

## Associate Civil and Bulk Filer Guidelines

### New petitions filed shall contain the following:

- Prayer amount
- Primary nature of action on the face of the petition or as Count 1
- Service address information under the defendant's name
- Pursuant to S. Ct. R. 55.22, suits based upon a lease or written contract, the written lease or written contract shall be filed with the petition and served upon the defendant or subject to dismissal.
- Bulk Filers ONLY: Assigned division and day (e.g. 37W)

### Fees:

- All fees for service (\$46.00/defendant) must be paid directly to the Sheriff upon submission of the service packet. The Circuit Clerk will not collect any service fees.
  - Landlord/Tenant: \$46/defendant; additional \$66.00 for posting and service at same address; \$72.00 for service and posting at different address; or \$46.00 for posting only applies.
- Submit payment for court costs (\$53.50) via the e-Filing System at the time of filing, payable to St. Louis County Circuit Clerk.

### E-Filing Requirements:

- All pleadings shall be e-filed unless otherwise provided herein and shall contain the case number, Attorney's bar number, address, fax, and email (Rule 55.03), correct division/day (e.g. 37W) (if omitted, processing will be delayed).
- To avoid delay in processing, continuance memos shall be e-filed using Document Category "Motion to/for" and Document Type "Continuance."
- Continuance memos shall contain a certificate of service indicating a copy was served upon the other party in accordance with S. Ct. R. 43.01 (manner of service, name and address of party served), including for all continuance memos e-filed after the docket.  
**Pro se parties do not get notice via casenet.**
- Landlord tenant matters: Itemization pursuant to S. Ct. R. 74.80 is required.
- All pleadings must be filed as separate documents except proposed default judgments shall include the affidavit in support of damages and be filed as one document.
- Proposed judgments and affidavits shall be redacted in accordance with the Supreme Court Rules and Missouri law (including entire account number).

### Default Judgments:

- **Testimony** or an **affidavit** of the **plaintiff (not attorney)** is required prior to the granting of a **default judgment**.
  - This does not apply to a petition which is filed by plaintiff's sworn statement, verified petition or affidavit, such as a landlord/tenant cases; however, in cases where **damages requested exceed those pled in the original petition, additional testimony or affidavit will be required** (Rule 74.05).
- Plaintiff's affidavit **must** be provided when presented in Court or attached to the default judgment (not separate document) when e-filed (even if previously filed with the Petition).
- All proposed Default Judgments must be e-filed within 24 business hours after the docket.

### Alias/pluries summons requests:

- **No requests for alias/pluries summons will be processed** if previous summons is still pending, it is improperly attached to another pleading.
- If there is no attempt to serve, the attorney shall file a memo indicating same and requesting new summons. Two “not attempted” summons will result in a dismissal for failure to prosecute.
- **Please do not e-file a memo continuing a case and an alias/pluries summons request. If there is no service then an alias request must be filed within 24 business hours of the docket.**
- No more than one alias summons will be permitted for the same address for service by the Sheriff. Service must be obtained within 180 days per S. Ct. Operating R. 17.
- Alias preannouncements/requests for cases 180 days or older will not be processed or granted absent exceptional circumstances that must be presented to the judge *in Court* and cannot be preannounced.

### Courtroom/Process Guidelines:

- Only use the continuance date that is provided by the clerk or court. Different continuance dates must be approved by the docket clerk and judge.
- Cases without service cannot be continued. An alias/pluries must be requested and the next date will be determined by the new summons.
- Attorney Coverage:
  - Attorneys covering for another attorney on the docket must enter their appearance and are expected to be on time and present in the division until all of their cases are handled.
  - Any attorney appearing on behalf of a Bulk Filer is expected to have appropriate case information and settlement authority or ability to contact the client for such authority.
  - Only the attorneys designated by a Bulk Filer pursuant to its Bulk Filer Application may appear on behalf of a bulk filer.
- Docket announcements cannot be called in. Late announcements shall be provided to the docket clerk prior to the beginning of the docket.
- If memos are not e-filed at least three (3) business days prior to the docket, an appearance is required.
- Cases older than 180 days cannot be preannounced unless set for trial. Otherwise, an appearance is required.
- When a request for continuance is made on or before the return date (1<sup>st</sup> court date after service), attorneys shall continue the case in accordance with Mo. Rev. Stat. § 571.071.
- Submit memo, service returns, alias/pluries requests **at least three (3) business days prior to the docket date**.
  - However, landlord/tenant service returns only may be e-filed 24 hours prior to the docket date.
- Attorneys are responsible for advising the defendants or other attorneys of record of any preannouncements.
- All memos/judgments from a docket shall have **docket line numbers**. Anything presented to the docket clerk in person must also be in **line number order**.
- **All memos/judgments/alias requests must be e-filed within 24 business hours after the docket or will be subject to dismissal.**
- The **only** paper documents that will be accepted during a call docket are **default judgments** in proper form (with affidavit) or **consent judgments** with a pro se defendant

who is present in the Courtroom.

- Copies may be made by the clerks for pro se litigants only.
- Corrections to any denied judgments/memos must be submitted within 24 business hours of the notice of denial or the case may be placed on the dismissal docket.
- Motions: Contact the division clerk before or after the docket to set all motions.
- Trials:
  - Obtain trial dates from the division clerk or the judge.
  - A trial by jury shall be deemed waived unless **written demand on a separate memo** be e-Filed not later than five (5) working days before the return date of the summons or the trial date, whichever is later. See Local Rule 36.4.
  - Counsel shall advise the division clerk of the status of your trial within 24 business hours prior to setting.
  - If a case is announced as settled, a memo must be filed within 24 business hours of the scheduled trial stating that the case is passed for settlement and setting a disposition date (contact the division for the correct date).

#### **Dismissal Docket:**

- If no written memo with a valid court date, alias request with the motion for special (if requested), or proposed judgment is e-filed within 24 business hours after a docket, the case may be dismissed or may be placed on the dismissal docket.
- Check with the division whether an appearance on the dismissal docket is required and the division's process/requirements for removal. Divisions may post their dismissal docket procedures on their webpage on the Court's website: <https://stlcourtscourts.com/our-judges>.
- All requests for removal from a dismissal docket *shall state good cause for the delay* and include the necessary corrective action (e.g. if served -- new court date; no service -- separately filed alias and related pleadings).

#### **Garnishments/Executions:**

- Garnishments/Executions shall be e-Filed (\$46 fee paid directly to the Sheriff).
- See Local Rule 82.2.

**\*These Guidelines are meant to ensure compliance with the Missouri Supreme Court Rules and failure to abide by these Guidelines may result in any sanctions, including dismissal, permissible thereunder. Each judge will implement these guidelines as set forth above (subject to their discretion based on a showing of good cause).**

#### **Bulk Filer Acknowledgement**

Each bulk filer acknowledges that the bulk filer designation is a privilege and that failure to abide by the guidelines may result in loss of bulk filer status (see Bulk Filer Requirements). Each bulk filer agrees that they and/or their firm and staff will abide by the guidelines set forth above and will conduct all business with the court staff in a respectful and professional manner. Each bulk filer understands that these guidelines may be amended from time to time and that all bulk filers are obligated to abide by any such amendments. The current bulk filer guidelines will be available on the court's website or from the docketing clerks.

Thank you for your cooperation. If you have any questions or concerns please contact Trena Caldwell (314) 615-4756.