)

67.11 PROBATION & PAROLE

(No local Court Rule.)

67.14 DEPOSIT OF SIGNED SEARCH WARRANTS AND THEIR ATTACHMENTS AND RETURNS WITH THE CIRCUIT CLERK; RELEASE OF COPIES OF SEARCH WARRANTS AND ATTACHMENTS; JUDGES MAY RETAIN COPIES OF SEARCH WARRANT, ATTACHMENTS, AND RETURNS IN THEIR POSSESSION

The original copy of every search warrant, along with its application for search warrant and affidavit (hereinafter, "attachments"), signed by a Judge of this Circuit, shall thereafter be deposited with the Jefferson County Circuit Clerk's office. The Circuit Clerk shall cause each search warrant, along with its attachments, to be assigned a "Search Warrant Number", and shall keep same safe, in paper form, in the Circuit Clerk's records.

The original copy of every return on a search warrant shall be filed with the Circuit Clerk's office by the Judge to whom it is returned. The

Circuit Clerk shall file each such return with its appropriate matching search warrant, kept in the Clerk's records.

The Circuit Clerk shall not release copies of any search warrant, attachments, or returns to any person (except to the Judge who signed the particular search warrant) without first ascertaining from the Jefferson County Prosecuting Attorney whether there is any legal reason to not release same. If the Prosecuting Attorney indicates that a search warrant, attachments, or returns should not be released, then same shall not be released without a Court Order signed by a Judge of this Circuit. The inquiry by the Circuit Clerk and the response from the Prosecuting Attorney shall be in writing, with those writings to be kept with the search warrant to which they refer. Printed copies of emails shall be sufficient for the writing requirement above.

Judges who sign a search warrant may keep in their possession a copy of any such search warrant, along with its attachments, and returns, in the Judge's records, but may not release copies to any person except as set forth above.

RULE 68 DOMESTIC AND FAMILY LAW PROCEEDINGS

68.1 SCOPE

1. The provisions of this Rule 68 shall apply to the following proceedings:
   A. Dissolution of Marriage (including annulment actions)
   B. Paternity actions (including Petitions for Child Custody and Support with or without a specific paternity count)
   C. Legal Separation actions
   D. Actions for Third-Party Custody or Grandparent Visitation
   E. Post-judgment proceedings, including Family Access Motions and Contempt actions
   F. Motions to Modify Judgment related to the above case types

68.2 INITIAL FILINGS

1. Initial filings shall include all the necessary pleadings and information required by Missouri law. The following additional provisions and requirements are specific to the 23rd Judicial Circuit, and do not represent an exhaustive list of pleading requirements.
2. Dissolution of Marriage:
   A. If there are minor children of the marriage, must plead whether any other case involving custody of such children has been filed. If so, include the style and number of the other case, and whether the matter is pending or resolved.
   B. At the time of filing the petition, the attorney for the petitioners shall file a Certificate of Dissolution of Marriage (Vital Statistics Report) on a form to be provided by the clerk, as required by RSMo 193.205.

C. Dissolutions and paternity actions shall be filed separately, as required by Missouri Court Operating Rule 4.05. A separate case number shall be assigned for each dissolution and each paternity action filed and shall be related in the automated case management system for scheduling and other processing.
    1. The separate dissolution and paternity actions may be joined later as provided by Section 210.829, RSMo.

3. Paternity actions:
   A. Must plead whether any other case involving custody of such children has been filed. If so, include the style and number of the other case, and whether the matter is pending or resolved.
4. Motions to Modify a Judgment:
   A. Shall include, as an exhibit, a copy of the judgment or judgments for which a modification is being sought.
      1. If a request to modify custody is included, shall also include, as an exhibit, a copy of the Parenting Plan for which a modification is being sought.
      2. In situations where the prior judgments and parenting plans are not reasonably accessible on Case.net, this requirement to file exhibits may be complied with within 14 days.
         A. Attorneys may need to enter an appearance on prior subcases in order to access such documents on Case.net.
         B. Unrepresented parties may obtain a copy of such documents from the Clerk's office.
   B. Upon the filing of a Motion to Modify, the Clerk's office shall create a new subcase number.
      1. Unless otherwise specifically ordered by the Court, all subsequent filings should include the most recent subcase number, and should be filed in the new subcase.
         A. All pleadings and filings should include the most recent subcase number. (For example, once a "-02" subcase is created, no further documents should be put in the "-01" subcase.)
         B. Family Access Motions filed pursuant to Section 452.400, RSMo, shall not be given a new subcase number.
            a. The costs of filing the motion set forth in Section 452.400.3 shall be applied to the most recent subcase number.
            b. If the Clerk's office case file accounting system is unable to apply the applicable costs to the most recent subcase number, the costs shall be waived.
         C. This provision shall apply even when proceedings in the preceding subcase were ongoing (such as a contempt action or Family Access Motion) when the Motion to Modify was filed.

68.3 CUSTODY INFORMATION PROGRAM

1. As required by Section 452.605, RSMo, in an action for dissolution of marriage or legal separation involving minor children, or in a post-judgment proceeding wherein custody of minor children is to be determined by the court, the court shall, except for good cause, order the parties to attend educational sessions concerning the effects of custody and the dissolution of marriage on children.

68.4 MANDATORY FINANCIAL STATEMENTS

1. **Purpose**: The purpose of this rule is to ensure that all parties have equal access to information relevant to the case at the earliest opportunity so as to encourage the settlement of disputes. It is not intended to preclude a party from serving formal discovery requests upon the other party pursuant to the Missouri Rules of Civil Procedure.
2. **Form Availability**: All of the documents required by this Rule shall be made using the forms obtained from the Circuit Clerk, and shall be filed with the Clerk electronically in PDF format if filing with the Court is required.
3. **Orders of Protection**: This Rule does not supersede any temporary or final order of protection which may prohibit communication between the parties. If an order of protection would preclude the communication required by this Rule, the parties shall file the documents with the Court, but shall include a request that the filings be set at a higher security level.
4. **Non-responsive Statements**: The amounts included in the financial statements shall not state "varies", "TBD", or other similar non-responses without explanation.
   A. For purposes of this Rule, an evasive or incomplete answer, including failure to update answers, shall be treated as a failure to answer.
   B. Explanations for non-responsive answers shall be set forth on an attachment to the filing, and shall set forth with specificity why the information is not available to the filing party.
5. **Continuing Obligation to Update**: All parties shall have a continuing duty to update the statements required by this rule, so that such statements remain accurate and up to date.
   A. Copies of current financial statements or any updates shall be filed no less than THREE (3) BUSINESS DAYS IN ADVANCE of the following types of settings:
      1. A hearing date for any motion involving property or financial matters, including child support;
      2. Pre-trial Conferences;
      3. Trial or other final disposition hearing.

B. If no information has changed, the party may instead file an affirmation that the previously filed financial statements are still true and accurate to the best of the parties' knowledge.

6. **Non-Compliance and Sanctions**
   A. **Notice of Non-Compliance:** If a document that is required to be provided pursuant to this local rule is not produced for exchange, the parties shall follow the provisions set forth in Local Court Rule 32.6 regarding "Golden Rule" letters, and Local Court Rule 33.5 regarding Motions to Compel.
   B. **Sanctions for Non-Compliance: Upon** a finding that any party materially failed to comply with the provisions of this rule, a rebuttable presumption shall exist that a $500 sanction is appropriate. The Court may exercise discretion to increase, decrease, or waive this monetary sanction. Monetary sanctions may be imposed in addition to any other sanctions within the Court's authority to impose.
7. **Notice of requirements to litigants:** Upon the filing of petition or motion, the Office of the Circuit Clerk shall provide to the filing party a copy of this Rule and a compliance form. A copy of the rule and compliance form shall be attached to the summons and petition and served on the opposing party along with the petition and summons.
8. **Court Notification of Compliance**
   A. The mandatory document exchange compliance form is available on the court website.
   B. Upon completion of the exchange of documents, each party shall file with the court a compliance form approved by the court, certifying that the documents were exchanged or the reasons why certain documents were not exchanged.
   C. Copies of the documents exchanged need not be filed in the court file unless otherwise provided by rule.
9. **Waiver**: The parties may submit for approval a consent motion to waive the mandatory document exchange (other than Statement of Property and Statement of Income and Expenses).
   A. Absent a showing of good cause, such waivers shall only be granted upon notification that the matter is a "Non-Contested Proceeding" under Local Court Rule 68.5(3).
   B. Approval of such motion does not prohibit the entry of an exchange order at a later date.
10. **Documents subject to mandatory filing or exchange requirements:**
    A. **Documents which must be filed with the Court**
       1. **Statement of Property, including assets and debts**
          A. Statements of property shall be made using the form available from the Clerk's office or the Missouri Courts website, or be in a format substantially similar to the form.

B. Statements of property shall be required in dissolution of marriage proceedings and legal separation actions. Filing in other types of cases shall not be required except by court order.
C. Petitioner (if a parent) shall file a statement of property within thirty (30) days of initially filing the case.
D. Respondent (if a parent) shall file a statement of property within thirty (30) days of the service date.
E. The requirements of this subsection are not subject to waiver without approval of the Court.

2. **Statement of Income and Expenses**
A. Statements of income and expenses shall be made using the form available from the Clerk's office or the Missouri Courts website, or be in a format substantially similar to the form.
B. Statements of income and expenses shall be required in dissolution of marriage proceedings, legal separation actions, paternity actions, and motions to modify. Filing in other types of cases shall not be required except by court order.
C. Petitioner/Movant shall file a statement of income and expenses within thirty (30) days of initially filing the case.
D. Respondent/Non-Movant shall file a statement of income and expenses within thirty (30) days of the service date.
E. The requirements of this subsection are not subject to waiver without approval of the Court.

B. **Documents which must be exchanged**
1. The documents outlined in this subsection must be exchanged, but need not be filed with the Court.
2. Petitioner/Movant (if a parent) shall exchange within ninety (90) days of initially filing the case.
3. Respondent/Non-Movant (if a parent) shall exchange within ninety (90) days of the service date.
4. Federal and state income tax returns including all schedules, W-2, K-1, and 1099 forms for the preceding three years.
5. Wage stubs (or other evidence of wages, tips or salaries if wage stubs are not issued) for the three months preceding the filing of the case.
6. Any statements or other documents evidencing expenses incurred in the last 12 months preceding the filing of the case pertaining to work-related child care costs, premium payments for insurance for the children of the parties, and medical, dental/orthodontic, and vision costs attributable to the children of the parties.
7. In addition, the following documents must be exchanged in dissolution of marriage and legal separation cases:

A. The three most recent statements for all bank accounts and all other accounts held jointly or individually by the parties in any brokerage firm or other financial institution;
B. The most recent benefit statement for any retirement plan, whether vested or not vested, in which a party has an interest;
C. Any appraisals of any marital or separate property conducted in the 12-month period preceding the filing of the case;
D. Credit card statements and store charges for purchases occurring during the three months preceding the filing of the case;
E. The most recent mortgage statement for any real property owned jointly or separately by the parties and copy of the deed for any such property;
F. The most recent balance statement for any existing debt owed jointly or separately by the parties.

68.5 CONFERENCES AND PRE-TRIAL SETTINGS

1. Case Management Conferences (CMC)
   A. Upon the filing of return of service, or upon filing of an entry of appearance by counsel on Respondent's behalf, the Clerk's office shall set a CMC date.
   B. At all CMC dates during the proceeding, counsel for the parties shall appear in person.
      1. The attorney who will be trying the case, not a partner or associate, shall attend the CMC in person.
      2. Represented parties need not appear unless ordered to do so, but should be available by telephone or other virtual appearance if necessary.
      3. Unrepresented parties shall appear in person.
   C. The Court may, at its discretion, hold CMC settings remotely by teleconference. If the setting is to be remote, the docket entry shall so indicate and should include any necessary login information.
2. Pre-Trial Conferences (PTC)
   A. Upon the setting of a trial date the Court shall also set a PTC date.
   B. The Court may, at its discretion, set a date for PTC even if no trial date is set.
   C. All parties shall appear for the PTC in person. PTC settings shall not be held remotely except by order of the Court for good cause.
      1. The attorney who will be trying the case, not a partner or associate, shall attend the PTC in person.
   D. If a scheduling conflict exists, the attorney or party with the conflict shall reach out to the other party not less than seven (7) days before the PTC to determine whether a continuance or other waiver of appearance is agreeable.

E. The date of the PTC shall be the discovery cut-off date, unless otherwise provided by Court order. Discovery requests should be sent early enough for compliance to occur by the PTC.
F. All financial statements shall have been updated prior to the PTC.
G. All parties shall have completed mandatory Mediation (LCR 68.11) and Supportive Parent classes (LCR 68.3) prior to the PTC, unless waived or extended by the Court for good cause shown.

3. Non-Contested Proceedings
   A. Upon notification that a case will be resolved without the necessity of a trial, the Court may set the case for a Case Management Conference or a "Final Settlement Due" docket (Clerk Docket code FSET).
      1. Unless otherwise ordered by the Court, Final Settlement Due dockets shall be in person, and all attorneys and parties must appear unless the signed documentation has been filed with the Court.
4. Sanctions
   A. Failure of an attorney or party to be prepared for, appear at, or cooperate in the CMC, PTC, or Final Settlement Due docket may subject the attorney or party to sanctions, including an award of attorney's fees and expenses to any attorney or party prejudiced or inconvenienced by such conduct.
   B. Upon a finding that any party materially failed to comply with the provisions of this rule, a rebuttable presumption shall exist that a $500 sanction is appropriate. The Court may exercise discretion to increase, decrease, or waive this monetary sanction. Monetary sanctions may be imposed in addition to any other sanctions within the Court's authority to impose.

68.6 DISCOVERY

1. The following provisions shall apply to the types of cases set out above in Rule 68.1.
2. Subject to the provisions of this Rule, the provisions of Missouri Supreme Court Rules 57 and 58 shall still apply, as well as Local Court Rules 32.6 and 33.5.
3. Interrogatories
   A. Form. Each interrogatory by either party to the other shall be in the following form:
      1. the question shall first be stated,
      2. followed by the verified answer to the question by the person asking the question if the same question were asked of them, and
      3. a space provided for the verified answer of the person of whom the question is being asked.
   B. All questions shall be prepared in such a form as to make them gender neutral and party neutral.

C. Interrogatories shall be provided electronically in Microsoft Word format unless otherwise agreed by the parties.
D. Extensions of Time
    1. Requests for extension of time to answer interrogatories shall be first made to the other party or their attorney.
    2. If there is no objection to the request for additional time, a copy of the extension need not be filed in the Court file unless an order is requested under MOSC Rule 61.01(b) with respect to any objection to or subsequent failure to answer an interrogatory.
E. Objections. Subject to local rule, objection to interrogatories shall be filed and noticed for hearing within thirty (30) days of the filing of the interrogatory or certificate of service; otherwise, any objection shall be deemed waived.

4. Production of Documents
    A. Any party who shall serve on any other party a request to produce a designated document shall attach to the request for production a copy of any such document that they would be required to produce had the request been made to them.
        1. If the proponent does not have such documents they shall attach a verified statement that such documents are not in their possession or control.
    B. All requests shall be prepared in such a form as to make them gender neutral and party neutral.
    C. Extension of Time
        1. Requests for extension of time to produce documents shall be first made to the other party or their attorney.
        2. If there is no objection to the request for additional time, a copy of the extension need not be filed in the Court file unless an order is requested under MOSC Rule 61.01 (b) with respect to any objection to or subsequent failure to produce the requested documents.
    D. Objections. Subject to local rule, objections to production of documents requests shall be filed and noticed for hearing within thirty (30) days of the filing of the request or certificate of service; otherwise, any objections shall be deemed waived.
5. Depositions
    A. No depositions shall be requested or scheduled later than fourteen (14) days prior to the Pre-trial Conference date, unless by mutual consent of all parties.
        1. This provision shall not apply to records depositions.

68.7 JUDGMENTS

1. Judgments shall include all items required by Missouri law. The following additional provisions and requirements are specific to the 23rd Judicial Circuit, and do not represent an exhaustive list of judgment requirements.
2. Judgments upon affidavit
   A. Final orders may be entered upon the affidavits of both parties when the parties have entered into a written agreement determining any and all issues related to property division, legal custody, physical custody, and child support.
   B. The Court shall not be bound to enter judgment upon the affidavits of either or both parties. The Court may, upon its own motion, require that a formal hearing be held to determine any or all issues presented by the pleadings.
3. Child Support Form 14
   A. In all cases involving minor children, one (or more) completed Form 14s shall be included with the judgment, even if the Form 14 calculations will not be followed.
   B. Separate Form 14 calculations are required for every possible number of subject children. For example, if there are 3 minor children, three completed Form 14 documents are required; for 3 children, 2 children, and 1 child.
4. Real Estate Legal Description
   A. If not contained in any separation agreement being incorporated into the judgment, the judgment must include the complete legal description of any real estate, title to which may be affected by the judgment.

68.8 TEMPORARY ORDERS AND PROCEEDINGS

1. Domestic Case Automatic Temporary Order
   A. Upon the filing of any action set forth in Rule 68.1, the Office of the Circuit Clerk shall provide the filing party with a copy of an order setting forth practices and procedures consistent with the terms set forth below. A copy of the Order shall also be attached to the summons and served on the other party along with the petition and summons.
   B. Provisions of the Automatic Temporary Order:
      1. Neither party shall harass, abuse, threaten to abuse, stalk, molest or disturb the peace of the other party or any of the parties' minor children, wherever they may be found.
      2. Neither party shall conceal or damage any property, real or personal, owned solely by the other party or jointly with the other party.
      3. Neither party shall cease payment for, or cause to be terminated, any coverage for the other party or any of the parties' minor children under any policy of medical, dental, vision, hospitalization,

automobile or disability insurance in force on the date of filing of the case unless ordered by the Court or unless consented to in writing by both parties.

4. Neither party shall relocate the residence of any of the parties' minor children outside of the State of Missouri, nor shall any party conceal a child from the other or deprive or hinder a party with whom a child has resided for the sixty days immediately preceding the filing of the case from reasonable or previously ordered visitation or custody unless ordered by the Court or unless consented to in writing by both parties.
5. In any dissolution or legal separation action, neither party shall shut off, cease payment for, or cause to be terminated the usual and necessary utilities being provided to the residence of either party unless ordered by the Court or unless consented to in writing by both parties.
6. In any dissolution or legal separation action neither party shall close or borrow against any bank or investment account, certificate of deposit or IRA or retirement account, nor shall either party dissipate, sell, remove, assign, transfer, dispose of, lend, mortgage, or encumber any property of a party, real or personal, except in the ordinary course of business or for the necessary expenses of the parties' family under the circumstances unless ordered by the Court or unless consented to in writing by both parties.
7. In any dissolution, legal separation or annulment action, neither party shall incur extraordinary credit card or other debt except in the ordinary course of business or for the necessary expenses of the parties' family under the circumstances unless ordered by the Court or unless consented to in writing by both parties.

C. Duration. The terms of the Order shall continue in effect until further order of the Court. Either party may request a hearing to modify the Order by motion to the Court in the division to which the case has been assigned.

D. Enforcement. Either party may request a hearing to enforce the Order by motion to the Court. Violation of the Order may constitute contempt of court and subject to the violation or fines or other sanctions as allowed by the Court, including reimbursement of expenses or attorney's fees and costs incurred due to the violation.

E. Effect. The terms of the Order are intended simply to preserve the current situation of the parties and are not intended to impact the ultimate decision of the Court as to custody or support of the parties' minor children, maintenance or property and debt division. Nothing in this Rule prohibits the Court for entering other appropriate orders pending the final adjudication of the case.

F. Other Orders. The terms of the Order shall not serve to modify, amend or supersede any prior judgments involving the parties, including ex parte or final orders of protection which may prohibit communication between the parties.

2. Requests for temporary relief pending disposition may be requested under Missouri Supreme Court Rule 92.02.

68.9 RETROACTIVE PAYMENT OF CHILD SUPPORT

1. In all proceedings for dissolution of marriage or legal separation, the establishment of child support may be ordered retroactively by the Court to the date of service of the Petition upon the Respondent or the date of filing of the Petition, depending upon which party is ordered to pay child support.
2. In all paternity actions, the establishment of a child support obligation may be ordered retroactively to the date of filing of the Petition or to the date of birth of the child or five years prior to the filing of the Petition, whichever is later, pursuant to Missouri statute.
3. In all proceedings to modify any provision for support of a minor child or children in a dissolution or paternity action there shall exist a presumption that any modification (increase or decrease) of the obligation for payment of support for a minor child or children shall be retroactive to the date of filing of movant's statement of Income & Expenses or the date of service of movant's motion to modify, whichever shall occur later.
4. Any proven amounts paid by a party in excess of the existing support obligation after the date of filing of movant's pleadings shall be credited against the amount of any retroactive award. When the Court reduces the child support retroactively, any amount paid by a party in excess of the support obligation as modified shall be credited toward any arrearage. The excess balance, if any, shall apply to future support.

68.10 REDACTION AND CONFIDENTIAL RECORDS

1. Any records to be used in evidence in any case which are filed with the Court pursuant to 490.692 RSMo, and which are otherwise confidential in nature, shall be electronically filed and raised to a security level 3, or other higher level as directed by the Court.

68.11 MEDIATION

1. MANDATORY MEDIATION
   A. In every case involving contested issues of custody and/or visitation, the parties shall participate in a minimum of two (2) hours of mediation pursuant to S.Ct. Rule 88.02 through 88.08 and the local rule, unless waived by the court as hereinafter set forth. Any mediation beyond the initial two hours shall proceed by mutual agreement of the parties and the mediator.

B. Petitioner shall file Circuit Court Form 15 in all domestic relations matters in which there are minor children along with the Petition. Form 15 shall be filed by Respondent along with any entry of appearance or any Motion or Responsive pleading. The Court may dismiss the case if Form 15 is not filed in a timely manner, unless good cause is shown.

C. If Form 15 is not filed in a timely manner, or the parties have not selected a mutually agreeable mediator from the Court-approved list within sixty (60) days, the Court shall appoint a mediator from the Court-approved list to conduct mediation pursuant to this rule. In all cases where the parties have agreed upon a mediator from the Court-approved list, the Court will appoint said mediator for the purposes of this rule. Fees for mediation may be adjusted by the Court upon consideration of the Statement of Income and Expenses and if resources are available to the Court.

D. The mediator shall inform the Court of his/her acceptance of appointment. The mediator shall file with the Court a Notice of Mandatory Mediation Compliance form within 10 days upon completion of the process in every case.

E. Some cases may be inappropriate for mediation, which may include those with a history of domestic violence. The Court appointed mediator shall complete a thorough screening for domestic violence. If the case is deemed inappropriate for mediation due to domestic violence, or for any other reason determined by the mediator, the mediator shall immediately file the Notice of Mandatory Mediation Compliance Form with the Court.

F. Upon appointment of a mediator, compliance with S.Ct. Rule 17 time standards and all discovery procedures shall be stayed for a period not to exceed 60 days unless extended by the Court for good cause shown. Any stay pursuant to this rule shall expire when the Notice of Mandatory Mediation Compliance is filed with the Court.

G. Jefferson County Circuit Clerk shall maintain a list of persons qualified under this Local Rule and the Missouri Supreme Court Rule to act as mediators. This list shall constitute the Court-Approved List of mediators referred to herein and shall be updated as deemed appropriate by the Court En Banc. The Court En Banc shall accept applications for inclusion on the list and make recommendations to the Presiding Judge as to which applicants shall be Court approved. This list shall include the mediator's hourly fee, and may include a summary of the mediator's qualifications and experience. This list shall be made available to all parties.

H. Any party may petition the Court to disqualify an assigned mediator for good cause. A mediator who has been appointed shall advise the Court of any fact bearing on their qualifications, including any fact

which would be reason for their disqualification. If the Court disqualifies a mediator an order shall be entered naming a qualified replacement. Nothing shall limit the mediator's ability to refuse assignment of any mediation under this rule.

I. No case shall be heard on temporary motions, pretrial conferences or trial until the Notice of Mandatory Mediation Compliance form is filed with the Court, unless waived by the Court upon a showing of good cause.

2. JUDICIAL MEDIATION

A. Unless the Court waives the submission to mandatory mediation, or after the parties have completed a minimum of two (2) hours of mediation pursuant to S.Ct. Rule 88.02 through 88.08 and the local rule, any remaining contested issues of custody and/or visitation, may be subject to judicial mediation.

B. Judicial mediation shall be scheduled for two (2) hours, and may be extended by agreement of the parties and judicial mediator.

C. Any party or the Guardian ad Litem may petition the trial court to disqualify the assigned judicial mediator within ten (10) days of the appointment by the trial court. Thereafter, an order shall be entered naming a qualified replacement judicial mediator. Nothing shall limit the judicial mediator's ability to refuse assignment of any mediation under this rule.

D. All parties and their counsel as well as the Guardian ad Litem shall participate in judicial mediation.

E. After Mediation pursuant to both this Rule as well as MOSC Rules 88.02 through 88.08, but before completion of Judicial mediation, temporary motions, pendente lite motions, and pretrial conferences may be set by the Court upon a showing of good cause.

F. Upon a finding that the agreements (or partial agreements) reached during judicial mediation are in the best interest of the subject minor child (ren) and are not unconscionable as to other issues, a Provisional Order shall be entered by the Judicial Mediator. Such order shall not be effective until co-entry by the trial court at the first pretrial conference or Case Management Conference scheduled after completion of the judicial mediation. Said agreements (or partial agreements) shall be irrevocable by the parties pending action by the trial judge unless vacated by the Judicial Mediator upon appropriate motion by a mediating party prior to presentment to the court.

G. At the post-mediation pretrial conference or Case Management Conference, mediation agreements or results shall be presented to the trial judge. The court shall examine any agreement(s), determine whether its provisions are contrary to the best interest of the child (ren) or is otherwise unconscionable, and unless rejected, enter an

appropriate judgment or order approving the agreement, including entry of a Provisional Order.

H. In cases where no agreement has been reached, the trial judge shall conclude the conference and set the matter for further proceedings in accordance with the rules.

RULE 69 MUNICIPAL DIVISIONS

All Municipal Courts shall be under the supervision of the Circuit Court. Each Municipality shall promptly report any change of Judge to the Presiding Judge. Municipal Judges shall be duly licensed attorneys where required by law. All Municipal Judges shall annually complete such Municipal Judge educational programs as are required by the Supreme Court.

Each Municipality electing to operate a Municipal Court shall make provision for the appointment or election of a Provisional Judge, to serve in the place of the Municipal Judge, in instances of disqualification, Recusal, illness or other reason affecting the sitting Municipal Judge's ability to preside over Municipal cases. In the event of the unavailability of both the primary and Provisional Municipal Judges, the Presiding Judge shall appoint a temporary Judge for such Municipality.

69.1 JURY TRIALS

(1) Where authorized by law, the defendant may demand trial by jury.
(2) All demands for trial by jury shall be in writing and shall be filed with the municipal division on or before the date of arraignment.
(3) The party demanding jury trial shall, at the time demand is made, deposit with the municipal division for each case in which jury is requested, and then current jury cost deposit. The jury cost deposit is a condition precedent to the certification, and no case shall be so certified by the Municipal Judge unless the deposit herein has been made.
(4) The Municipal Judge shall, within ten (10) days after the receipt of the jury cost deposit, cause to be filed with the Circuit Clerk the certification for jury trial, jury cost deposit, all of the original papers filed including any bail bond, appearance bond or any cash or property given as security upon such bonds.
(5) If the jury cost deposit is not filed with the municipal division within ten (10) days of the filing of the demand for jury trial, the demand for jury trial shall be considered withdrawn and the Municipal Judge shall proceed with the case without a jury.

69.2 TRIAL DE NOVO

(1) All notices of application for trial de novo shall be filed in writing with the municipal division within ten (10) days after the date of judgment.
(2) The applicant for trial de novo shall, at the time of filing the application for trial de novo, deposit with the municipal division then current

trial de novo deposit for costs. The posting of said deposit is a condition precedent to the granting of said application and no cause shall be filed with the Circuit Clerk by the Municipal Judge absent compliance herewith.

(3) Upon application for trial de novo in compliance with this rule, the Municipal Judge shall, within ten (10) days, cause to be filed with the Circuit Clerk a transcript of the record duly certified by the Municipal Judge to be complete and accurate, together with the cost deposit and all original papers filed with the municipal division, including all bonds and any cash or other property given as security thereon.

(4) If no application for trial de novo is filed, or if the cost deposit is not posted with the municipal division within ten (10) days after the date of the judgment, the application for trial de novo shall be deemed withdrawn and the municipal division shall proceed to execute the judgment and sentence entered as in other cases.

69.3 INDIGENCY

(1) No Municipal Judge shall waive the cost deposit for jury trial or trial de novo required under this Rule 69.

(2) All applications to waive costs and proceed in forma pauperis shall be filed with the municipal division at the time of filing an application for trial de novo or a request for jury trial.

(3) The Municipal Judge shall accept the application as filed, and shall certify, in the form provided for by these rules, the cause for jury trial or trial de novo to the Circuit Clerk, subject, however, to the review of the application to waive cost deposit by the Presiding Judge.

(4) If the application for waiver of the cost deposit is approved, the cause shall be placed on the regular docket for trial de novo or jury trial, as otherwise prescribed by these rules.

(5) If the application for waiver of the cost deposit is denied, the defendant shall, within ten (10) days of receiving notification thereof, post the required cost deposit with the Circuit Clerk. If the deposit of costs is not made within the required time, in the case of a request for a jury trial, said case shall be remanded by the Circuit Clerk to the municipal division whence it came for non-jury trial; and in the case of an application for trial de novo, said case shall be remanded by the Circuit Clerk to the municipal division whence it came for execution of judgment and sentence as in other cases.

RULE 70 PARTITION

(No local Court Rule.)

RULE 71 ADMINISTRATIVE REVIEW

(No local Court Rule.)

RULE 72 PROBATE DIVISION

72.1 FILINGS REQUIRED

Each case presented for filing shall be accompanied by a fully completed Filing Information Sheet, for the entry of required JIS entries. Incomplete Information Sheets will cause the entire filing to be rejected.

All filings by attorneys shall be electronically filed in PDF format and signed by the attorney or firm. All filings by non-attorneys will bear the filing party's signature. All pleadings, as required by 472.080 RSMo shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing same, subject to the penalties of making a false affidavit or declaration.

Every decedent's matter filed will be commenced upon the filing of a certified copy of the death certificate. Where the relief sought is based upon survivorship, copies of death certificates for any predeceasing heirs must also be filed.

72.2 SERVICE

Sufficient copies of filings shall be filed so as to meet all Service requirements. Personal Service as required on incapacitated or disabled individuals shall be accomplished by the Sheriff of Jefferson County or the Sheriff of the County where respondent may be found. Personal Service on a parent in a Minor's Guardianship or Conservator ship may be made by Special Process Servers from the Circuit-approved list. Service of Notice otherwise shall be as provided by 472.100 RSMo.

72.3 SEPARATE FILINGS

Where more than one Minor is involved in a common proceeding, there shall be a separate filing for each such Minor. The Court will accept multiple filings of a jointly worded Petition but separate Court files will be made. The Court will generally grant Motions to waive the filing fees for all common cases after the first filing fee is paid.

72.4 RECORDINGS

The Judge presiding in the Probate Division shall establish such procedures from time to time consistent with these rules to implement the provisions of Chapters 475, 630, 631 and 632 RSMo, regarding guardianships, conservatorships, and civil commitment hearings and electroconvulsive therapy.

The appearance by the Respondent or other witnesses at a hearing authorized under the provisions of Chapters 475, 630, 631 or 632 RSMo, may be made by means of two-way audio-visual communication, including by not limited to, internet based video conferencing: provided that such audio-visual communication facilities provide two-way audio-visual communication

between the court and the remote site and that a full record of such proceedings be made.

Video hearings shall be conducted in the same manner as if the parties had appeared in person, and the presiding judicial officer may exercise all powers consistent with the proceedings.

Any document filed in a video hearing may be transmitted by electronic facsimile; signatures on a document transmitted by electronic facsimile shall have the same force and effect as original signatures.

The presiding judicial officer shall begin all video hearings by stating on the record the identities of all counsel, parties and witnesses present in the courtroom and at the remote site.

Any system used for conducting video hearings shall:

1. Enable the persons communicating to be able to simultaneously see and speak to one another;
2. Provide a live signal transmission that is secure from unauthorized acquisition: and
3. Record the proceeding in order to produce an accurate transcript upon request.

Video hearings shall not be authorized for jury trials.

All other matters of record shall be taken by court reporter or by audio recording.

72.5 HOME STUDIES

The Court requires a Home Study in all Minor Guardianships. For good cause shown, the Court will defer an Order for Home Study until after Hearing or may waive it in its entirety.

72.6 SETTLEMENTS AND ANNUAL REPORTS

The failure to file Settlements or Annual Reports as required will result in a Show Cause Order. Failures to appear for Show Cause Hearings will result is Body Attachments (warrants for arrest).

72.7 PRO SE LITIGANTS

No full decedent's Estate will be administered without an attorney of record (precluded by the unauthorized practice of law rules). Any other pro se litigants shall conform to all probate Local and Supreme Court Rules.

72.8 MOHEALTHNET WAIVERS

No Administration of a decedent's Estate will conclude without the filing of a waiver of MoHealthNet claims by the State. No waivers shall be required on Small Estates, Refusals or Petitions for Determination of Heirship.

72.9 SECURITY FOR FEES/COSTS

Whenever the Court Orders a deposit of fees or costs, the requesting counsel/party shall have the obligation of monitoring the deposit and shall advise the Court in advance of any Hearings that the required deposit has not been made.

72.10 DEPOSIT OF WILL WHILE TESTATOR IS LIVING

Per Section 474.510 RSMo, any person domiciled in Jefferson County, or such person's agent, who seeks to deposit such person's Will with the probate division of the circuit court, to be safely kept until delivered or disposed of as provided in that statute, shall present same to the probate division in a sealed envelope which is endorsed "Will of," followed by the name of the testator. The envelope must also contain the name of the person to whom the Will is to be delivered after the death of the testator. The clerk shall endorse or stamp thereon the day when, and the person by whom, it was delivered and such person shall provide identification. Such Will shall be kept by the Circuit Clerk in a safe place and it shall not be opened or read until delivered to a person entitled to receive it, or otherwise disposed of as provided in Section 474.510 RSMo. During the lifetime of the testator or after the death of the testator, the Will shall only be delivered or opened as provided by Section 474.510.

RULE 73 SMALL CLAIMS

(No local Court Rule.)

RULE 74 TRUST ESTATES

74.1 INVENTORY

Within thirty (30) days after appointment, every trustee shall file and present to the division of court wherein he was appointed, an inventory in writing of the property and effects comprising the trust estate.

74.2 REPORTS

Every trustee shall annually at such time as ordered by the court and at such other times as ordered, file and present a report in writing of the condition of the trust.

74.3 RECORD

It shall be the duty of the clerk of the appointing division to maintain a record listing the number of the cause, the style, and the date the proceeding was filed, and the date the appointment was made, so that the circuit court shall be advised of the pendency of proceedings in which trustee's reports are required to be filed.

74.5 AUDIT

Prior to approval of a trustee's report by the court, the report shall be audited by a qualified person appointed by the court.

RULE 81 EXECUTION

Executions shall not be issued by the clerk except upon written application therefor verified by the oath of the judgment creditor or his attorney. The written application shall contain the following:

(1) The style and number of case in which the judgment was obtained;

(2) The date the judgment was entered or last revived;

(3) The amount of the original judgment, the amount of accrued interest on the original Judgment, and the amount of the judgment and interest still unsatisfied;

(4) The full name and current address, if known, of the judgment debtor;

(5) A full description of the property to be executed upon;

(6) The return date on the execution (30, 60, or 90 days);

(7) Any special instructions to be provided to the sheriff performing the execution. The person filing same shall deposit then current cost deposit for service of the same upon filing.

RULE 82 GARNISHMENT

82.1 FILING FEE

The person filing same shall deposit then current cost deposit for service of same upon filing.

82.2 TERMINATION OF CONTINUOUS WAGE GARNISHMENT

In addition to as otherwise provided by law, a continuous wage garnishment shall terminate if the garnishor fails to file a statement of judgment balance as provided by Supreme Court Rule 90.19(b).

RULE 83 JUDICIAL SALES

(No local Court Rule.)

RULE 100 INTERNAL ORGANIZATION

100.1 PRESIDING JUDGE

100.1.1 ELECTION

This circuit is to elect a Presiding Judge in December of each even numbered year to serve a two year term, beginning on January 1st following the election. The Presiding Judge is to be elected from among the Circuit Judges within the circuit by a majority of the Circuit and Associate Circuit Judges. Said election shall occur at the regular December meeting in even numbered years of the Court En Banc, or at a Special meeting called for this purpose. The Presiding Judge may serve more than one term, provided

however, the Presiding Judge may not vote on his or her succession. The Presiding Judge may be removed by a two-thirds vote of all of the Circuit and Associate Circuit Judges under the same procedure as set forth above.

100.1.2 DUTIES OF PRESIDING JUDGE

The Presiding Judge is the general administrative authority of the circuit. In this function, the Presiding Judge shall 1) preside at all Court En Banc meetings, 2) supervise and appoint any needed committees, 3) supervise preparation of the budget, 4) coordinate all duties of personnel, 5) handle media and government contacts, 6) standardize procedures among the divisions of the circuit, and 7) represent the Court En Banc in the call and supervision of Petit and Grand Jury functions. The Presiding Judge has the authority to assign cases to Judges and Judges to divisions, but he is not to assign 1) a Municipal Judge to hear any case other than to initially hear a municipal ordinance violation case, 2) any Judge to try a felony case when that Judge has conducted the preliminary hearing, or 3) any case to a Judge contrary to Supreme Court Rule or these rules. The meetings of the Court En Banc shall be regularly scheduled at least once per month. The Presiding Judge (or any two other Judges) by giving written notice may call a Special Meeting of the Court En Banc. The written notice shall state the agenda for the Special Meeting. If any Judge so requests, any meeting of the Court En Banc shall be on the record. Unless otherwise agreed, "Robert's Rules of Order" shall govern the conduct of any meeting. Each Judge, including the Presiding Judge, has one vote, and a simple majority shall rule.

The Presiding Judge may call a Special Term of Court, when deemed necessary. The Presiding Judge may appoint a Secretary and such other personnel as provided by law to aid in conducting the business of the circuit.

100.2 LOCAL COURT RULES

Local Court Rules may from time to time be formulated, revised or amended, and shall become effective on a date stated therein, which date shall be after an affirmative vote of the Court En Banc, and after the filing of a copy thereof with the Supreme Court. Copies shall be published and made available in the Circuit Clerk's Office to the Bar of the 23rd Circuit and to the public.

100.3 ALTERNATIVE DISPUTE RESOLUTION-PROCEDURE

(No local Court Rule.)

100.4 LAW LIBRARY

100.4.1 ESTABLISHMENT

There is hereby established a Jefferson County Law Library to be maintained for the benefit of the courts, the attorneys, and the public. No person shall remove any book or other materials from same without complying with established check out procedures.

100.4.2 LAW LIBRARY COMMITTEE

(1) The Jefferson County Law Library shall be under the supervision of the Presiding Judge. The Presiding Judge may appoint another member of the Court En Banc to act in his or her place on all matters.

(2) The law library shall be governed by a committee of three, consisting of one Judge appointed by the Presiding Judge and two members in good standing of the Jefferson County Bar Association. The Presiding Judge shall appoint all three members of the committee and designate one member to serve as chairperson. Appointments shall be made by administrative order, and announced at the next meeting of the Jefferson County Bar Association.

(3) The committee members shall serve two year terms, beginning the January Term Day of each odd-numbered year. Any member may serve more than one term, subject to their re-appointment by the Presiding Judge. Any committee member who no longer wishes to serve the following term shall notify the Presiding Judge in writing on or before the December Adjourned Day next preceding. Any member who wishes to resign in mid-term shall so notify the Presiding Judge in writing. The Presiding Judge, upon receipt of a resignation, shall appoint a new member to fill the unexpired term within 60 days of receipt of the notice of resignation. The resigning member shall continue to serve until a replacement is appointed, unless excused by the Presiding Judge. For cause, the Presiding Judge may remove any member at any time.

(4) The committee has the authority to make decisions regarding law library expenditures. A vote of two of the three members shall be sufficient to authorize an expenditure. Any member may make a short, written statement for or against an authorization. The committee will accept suggestions from the court or the bar association. Suggestions should be in writing and submitted to any member of the committee.

(5) The committee shall keep a record of actions taken.

(6) The committee shall review the income and expenses of the library on a regular basis.

The committee shall meet on a regular basis to review suggestions, materials needed, etc.

(7) The committee shall make a twice yearly report to the Court En Banc, concerning finances, acquisitions, and long range plans. The committee may request time at Court En Banc meetings if necessary.

100.4.3 LIBRARY FUND

(1) All funds shall be maintained in an interest bearing account with check writing facilities.

If sufficient funds exist, the committee may direct that a portion of the funds be placed in certificates of deposit, money market funds, treasury bills or other secure deposits. All bank accounts shall bear three signatories: two

members of the committee and their bookkeeper. All accounts shall require the signature of two of the three to negotiate a check.
(2) Approved expenditures shall be paid from current income funds at the direction of the committee. Purchases in excess of One Thousand ($1,000.00) dollars shall be made only following the approval of the Court En Banc.
(3) The committee shall employ such persons as needed to run the library, including bookkeeping, and librarian functions. The bookkeeper shall have authority to pay approved expenditures and keep a record of all receipts and payments. The librarian shall be responsible for the shelving of new books, pocket parts and general maintenance of the library. The committee, subject to the approval of the Presiding Judge, may authorize the compensation of such persons. The rate of compensation will be subject to annual review.
4) Pursuant to 488.426 RSMo, the Court En Banc orders that the sum of $15.00 be deposited with the Clerk of Court by any party filing a civil case for the benefit of the Jefferson County Law Library Fund, except for such proceedings when costs are waived or are to be paid by the county, or state, or any city.

100.4.4 LIBRARY RULES

The rules governing the use of the Law Library may be revoked, amended, or supplemented from time to time to fit the needs of the library. Suggestions for rule changes may be submitted to the committee or the Court En Banc, in writing. All rule changes require the approval of the Court En Banc.

100.5 STORAGE OF COURT RECORDS

(No local Court Rule.)

100.6 CLERK'S DUTIES

(No local Court Rule.)

100.7 SELECTION OF VENIREPERSONS

(No local Court Rule)

Rule 101

(No Local Court Rule)

Rule 102

(No Local Court Rule)

Rule 103 Electronic Filing

103.01 Electronic Filing

S.Ct. Rule 103 and Supreme Court Operating Rule 27 govern all matters subject to electronic filing. SEE LOCAL RULE 103.04(d) below

regarding required signatures for any party who is not an attorney of record in a pending case.

103.02 Registration

(Refer to Supreme Court Rule 103.02)

103.03 Files of the Court (Refer to Supreme Court Rule 103.03)

103.04 Format of Electronically Filed Documents

(a) Refer to Supreme Court Rule 103.04(a).
(b) Refer to Supreme Court Rule 103.04(b).
(c) Refer to Supreme Court Rule 103.04(c).
(d) An electronic document requiring the signature of any party shall be signed by an original signature, stamped signature or an electronic graphic representation of a signature.

103.05-103.12 Refer to Supreme Court Rule 103 and Supreme Court Operating Rule 27.