

JACKSON COUNTY PROBATE eFILING TIPS

GENERAL

- Any payments, court costs or filing fees that you would normally pay by a check from your office, can be paid by credit card, eCheck or court debit account.¹ Specific instructions and eFiling payment options are set out on the 16th Circuit Website under Electronic Filing, as well as other important information links.
- Please do not use cover letters when eFiling documents nor communicate via e-mail with the Court unless otherwise instructed. Any important information you want in the record will need to be made part of the Court's file by appropriate eFiled pleadings.
- It is not necessary to use the "Note to the Clerk" unless you have important information to send to the Clerk regarding your eFiling, such as service information, info regarding filing fees, etc. This is not viewable by anyone but the Clerk and takes up valuable "cyber space" if it contains no useful information.
- It is not necessary to prepare the old "Filing Information Sheet" or scan it with your eFiling. The system automatically generates a filing sheet from the party information that you submit. Make sure the names and addresses of the parties (which includes interested persons as defined in the Probate Code) are current and complete and that they are the same as those used in your pleadings. If the information is incomplete, you will be asked to file an amended pleading so that all necessary persons/entities are added into the system.
- Make sure the correct name and case number are included on all documents, including correspondence. When filing in existing cases, pay special attention to case numbers that have -01, -02, at the end of the case number or your filings may be entered on the wrong case.
- Be sure your scanner is set to scan your documents as 8.5 x 11 and that the documents are not scanned in sideways or upside down or contain blank pages. Documents may be rejected if not scanned at the proper setting
- It is not necessary to leave extra room at the top of your documents except on documents initiating new cases.

¹ Please note, however, that if you want to use a court debit account for eFiled probate matters, you need to first set up an account with the Probate Department. Even if you have already established a court debit account for filings in civil and domestic cases, you need a separate account for probate filings.

- Please do not file extra documentation or information when it is not required, such as real estate contracts with Report of Sale, bank statements or detailed lists of personal property with Inventories. When trust documents are required in a Decedent's estate to show the name of the appointed trustee or successor trustee, limit your documents to the title page, the page that appoints the trustee or successor trustee, and the signature page. There is usually no need for the entire trust to be a part of the deceased estate file.
- Full Social Security Numbers should be entered in the party information section as these will not be viewable by the public. However, be sure there are no Social Security Numbers or other confidential information contained in your pleadings. Use only the last 4 digits of the Social Security Number if required by a court form. Refer to COR 2.02 – clerks are not required to review the case documents to confirm that personal information has been omitted. The responsibility for redacting personal information rests solely with counsel, the parties or any other person filing the document. The clerks will not review each document for compliance with this policy.
- Notice of Required Filings, Notice of Hearing, Notice of Entry, Checklists and Memos from the Court will be sent by email notification to attorneys of record and viewed on Case.net. Paper notices will be mailed to pro se parties and fiduciaries who are not attorneys, when required.
- When a claim against the estate is filed, the Attorney for the estate will receive only email notification. The claim can then be viewed on Case.net.
- Please file “proposed” orders/judgments as the document type for "Proposed Order." In certain instances, it may be acceptable to e-mail a proposed order/judgment in WORD format to the judge or one of the commissioners or their respective Judicial Administrative Assistant when directed by one of the judicial officers.
- Bring original trial exhibits to the trial/hearing unless you are notified otherwise to scan them in advance. Trial briefs should be eFiled prior to the court hearing.
- It would be helpful in processing your interim pleadings in an existing case, (such as fees, requests to sell real and personal property, requests to expend funds, etc) if they are submitted separately and not combined in the same submission, as different clerks are responsible for processing different types of pleadings. If information is needed with one filing and it needs to be returned, everything in the submission must be returned.

- As we are beginning to use digital signatures and date stamps on orders, you will need to leave extra space above the signature line to apply the digital signature. A date line should be added next to the signature line for the date stamp to be applied when the order is signed. Please leave off any date line in the body of the order, with blank lines for a date to be inserted.
- Rule 103.04 provides that eFile documents may be signed by “original signature, stamped signature or an electronic graphic representation of a signature, or in the following manner: /s/ John or Jane Person.” However, Rule 103.07 provides that: “A document required by law to be verified, to be signed under penalty of perjury, or to be signed by a notary public may be filed as an electronic document **if the affiant, declarant, or notary public has signed a paper document.** Until the entire case is finally disposed, the registered user shall be the custodian of the paper document.”

SETTLEMENTS

- Paper vouchers sent to the Court for use in verifying information on a Settlement should be filed within 48 hours of e-Filing. The vouchers may then be returned after the Settlement is approved. The vouchers should be picked up within two weeks and retained in your file for future use, if needed. If they are not picked up after two weeks from approval of the Final Settlement and discharge of the fiduciary and surety, they will be shredded.
- If bank statements are eFiled for a Settlement, these must be filed separately. Please scan them oldest to newest, the same as the Settlement entries. Also, remember, if scanned, they are part of the file but are only viewable by attorneys of record on the case.
- All Final Settlements and Statements of Account – Petitions to Approve, Notices or Waivers from all persons on Application, and Final Settlement/Statement and Proposed Order of Distribution should all be submitted as additional documents and not as attachments to the Final.
- Extension requests (including exception letters) must be in writing by proper eFiled Application. A 15-Day letter will no longer be sent so if the exceptions are not cleared, an order to show cause will issue.

TIPS FOR GUARDIAN/CONSERVATOR eFILINGS

- When eFiling a new Adult Guardian/Conservator petition, the party types should be Petitioner and Respondent, not Guardian/Conservator and Incapacitated/Disabled or Ward/Protectee.
- All parties must be entered into the system by the eFiling attorney – petitioner, respondent, relatives, trustees, attorneys-in-fact, public administrator, etc.
- Adult Petitions for Appointment of Guardian and/or Conservator –
 1. Petition and Exhibits should be submitted as one document.
 2. Medical letter/doctor interrogatories should be submitted as a separate document.
 3. Although the medical evidence has been submitted with the Petition, you will need to bring the original (or a copy if agreed to by all parties) to the hearing to be admitted as an Exhibit, as it will not be a part of the record until it is offered and admitted in Court.
- Minor Petitions for Appointment of Guardian and/or Conservator –
 1. Petition and Exhibits should be submitted as one document.
 2. Do not put Juvenile Case numbers in the petition or exhibits.
 3. All related minor cases must be filed separately.
- When entering a filing party that is an organization, use the name of the organization (government agencies, hospital, care facilities), and not the name of the social worker or employee.

TIPS FOR DECEASED ESTATE eFILINGS

- Original Wills should be filed in person or by mail only AFTER the initiating pleadings or documents have been eFiled. An eFiled copy of the will is also required with your pleadings. The case will not be processed further until the original Will is received.
- Deceased Estate with a Will – Application for Letters Testamentary, Application for Probate of Will, eFiled copy of Will, and Death Certificate should all be submitted as additional documents and not as attachments to the Application for Letters.

- Deceased Estate with no Will – Application for Letters of Administration, Renunciations, Waiver of Bond or Corporate Surety Bond, and Death Certificate, should all be submitted as additional documents and not as attachments to the Application for Letters.
- A Death Certificate should always be filed as a separate document and not as an attachment to any other pleadings, as it is a secure document.
- Please make sure to file MO HealthNet Disclosure/Release, Resident Agent Designation/Acceptance as separate filings.
- Please provide complete filing information on all parties listed in the Application for Letters, Small Estate, etc, including the Decedent. Names should match those listed in a Will or include an explanation in the Application for Letters, if they are not the same. Please use Applicant for the filing party and Attorney for Applicant for the filing attorney. If information not submitted properly with the initial pleading, an amended pleading will be required.
- Selection of the proper document codes is very important and some filing fees are charged based on the codes selected and will result in filings being returned if they are not correct. Following are some of the most common:
 1. Admit Will – found under “Petition to/for”
 2. Refusal of Letters – found under “Application for Letters of”
 3. Small Estate (Establish Title of Distributee, with or without Will) – found under “Affidavit for/in/of.” Do not use “Affidavit – other.” All parties in a Small Estate will usually be Heirs, Devisees or Trustee. Please use Affiant for the person filing and Attorney for Affiant for the filing attorney.
 4. Petition to Require Administration and Determination of Heirship – found under “Petition to/for”