

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

IN RE: FAMILY COURT DIVISION  
DOMESTIC RELATIONS CASES FILED ON AND AFTER APRIL 16, 2001

ADMINISTRATIVE ORDER NO. 2005-099

AMENDED ORDER

Pursuant to Section 478.240 and Section 487.130 R.S.Mo. and applicable local rules, it is ordered that the following case management system is adopted and shall apply to all petitions for dissolution and all motions to modify filed on and after April 16, 2001, as well as other classes of cases designated by the Family Court Administrative Judge. The immediate purpose of case management is to create a more efficient, predictable system in order to achieve more timely case dispositions, reduced waiting times and more meaningful appearances for litigants, attorneys and the Court, thereby promoting the timely administration of justice.

1. DESIGNATION OF TRACK: At the time of filing the petition or motion, the initiating party shall designate whether the case is to be placed on a contested or an uncontested track for case management and disposition purposes. If no track is designated, Civil Records shall automatically place the case on a contested track.

2. ASSIGNMENT OF CASES: Civil Records will assign all uncontested and contested cases at random to one of the Family Court Judges and Commissioners who are assigned to the domestic relations dockets, within the appropriate venue, in nearly equal numbers or as directed by the Family Court Administrative Judge.

3. UNCONTESTED CASE TRACK:

A) Selection of an uncontested track will place the case in line for disposition within eleven weeks after filing, or as close thereafter as practicable.

B) Civil Records will schedule uncontested cases for an uncontested hearing, as close to eleven (11) weeks from the date of filing as is practicable. Notices of the hearing date will be sent by Civil Records to both the petitioner and the respondent.

C) Once scheduled, a case may be placed on a contested track by Civil Records upon written request.

D) Parties are expected to complete all requirements with regard to FOCIS (Rule 68.13) and Submissions by Affidavit (Rule 68.3.1) prior to the uncontested hearing date.

E) The uncontested hearing shall commence on the date and time set by the Department of Civil Records unless the case is dismissed or placed on a contested track by the Court.

4. CONTESTED CASE TRACK:

A) Selection of a contested track will place the case in line for disposition within twenty eight weeks after filing, or as close thereafter as practicable.

B) Civil Records will schedule contested cases for a case management conference, as close to seventeen (17) weeks from the date of filing as is practicable. Notices of the conference date will be sent by Civil Records to both the petitioner and the respondent. The purpose of the case management conference is to provide an opportunity for case or issue resolution and to allow the court to take prompt control of the case. If a case settles at the case

management conference, it can be immediately scheduled for an uncontested hearing.

C) Once scheduled, a case management conference may be rescheduled only by the division to whom the case is assigned. A case may be scheduled for an uncontested hearing by the Division upon written request. If such hearing does not dispose of the case, the original case management conference date shall remain.

D) Parties are expected to complete all requirements regarding FOCIS (Circuit Court 68.13), Mediation (by agreement), Master's Pendente Lite (Rule 68.04), and Standard Discovery (Rule 68.4.1) within fifteen (15) weeks after filing.

E) Prior to all case management conferences, attorneys of record shall meet to discuss resolution of the case and of all outstanding issues. No later than seven (7) days prior to the Case Management Conference, the parties shall complete and file with the Court a Case Management Statement (Attachments A, B, or C). Failure to submit the case management statement on or before one week prior to the case management conference may result in the Court's imposition of appropriate sanctions and/or the exclusion of any evidence that should have been disclosed in the timely filing of the case management statement.

F) All attorneys of records and unrepresented parties shall appear at the Case Management Conference (CMC) and shall be prepared to discuss the merits of the case with a view toward early disposition of the case. If the parties are able to reach agreement, the matter will be scheduled for an uncontested hearing. If a case does not get resolved at the CMC, the Court will enter a case management

order which shall: order mediation to be completed within eight weeks after the CMC, if appropriate to the case, and will assign a mediator, if appropriate; assign a guardian ad litem, if appropriate; establish dates for naming of experts and for closure of discovery and the filing of motions, within six weeks after the CMC; establish a date for a pre-trial conference, within eight weeks after the CMC; establish a date for trial, within eleven weeks after the CMC; address any other matter reviewed by the court at the case management conference. The case management order shall control the subsequent course of the proceeding, unless modified by the Court to prevent manifest injustice.

G) No discovery may be conducted after the closure date except by agreement of the parties, or by order of the Court, for good cause shown, upon the filing of a motion to extend discovery prior to the original closure date. The agreement of the parties to extend discovery after the closure date shall not constitute a basis for continuance of the designated trial date. Nothing contained in this order shall excuse a party from its continuing obligation to update responses to discovery. All motions shall be filed promptly after counsel discovers, or should have discovered, the basis for such motion. No motion may be filed after the closure date set in the case management order except for cause occurring subsequent to the closure date. No continuances will be granted except upon order of the court for extraordinary, unforeseen circumstances.

H) The parties shall complete and file with the Court a Pre-trial statement (Attachment D) no later than seven days prior to the Pre-Trial Conference. Failure to submit the pretrial statement on or before one week prior to the pretrial conference may result in the Court's imposition of appropriate sanctions and/or

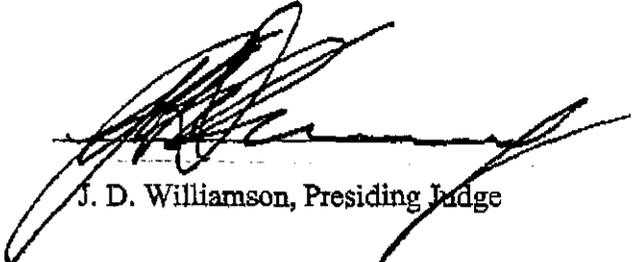
the exclusion of the evidence that should have been disclosed in the timely filing of the pretrial statement.

I) All parties and attorneys of record shall attend the pretrial conference and be prepared to discuss the merits of the case. At the pretrial conference, if the parties are able to reach agreement, the matter will be scheduled for an uncontested hearing. If the parties are unable to reach an agreement, the Court may issue a pretrial conference order which will confirm or address any matter reviewed at the pretrial conference. The Court will finalize a date and time for trial at the pretrial conference.

J) The parties shall file a proposed judgment entry with the court no later than seven days prior to trial.

K) Trial shall commence on the date and time set by the Court, except for extraordinary unforeseen circumstances which are brought to the Court's attention prior to the date set for trial.

June 16, 2005



J. D. Williamson, Presiding Judge

mc:  
Teresa York  
Harlene Hipsh  
Tracy Smedley  
Jeff Eisenbeis  
Mary Ann McClure  
All Judges and Commissioners