

# **Attorney Guidelines**

The court may not send emails for minor changes to the guidelines. For most version go to www.kcmo.gov/court and click Attorney Guidelines.

The Missouri Supreme Court is requiring municipal courts to transition to the statewide Missouri Case.Net system. Cases filed on or AFTER November 6, 2023, are on Missouri Case.Net. Cases filed BEFORE November 5, 2023, remain on our legacy system. You will have to use the Attorney Guidelines below for BOTH systems during this transition. We apologize for any inconvenience. Call (816) 513-2700 if you have questions.

General Filing Format: All filings must be PDFs, appropriately captioned to include case number(s), Defendant's full name, and birth date. The attorney signature block must contain the attorney's name, Missouri Bar number, mailing address, phone number, fax number, and email address. It is the responsibility of the filer, not the court, to make any redactions of personal/sensitive information under Missouri Supreme Court Operating Rule 2 Public Access to Records when filing or uploading documents. Docket Schedule Municipal Court Continuance Policy Local Rules and Ordinances Table of Payable Case Fines and All Court Costs

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## Attorney Guidelines: Legacy Cases (filed ON or BEFORE Nov. <u>5, 2023</u>

- Look up case online through MuniCout.Net.
  - If searching by case number, you may need to include the dash and next digit or letter (ie:123456-A).
  - Click defendant's name to see the case details. Associated police reports are listed as the OCA
    number. Police reports are not part of the court file and must be obtained from the police department or
    through the discovery process with the City Prosecutor.
- Email <u>court.filings@kcmo.org</u> to file entries of appearance, motions and continuance requests on cases filed On or Before November 5, 2023; upload documents <u>online through MuniCourt.Net</u>. Allow 48 business hours for a response using either filing method.

### **Communication with City Prosecutor**

- Serve the City Prosecutor's Office at certificate.service@kcmo.org.
- TIP: Email your motions and correspondence with delivery and/or read receipts requested.

### **Entries of Appearance and Withdrawals**

- Only written Entries of Appearance will be accepted if emailing your entry to court.filings@kcmo.org. You also
  may file a joint entry and motion for continuance. The court will consider only what is in your entry and/or
  motion NOT what is written in the body of the emails. If entering your appearance in-person during court, you
  DO NOT have to file a written entry.
- The court cannot withdraw an attorney from a case without a motion, either written and emailed to court.filings@kcmo.org or oral in the courtroom. The court will not contact previous attorneys on a case to ask if they are withdrawing.

#### **Continuances**

- You may file a combined Entry of Appearance and Motion for Continuance. The court will consider only what is in your motion NOT what is written in clerk notes or emails.
- MOTIONS FOR CONTINUANCE MUST BE FILED AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE. <u>SEE</u> CONTINUANCE POLICY.
- **Select a VIRTUAL or IN-PERSON Attorney Docket**. <u>See the docket schedule</u>. If you do not select, the default will be in-person. Date preferences will be considered but not guaranteed.
- If attorneys fail to appear for the virtual docket, the case will be set for an in-person attorney docket where both the attorney AND client (defendant) must appear in person for the final resolution of the case.
- Failure to appear on the in-person docket may result in a warrant for your client (defendant).
- All plea negotiations MUST take place BEFORE the court date whether virtual or in-person. See the Remote Plea Request Process below. For plea agreements to be handled at the court date, the court strongly encourages you to contact the City Prosecutor at least three (3) days in advance.

#### **Discovery**

- Police reports, videos, 911 recordings, etc. are not part of the court files and must be obtained from the investigating agency or from the City Prosecutor through the discovery process.
- Send discovery requests to the City Prosecutor.
  - Email <u>discovery.requests@kcmo.org</u> for traffic, codes, and regular general ordinance violation case discovery
  - Email <u>dvdiscovery.request@kcmo.org</u> for domestic violence case discovery.

#### **Remote Plea Request Process**

- Attorney will request an offer from the City Prosecutor's Office at <u>plea.requests@kcmo.org</u> or <u>dvplea.request@kcmo.org</u> for domestic violence cases.
- The Prosecutor's Office will reply to the email with an offer.



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- Once the attorney accepts the plea offer, the prosecutor will enter the attorney recommendation into the court's system.
  - It is the attorney's responsibility to make sure the Prosecutor's Office knows the plea is accepted;
     otherwise, the offer will not be entered on the case.
- The Prosecutor's Office will let the attorney know that the recommendation has been entered and a court appearance is mandatory for the judge's approval.
- Then the attorney must either file a Waiver of Appearance and Guilty Plea (<u>a sample form is below</u>) setting forth the plea agreement to move forward with the remote plea approval **OR** the attorney must appear on a virtual or in-person attorney status docket.
  - o **If the attorney is wanting to dispose of the case by waiver**, email <a href="mailto:plea.approval@kcmo.org">plea.approval@kcmo.org</a> AND attach the Waiver of Appearance and Guilty Plea.
    - Exception: Plea offers that do not require probation and the offer is for a fine only WILL NOT require an affidavit/waiver with the email.
    - The cases then will be continued to a Friday docket at 3:30 PM in Courtroom G for approval. No in-person or virtual appearance is necessary.
    - The cases WILL NOT be placed on the docket until the wavier/affidavit is received.
- If an attorney is requesting a set aside of a guilty plea on a case, the attorney must communicate with the Prosecutor's Office first for an offer on the case by email to <a href="mailto:plea.requests@kcmo.org">plea.requests@kcmo.org</a> or for domestic violence cases email <a href="mailto:dvplea.request@kcmo.org">dvplea.request@kcmo.org</a>. The prosecutor will enter the new offer as a remark on the case. After the attorney speaks with the prosecutor, the attorney can email <a href="mailto:plea.approval@kcmo.org">plea.approval@kcmo.org</a> for the plea approval. THIS ADDRESS IS FOR PLEA APPROVALS ONLY. DO NOT SEND MOTIONS OR REQUESTS FOR NEW COURT DATES, COMPLIANCE LETTERS, ETC. to the plea approval email.
- Once the judge approves or denies the plea an email will be sent to the attorney to say that the plea was approved or denied.
  - o If the plea is approved, you/your client may then pay fines and costs.
    - Go to Payment Options. Please note: Pay methods are different depending on whether the case was filed BEFORE OR AFTER November 5, 2023.
  - o If the plea is denied, the attorney must appear at the next scheduled court appearance.
- If the case requires probation, the probation order and pay slip is sent to the attorney through DocuSign for the defendant to sign. When the probation order is signed and returned to the court through DocuSign or by email, it is attached to the case.

#### Other requests and communications

- Send all class, treatment and/or community service completion certificates to probation@kcmo.org.
- Request compliance letters in the courtroom or by email to court@kcmo.org.





## Attorney Guidelines: Case.Net/Show Me Courts cases (filed On or AFTER Nov. 6, 2023)

Create or log into your Missouri Courts (eFiling) account

- You must use eFiling for all entries of appearance, motions and continuance requests for cases filed On or After November 6, 2023.
- In the **Search for case** drop down choose **"Jackson County-16th Judicial Circuit"**. Cases in our court are **"Kansas City Municipal."** Cases are usually seen online within 1 business day.
- For assistance, contact the Help Desk via e-mail at <u>osca.help.desk@courts.mo.gov</u> or toll-free by phone at (888) 541-4894 from 7:30 a.m. 5 p.m. Monday through Friday, excluding state holidays.

### **Communication with City Prosecutor**

- Serve the City Prosecutor's Office at <u>certificate.service@kcmo.org</u>.
- TIP: Email your motions and correspondence with delivery and/or read receipts requested.

#### **Entries of Appearance and Withdrawals**

- You must file a written Entry of Appearance to be considered the attorney of record on a case. You also must file a motion to continue if you would like the case moved from the arraignment docket to an attorney status docket. The court WILL NOT automatically move your case to an attorney status docket.
- Once entered on a case, the Missouri Case.Net system considers you an attorney of record on the case and will
  send you court notifications until the court orders that you have withdrawn from the case. <u>The court cannot</u>
  withdraw you from a case without a motion and order. The court will not contact previous attorneys on a case to
  ask if they are withdrawing.

#### **Continuance and Change of Judge**

- You may file a combined Entry of Appearance and Motion for Continuance. The court will consider only what is in your motion NOT what is written in clerk notes or emails.
- MOTIONS FOR CONTINUANCE MUST BE FILED AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE. SEE
  CONTINUANCE POLICY.
- Select a VIRTUAL or IN-PERSON Attorney Docket in the assigned courtroom. See the docket schedule. If you do not state a preference, the default will be in-person. Date preferences will be considered but are not guaranteed.
- Cases will remain in their assigned courtroom throughout the life of the case unless a Motion for Change of Judge is filed. Exception: If you select a virtual attorney status and the assigned courtroom does not have one, the court will reassign the case on a rotating basis to a courtroom that has one. You may not request one virtual courtroom over another. Specialized dockets will also follow the judge. If the case is set for trial, the case may, at that point, change courtroom divisions.
- If attorneys fail to appear for the virtual docket, the case will be set for an in-person attorney docket where both the attorney AND client (defendant) must appear in person for the final resolution of the case.
- Failure to appear on the in-person docket may result in a warrant for your client (defendant).
- All plea negotiations MUST take place BEFORE the court date whether virtual or in-person. See Plea Requests Process below.

#### Discovery

- Police reports, videos, 911 recordings, etc. are not part of the court files and must be obtained from the investigating agency or from the City Prosecutor through the discovery process.
- Send discovery requests to the City Prosecutor.
  - Email <u>discovery.requests@kcmo.org</u> for traffic, codes, and regular general ordinance violation case discovery.
  - Email <u>dvdiscovery.request@kcmo.org</u> for domestic violence case discovery.

## **Plea Requests Process**

- Contact the City Prosecutor's Office at least 3 business days prior to the scheduled court date for discussion of a plea offer at <a href="mailto:plea.requests@kcmo.org">plea.requests@kcmo.org</a> or <a href="mailto:dvplea.request@kcmo.org">dvplea.request@kcmo.org</a> for domestic violence cases.
- The Prosecutor's Office will reply to the email with an offer.



- If the recommendation is a fine only, you must sign and eFile the signed plea agreement form. You will not need to appear in person and the judge will enter the plea agreement.
- If the recommendation involves probation, you must eFile the following documents:
  - A proposed Probation Order <u>using one of the forms listed below,</u> signed by your client (defendant);

    AND
  - The signed plea agreement from the prosecutor for the judge to verify the recommendations. The attorney also must sign the plea agreement as it states on the plea agreement form.
- If a waiver of appearance and guilty plea is filed, (<u>a sample form is below</u>) the case will be sent to its assigned courtroom for the judge to review.
  - o **If the plea agreement is accepted**, the judge will sign and enter the proposed Probation Order. No inperson or virtual appearance is necessary.
  - If the plea is denied, the attorney MUST appear at the next schedule court appearance.
- If no waiver of appearance and guilty plea is filed, or other required documents listed above are missing, the documents received will remain in the file for the next scheduled court date and the attorney and client (defendant) MUST appear.
- All cases receive an automatic 60 days to pay from the date of disposition. Payment in full will be expected by that time.
  - Partial payments are allowed on Pay by Web or at the Violations Bureau on the 1st floor of the courthouse.
  - o If your client needs additional time to pay or would prefer to complete community service in lieu of the fine/costs, they may contact the Violations Bureau in person or by email to mcpayment@kcmo.org.

## Other requests and communications

- If an attorney is requesting a set a side of a guilty plea on a case, the attorney must communicate with the City Prosecutor's Office first for an offer on the case by email to <a href="mailto:plea.requests@kcmo.org">plea.requests@kcmo.org</a> or for domestic violence cases email <a href="mailto:dvplea.request@kcmo.org">dvplea.request@kcmo.org</a>. After the attorney speaks with the prosecutor, the attorney must file the appropriate motions, proposed orders and any relevant documents with the court through the eFiling system. The documents filed with the court will be forwarded to the appropriate division for further action. Attorneys will be notified through the eFiling system that action was taken on the case.
- Send all class, treatment and/or community service completion certificates through the eFiling system or to probation@kcmo.org.
- Request compliance letters in the courtroom or by email to court@kcmo.org.





## **Forms**

- Waiver of Appearance and Guilty Plea form (PDF) Modify as needed.
- **Probation Orders**: Select the appropriate proposed probation order below for your case. Fill out and file the order (signed by the defendant) with the plea agreement from the prosecutor to verify the terms of the plea to the judge.
  - o Probation Order Unsupervised Supervised and Intense Supervision
  - o Probation Order Domestic Violence
  - o Probation Order Domestic Violence Compliance Docket
  - o Probation Order Animal
  - o Probation Order Housing
- Subpoena Form
- Additional Forms

## Other helpful information

- Municipal Court Attorney Security Pass. Apply though the KCMBA
- Kansas City Metropolitan Bar Association Municipal Court Committee
- Missouri Bar Association
- More Helpful Links



Kansas City Municipal Court  Effective: 12/1/2023								
	[	Monday	Tuesday	W e d n e s d a y	Thursday	Friday		
Α	9:00 10:00 11:00	<b>Probation Violations</b>	Pro Se Status	Courtroom Closed	Virtual Attorney Status	Trial		
	1:30 2:30 3:30	Attorney Status	Mental Health Court	Legal Aid Status/Trial	Arraignment	Special Settings		
	4:30 5:30	4:30 5:30 Courtroom Closed		Pro Se Status	Courtroom Closed			
В	9:00 10:00 11:00	Walk-ins	Arraignment	Video Arraignment Custody	Probation Violations	Pro Se Status		
	1:30 2:30 3:30	Legal Aid Status/Trial	Trial	Attorney Status	Virtual Arraignment	Special Settings		
С	9:00	In Person Housing	In Person Animal	In Person Housing	Probation Violations			
	10:00 11:00	Virtual Housing	Animal	Virtual Housing	Bond Forfeitures Virtual Housing			
	1:30 2:30 3:30	Virtual Housing	Virtual Housing	Virtual Housing	Virtual Housing	Courtroom Closed		
D	9:00 10:00 11:00	Video Arraignment Custody	Truancy	Pro Se Status	Trial	Legal Aid Status/Trial		
	1:30 2:30 3:30	Arraignment	<b>Probation Violations</b>	Veterans Court	Attorney Status	Special Settings		
Ε	9:00 10:00 11:00	Domestic Violence	Domestic Violence	Domestic Violence	Domestic Violence	Domestic Violence		
	1:30 2:30 3:30	Probation Violations RSVP Docket	Domestic Violence Compliance Docket	Walk-ins	Drug Court	Special Settings		
F	9:00 10:00 11:00	Legal Aid Status/Trial	Video Arraignment Custody	Trial	Arraignment	Virtual Attorney Status		
	1:30 2:30 3:30	Probation Violations	Attorney Status	Arraignment	Pro Se Status	Special Settings Joint Disposition Docket		
G	9:00 10:00 11:00	Virtual Attorney Status	Legal Aid Status/Trial	Bond Forfeitures	Attorney Status	Video Arraignment Custody		
	1:30 2:30 3:30	Pro Se Status	Arraignment	Trial	Probation Violations	Special Settings		
Н	9:00 10:00 11:00	Trial	Attorney Status	Police Bond Outs	Video Arraignment Custody	Arraignment		
	1:30 2:30 3:30	Probation Violations	Pro Se Status	Attorney Status	Legal Aid Status/Trial	Special Settings		
9:00 10:00 11:00 1:30 2:30 3:30								