

26th JUDICIAL CIRCUIT COURT EFILING GUIDELINES AND POLICIES

INTRODUCTION

The following guidelines and policies are provided by the Court to assist clerks and counsel with regard to the implementation of eFiling. These guidelines and policies are not rules of the Court and are provided as guidance from the Court as it relates to each eFiling topic.

1. PROPOSED ORDERS AND JUDGMENTS

Proposed orders and judgments will be forwarded to and returned by individual Judges as they deem desirable. Each Judge will communicate his or her preferred method for this process whether by email using IPADS, tablets, laptops or other device, via shared folders or by any other method deemed desirable. Clerks and counsel are also encouraged to check with the Judge as to his or her preferred method for delivery of proposed Orders and Judgments.

2. CONFIDENTIAL FILINGS

Documents electronically filed through the eFiling system are immediately viewable by opposing counsel via the eservice copy automatically generated by the eFiling system. Eservice occurs prior to acceptance of the filing by the clerk and opportunity to increase the security level of the filing. Documents to be submitted to the Court for in camera review should be forwarded to the Court by paper, email or other method approved by the Court outside the eFiling system or should be paper filed with the clerk directly with the prior approval of the Court. This is so the document may be assigned an appropriate security level so that only the Court can view the document.

3. DOCUMENT RETURNS

Local Court Rule 20.1 provides that any filing which does not meet the requirements of the eFiling system or other rules adopted by this Court may be rejected and deemed as not filed. Documents will be returned for the following reasons: duplicate filing; filer requested return; incorrect case number; missing signature; paper filing required; re-submission accepted/returning original.

All remaining documents not listed above shall be accepted. If a submission contains an improper document, i.e. missing page, attachment missing, etc., the clerk may add an ONOTE to the case before accepting the submission which advises the attorney of the improper submission.

4. SYSTEM UNAVAILABLE PLAN

There will be times when electronic resources will not be available for court operations. Some of these occasions will occur with little or no notice to the Court and counsel. The Court has developed this plan for those occasions. The plan may or may not be implemented entirely depending on which resource(s) is/are unavailable.

- a) The OSCA reports paper calendar will be printed in advance of court and will be made available to the Court, Courtroom Clerk and counsel to call the docket and manage court activities;
- b) Clerks will perform manual processes in the courtroom;
- c) Courts will use paper documents or electronic files of the parties if available to assist the court with scheduled matters;
- d) Hear cases that do not require a complete review of the case file;
- e) Work with the clerk's office to obtain printed documents and case information if JIS is available;
- f) Reschedule cases which cannot be heard because of unavailability of electronic resources as needed;
- g) If the Court determines it appropriate, cancel court and reschedule. Notify parties of new date or that notification of new date will be sent when electronic system is available.

5. PAPER IN THE COURTROOM

Local Court Rule 20 exempts documents prepared within a courtroom during trials and hearings from the requirements of Missouri Supreme Court Rule 103 and Court Operating Rule 27. Accordingly, memorandums drafted in court, guilty plea petitions, misdemeanor criminal forms, etc. prepared in court may be tendered for filing in court. Counsel are encouraged to limit the use of this exception to those documents actually prepared in court or by necessity filed during trial (motions for directed verdict, motion for judgment of acquittal, etc.) Every effort should be made by counsel to eFile entries of appearance, etc. prior to court rather than tendering those in court. Counsel should also consult with the Court to determine whether some Court forms are available electronically for signature and whether or not the Judge has a preference for how paper documents are to be processed for filing in the courtroom.

6. MULTIPLE PLEADINGS

Multiple pleadings should not be filed as one document in the eFiling system. Clerks processing multiple pleadings filed as one document may only assign one pleading description to a document filed. Therefore a motion and notice submitted as one document will be coded as either a motion or notice but not both. Accurate pleading descriptions assist all who view electronic documents in casenet.