

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

**In re: Judicial Assignments for Pretrial Bond, Release and Rearrest Hearings in  
Criminal Cases**

**Administrative Order No. 2019-091**

**ORDER**

**WHEREAS**, changes have been made to Supreme Court Rules effective July 1, 2019 that affect the timing of certain pretrial hearings in criminal cases, and

**WHEREAS**, the Court seeks to implement judicial assignments and scheduling policies and procedures that will ensure compliance with the new Supreme Court Rules,

**IT IS, THEREFORE, ORDERED THAT:**

Any cases in which Bond Hearings, Release Hearings or Rearrest Hearings are held pursuant to recent Supreme Court Rules changes and this Administrative Order shall remain assigned to the same Division/Judge who was assigned the case before said hearing. However, any and all judges and commissioners of this Circuit are authorized and assigned to hear all Rule 33.05 Bond Hearings and Release Hearings and Rule 33.08 Rearrest Hearings notwithstanding the assignment of the case to another judge. The authorization and assignment of any and all judges and commissioners to conduct said hearings is limited to scheduling and/or conducting said hearing and entering any orders contemplated by those rules.

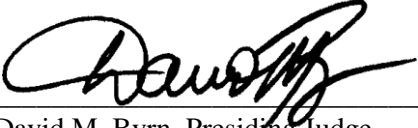
In all instances where a defendant is rearrested on a warrant for: (1) failure to appear; or (2) breach of any condition of release, the division assigned to the case shall, within 7 days (excluding weekends and holidays) after the defendant is confined under the warrant in Jackson County or in a county where Jackson County has a contractual agreement to hold the defendant, hold a hearing concerning the reasons for the issuance of the warrant, the terms and conditions of the warrant and defendant's continuing confinement or defendant's release. Notification of the rearrest to the division that issued the warrant will be provided by the Population Control office of the Jackson County Detention Center on the daily "Defendants Taken Into Custody" report. Effective immediately, Population Control will distribute this report to every division every day. Each division shall check the report daily and schedule a hearing within the mandated 7 days of rearrest, excluding weekends and holidays. The scheduling of the hearing should be entered in JIS as soon as possible to allow notification to prosecutor and defense counsel. The division shall report the scheduled date for the hearing back to Population Control by email at the same time it is entered in JIS. If the scheduled date is not reported back to Population Control within four days, Population Control shall contact the division directly to obtain the scheduled date. Population Control will update the electronic jail database with the scheduled court date.

The division assigned the case (and that presumably issued the warrant) will be entirely responsible for timely compliance with scheduling the hearing following rearrest of the defendant. At the rearrest hearing, if the defendant is not released, the judge may modify bond and any conditions of bond.

Any judge or commissioner who will not be present at the courthouse for a period of four days or more, shall make arrangements for another judge or commissioner to timely schedule and cover hearings for any defendants arrested or rearrested on warrants in cases assigned to the absent judge or commissioner during the time the judge or commissioner is not present at the courthouse. These cases will remain assigned to the absent judge or commissioner for all purposes except scheduling and potential coverage of the rearrest hearing. The judge or commissioner providing coverage will be responsible for monitoring the daily "Defendants Taken Into Custody" reports for the absent division and scheduling all necessary hearings in timely compliance with the Rules referenced herein. Additionally, any judge or commissioner who will not be present at the courthouse for a period of four days or more shall also notify via email the Criminal A judges, the Presiding Judge and the Court Administrator of the dates they will be absent and the division covering their rearrest hearings. The Criminal A judges will serve as a last resort for scheduling and coverage of rearrest hearings for absent judges if notified by email that the absent judge or commissioner has not been able to make arrangements for another judge or commissioner to cover hearings in their absence. However, all judges and commissioners shall make every effort to find a judge or commissioner to schedule and cover rearrest hearings in their absence and should not rely on Criminal A judges to do so.

**IT IS SO ORDERED.**

June 28, 2019  
Date

  
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David M. Byrn, Presiding Judge

Certificate of Service

This is to certify that a copy of the foregoing was emailed to the following on June 28, 2019.

Ruth Petsch, District Defender, District 16  
Jean Peters Baker, Prosecutor, Jackson County Prosecutor's Office  
Sheriff Darryl Forte, Jackson County Sheriff's Department  
Diana Turner, Director, Jackson County Department of Corrections  
Amber Ledbetter, Population Control & Records Administration  
Jail Population Unit  
Mary Marquez, Court Administrator, 16<sup>th</sup> Circuit Court  
All 16<sup>th</sup> Circuit Judges and Commissioners  
Department Directors, 16<sup>th</sup> Circuit Court

*Angela M. Lopez*