16th Circuit Court of Jackson County, Missouri

Jackson County Courthouse

Division 43

**Courtroom Policies and Procedures**

1. Court begins promptly at the time set. Please be on time. If you are running late, please contact the Division and opposing counsel.

1. All filings must be made through the e-filing system for attorneys and in the Civil Records Department for Pro Se (unrepresented) litigants. The Division does not accept filings via email.
2. Division 43 will only accept timely filed Motions for Continuances made in compliance with the Supreme Court Rule 65.03 and Local Rule 34.2. A courtesy copy can be e-mailed to the Division 43 email [Div43.cir16@courts.mo.gov](mailto:Div43.cir16@courts.mo.gov)
3. Division 43 is willing to use email for scheduling matters
   1. Always include your current email in your Entry of Appearance. Keep it and all contact information current.
   2. You are welcome to use email to contact the JAA and Law Clerk in Division 43.
   3. Make sure you include all parties on all emails. The Court will not accept ex parte communications.
   4. Do not copy the Court on ongoing disputes among the parties.
4. Proposed Orders should accompany all motions pursuant to Local Rule 33.5 . These Orders should be sent in Word format via e-mail to Division 43 at [Div43.cir16@courts.mo.gov](mailto:Div43.cir16@courts.mo.gov)
5. Any chambers copies of motions should be sent to Division 43 at [Div43.cir16@courts.mo.gov](mailto:Div43.cir16@courts.mo.gov)
6. Unless you have been granted a continuance, you must attend a Case Management Conference, even if service has not been made on the other party.
7. Division 43 Case Management Conferences are set via WebEx. Attorneys and Pro Se Litigants must attend all Case Management Conferences. Attorneys and Pro Se Litigants may appear in person for Case Management Conferences. Represented litigants do not have to attend Case Management Conferences. Case Management Conference Statements should be submitted seven (7) days before the scheduled Conference.
8. Pre-trial Conferences will be held via WebEx, unless a special in person setting is requested or ordered. Pre-Trial Conferences must be attended by counsel who will first-chair the Trial and Pro Se Litigants. It is helpful for represented parties to attend Pre-Trial Conferences, but not required. The Pre-Trial Statements are to be filed seven (7) days before the scheduled Pre-Trial Conference.
9. Division 43 does not have hearings on all Motions. The Law Clerk of Division 43 will contact you to schedule a hearing if one is needed. The parties shall not “notice up” hearings.
10. If an action has settled prior to the scheduled Trial date attorneys may submit the settlement documents by affidavit pursuant to Local Rule 68.3.1. All necessary settlement documents must be filed and a courtesy copy, along with an unredacted Word version of the Judgment, must be emailed to Division 43 at [Div43.cir16@courts.mo.gov](mailto:Div43.cir16@courts.mo.gov) If the documents are not submitted by the scheduled Trial date, the parties must come to Court and place the settlement on the record, unless other arrangements are made with the Division.
11. If the case has settled prior to Trial, please provide notice to the Law Clerk of Division 43 via email at [Christopher.Yardley@courts.mo.gov](mailto:Christopher.Yardley@courts.mo.gov) , even if it is after regular business hours or on the weekend.
12. Before contacting the Division as to the status of a pending Motion, please check Case.net.
13. Counsel and witnesses should dress appropriately for Court. *See* Local Rule 9.4.
14. Trials/Hearings
    1. Counsel may approach the witness for any legitimate purpose without requesting permission. Counsel is free to move about the courtroom unless instructed otherwise.
    2. No food or drink in the courtroom, except for water.
    3. Each party shall mark exhibits prior to Trial with an exhibit sticker indicating whether the exhibit is being offered by Petitioner or Respondent or Guardian Ad Litem or another party along with exhibit number. The Court will designate exhibit numbers at the scheduled Pre-Trial Conference.
    4. Counsel and Pro Se Litigants shall bring their exhibits printed out, with sufficient copies, to Trial. The Court will not print or make copies of exhibits.
    5. Each party shall provide an exhibit list prior to the start of Trial. Please use the form provided on the Division’s website.
    6. Audio/video recordings and any document in excess of 10 pages shall be exchanged at least 48 hours in advance of Trial, unless the item(s) were previously produced. Counsel and Pro Se Litigants will not be afforded extended breaks to review exhibits for the purpose of making an objection. The Court may decline to admit evidence if this rule is violated.
    7. All remarks of counsel or Pro Se Litigants during arguments on motions, objections, etc., shall be addressed to the Court, not opposing counsel or a Pro Se Litigant. Counsel and Pro Se Litigants shall refrain from making disparaging personal remarks about or displaying acrimony toward opposing counsel or another party.
    8. Witnesses may testify via Webex only “by agreement of the parties or by order of the court on good cause shown.” *See* Missouri Supreme Court Rule. 55.30(b). If there is an agreement of the parties to have a witness testify via Webex, please notify the Division immediately. Advanced notice is required to set up Webex equipment.
    9. If you intend to use exhibits or audio/visual materials in the courtroom bring your own mechanisms to display/play them. The Court cannot plug USB drives from outside sources into Court equipment.
15. If you have any questions or concerns, please feel free to call or email the Division and ask.