IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

IN RE: JACKSON COUNTY LANDLORD/TENANT DOCKETS

ORDER NO. 2013-133

THIRD AMENDED ADMINISTRATIVE ORDER CREATING LANDLORD/TENANT DOCKETS IN INDEPENDENCE AND KANSAS CITY

WHEREAS, in 2009, the Court established a Landlord/Tenant Docket in the 16th Judicial Circuit, Jackson County, Missouri; and

WHEREAS, in 2009, it was ordered that all landlord/tenant cases filed in the Western Venue of Jackson County be assigned to the visiting judges sitting in Division 62; and

WHEREAS, as of January 1, 2013, Division 62 ceased to exist, and landlord/tenant cases filed in the Western Venue of Jackson County are assigned instead to the Landlord/Tenant and other dockets of the Associate Circuit Divisions in the Western Venue of Jackson County pursuant to the Presiding Judge's Administrative Assignments Order; and

WHEREAS, landlord/tenant cases filed in the Eastern Venue of Jackson County are assigned to an Associate Circuit Division in the Eastern Venue of Jackson County pursuant to the Presiding Judge's Administrative Assignments Order; and

WHEREAS, assignment of certain landlord/tenant cases filed in the Western Venue of Jackson County to a Landlord/Tenant Docket is in the best interest of the parties, will accomplish judicial economy and will allow efficient processing of the cases by the Court Administrator,

NOW, THEREFORE, IT IS HEREBY ORDERED that Administrative Order No. 2013-021 is withdrawn, and replaced by this Administrative Order No. 2013-133.

IT IS FURTHER ORDERED that there is established a Landlord/Tenant Docket in the 16th Judicial Circuit, Jackson County, Missouri. Cases filed in the Western Venue of Jackson County that shall be assigned to this Landlord/Tenant Docket include cases filed seeking relief pursuant to Chapter 441, R.S.Mo.– Immediate Possession-Drug-Violence; Chapter 534, R.S.Mo.– Unlawful Detainer; Chapter 535, R.S.Mo.– Rent and Possession; and other cases seeking only the recovery of rent where the property has been vacated. Ejectment cases shall not be assigned to the Landlord/Tenant Docket. Cases seeking money damages, other than rent, shall not be assigned to the Landlord/Tenant Docket. Cases filed at the circuit court level shall not be assigned to the Landlord/Tenant Docket.

IT IS FURTHER ORDERED that those landlord/tenant cases described above filed in the Western Venue of Jackson County shall be assigned to the judge(s) of the associate circuit division(s) with the Landlord/Tenant docket assignment(s) in that venue.

IT IS FURTHER ORDERED that all landlord/tenant cases filed in the Eastern Venue of Jackson County shall be assigned to the judge(s) of the associate circuit division(s) with the Landlord/Tenant docket assignment(s) in that venue.

IT IS FURTHER ORDERED that in every landlord/tenant action the plaintiff shall submit to the Court at the time the case is heard a proposed judgment based upon and in substantially the same form as the appropriate sample judgment form for that particular cause of action published by the Court on the 16th Judicial Circuit website. This order applies to all plaintiffs, whether represented by counsel, or pro se. Defendants may submit a proposed judgment to the Court at the time the case is heard, and are encouraged to do so. These proposed

judgments may, at the direction of the judge of the division to which the case is assigned, be required to be submitted electronically by attorneys subject to e-filing.

IT IS FURTHER ORDERED that, unless otherwise directed by the judge of the division to which the case is assigned, the parties **shall provide the Court with an original and one copy of the proposed judgment for use by the Court,** with a copy for each defendant and plaintiff to the case, and with such additional copies that the party desires to have for the use of the party **together with envelope(s) addressed to each defendant at the last known address for the defendant.**

IT IS FURTHER ORDERED that the proposed judgment provided to the Court in all landlord/tenant cases shall contain:

1) findings of fact regarding the application of the Soldiers and Sailors Relief Act to the case;
2) the address of the premises involved in the action, identified by street address, city, county, state and zip code;
3) the date that rent is due under the rental contract/lease agreement pertaining to the rental of the premises involved in the action; and
4) the monthly rental amount that is due under the rental contract/lease agreement pertaining to the rental of the premises involved in the action.

IT IS FURTHER ORDERED that the Court Administrator shall create and maintain standardized forms and sample judgments for use in landlord/tenant actions, including a Request for Writ of Execution for Restitution of Possession which shall be used to initiate the process of issuing a writ of execution for restitution of possession of the property. These standardized forms and sample judgments shall be made available to the parties and the public on the 16th Judicial

Circuit web site. Use of these sample judgment forms or a proposed judgment based upon and in substantially the same form as the appropriate sample judgment form is mandatory unless otherwise permitted by the Court.

_____ Date

_____ Marco A Roldan, Presiding Judge

cc: All Judges and Commissioners
Jeffrey A. Eisenbeis, Court Administrator
Harlene Hipsh, Deputy Court Administrator
Tracy Smedley, Deputy Court Administrator
Mary Marquez, Deputy Court Administrator/Family Court
All Directors and Assistant Directors
All Division Staff