

**IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI
19th JUDICIAL CIRCUIT**

MUNICIPAL DIVISION – JEFFERSON CITY

MUNICIPAL COURT OPERATING ORDER # 3

Effective Date: August 28, 2016

GENERAL ORDERS

I. PURPOSE

The purpose of these general orders is to reaffirm the Court's commitment to adhering to all statutory provisions, including Senate Bill 572 (effective August 28, 2016) and the mandates of the United States and Missouri constitutions. The Court shall provide open access to all with clearly defined procedures designed to afford defendants, the City, County, witnesses with the transparency, equal treatment and protections mandated by law.

The following orders are amendments to previous Orders and are effective as of the above date. The Court reserves the right to modify the following orders, from time to time, as circumstances dictate.

II. GENERAL COURT PROCEDURES

F. Fines and Costs.

This Court shall abide by the limits for fines set by law. This Court shall not charge any fine, court cost, surcharge, or fee, not authorized by law. Fines and court costs for a minor traffic violation shall not exceed \$225.00 inclusive of court costs. No court costs shall be assessed on minor traffic violations if the case is dismissed. Court costs shall be assessed in minor traffic violation cases unless the court finds that the defendant is indigent in which case costs may be waived.

IV. SPECIAL ORDERS – FAILURE TO APPEAR AND ALTERNATIVE COMMUNITY SERVICE

B. Judicial Certification (SAC10).

This Court shall sign and file a certification with the state auditor of its substantial compliance with the following requirements as mandated by Senate Bill 5 and Senate Bill 572:

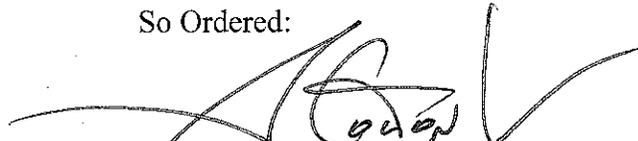
1. Defendants confined on an initial arrest warrant issued by a municipal court have the right to be heard by a judge, in person, by telephone, or video conference as soon as practicable, but no later than forty-eight hours on minor traffic violations and not later than seventy-two hours on other violations. If the defendant is not given the opportunity to be heard by a judge, he or she must be released.
2. Defendants must be released within twenty-four hours of arrest if no warrant is obtained.
3. Defendants shall not be detained to coerce payment of fines and costs.
4. The Court has established procedures to allow indigent defendants to present evidence of their financial condition and takes such procedures into account if determining fines and costs and establishing related payment requirements.
5. The Court will only assess fines and costs authorized by law.
6. The Court will not issue a failure to appear charge for a minor traffic violation.
7. Court proceedings shall be conducted in a courtroom that is open to the public and large enough to reasonably accommodate the public, parties and attorneys.
8. Alternative payment plans and community service alternatives are used;
9. The municipal court makes use of community service alternatives for which no associated costs are charged to the defendant; and
10. The Court utilizes an electronic payment system or payment by mail for the payment of minor traffic violations.

These General Orders shall be effective as above stated on the 28th day of August, 2016, and are subject to amended orders as circumstances dictate.

Date:

8/28/2016

So Ordered:



Municipal Judge

cc: Court Administrator
Prosecuting Attorney
City Attorney