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## **Missouri Circuit Court Twenty-Second Judicial Circuit**

### **DOCKET PROCEDURES**

### **DIVISION 1 AND CIVIL MOTION/EQUITY DIVISIONS 19 AND 20**

(Effective January 1, 2020)

Court's website: [www.stlcitycircuitcourt.com](http://www.stlcitycircuitcourt.com)

#### **Division 1 and General Division Dockets**

The dockets for Division 1 and the General Divisions can be accessed by selecting the Trial Dockets tab on the homepage of the Court's website. The trial calendar and the roll-over trial dates schedule are also available. The Division 1 dockets contain a list of the assigned cases and a ranking of the remaining cases on the regular trial docket. The General Division dockets contain a ranking of the cases with peremptory trial settings and regular trial settings assigned to those divisions.

#### **Assignment to Division 1**

Within 30 days of filing, a circuit civil case is assigned to Division 1, designated as a track 1 or track 2 case and scheduled on an initial trial docket according to the trial readiness time periods prescribed by Local Rule 31.

#### **Assignment and Notice of Cases for Trial**

In advance of a given trial week, the Docket Calendar Clerk will select sets of cases from the relevant Division 1 trial docket with peremptory and regular trial settings to be randomly assigned to each of the General Divisions designated as civil trial divisions according to the trial calendar rotation schedule. The Court will send notice to the parties of these case assignments approximately three weeks in advance of a given trial docket. It is recommended that affected counsel contact the assigned General Division to determine the status of cases ranked ahead of their case on that division's trial docket. If counsel is advised that their case will not be reached in the assigned division, counsel may contact

Division 1 for re-assignment to another General Division in order to begin the trial on the date scheduled.

### **Peremptory Trial Settings**

Only the Presiding Judge has the authority to grant a peremptory trial setting for cases on the Division 1 trial dockets. In any such case in which a party or parties are seeking a peremptory trial setting, the Presiding Judge shall have the authority to approve the scheduling order and peremptory trial setting and keep the case in Division 1 until regular assignment to a General Division for trial. The Presiding Judge also has the authority to grant a request that a case be assigned directly to a General Division for the handling of pretrial motions and a peremptory trial setting if the Presiding Judge determines that the case meets the requirements of Local Rule 6.2.1. Cases with a peremptory trial setting shall stand ahead of cases with a regular trial setting.

### **Regular Trial Docket**

Cases on a given Division 1 regular trial docket as posted on the Court's website are subject to assignment to a General Division for trial according to the trial readiness time periods prescribed by Local Rule 31. If a General Division becomes open, upon resolution of their assigned cases, the Docket Calendar Clerk may contact the attorneys to assign cases for trial from the regular trial docket, beginning with the highest ranked case for assignment to that open General Division.

### **Rotational Docket**

Cases on the Division 1 regular trial docket not reached or disposed of during a trial week will be re-docketed according to the roll-over trial dates schedule.

### **Dismissal Docket**

Division 1 will conduct dismissal dockets throughout the year which will primarily consist of cases lacking service of process and cases passed for settlement.

## Settlements

Pursuant to Local Rule 6.1.1.4A (e), approval of settlements of suits involving claims by persons under 18 years of age, wrongful death settlements, transfer of structured settlements and uncontested actions involving the title of real estate are heard in Divisions 27 and 28.

## Equity and Non-Jury Cases

Pursuant to Local Rule 6.2.3, equity and non-jury cases are assigned to one of the two Civil Motion/Equity Divisions, as determined by the last number of the cause number of the case excluding suffix numbers. Equity cases with a cause number ending in an odd number are assigned to Division 20. Equity cases with a cause number ending in an even number are assigned to Division 19.

## Where Motions Are Heard (See Local Rule 33)

1. **Motions Heard in Division 1:** Motions in circuit civil cases, except equity cases, for scheduling orders, peremptory trial settings, motions to consolidate when the cases are pending in more than one division and continuances from trial settings.
2. **Motions Heard in General Divisions:** Motions in limine upon assignment of a case by the Presiding Judge to a General Division for trial; **All** motions for those cases which have been assigned by the Presiding Judge to a General Division for trial pursuant to Local Rule 6.2.1. The Movant shall contact the assigned General Division to schedule a hearing of any motion.
3. **Motions Heard in Motion Divisions** – All other motions in circuit civil cases as determined by the last number of the cause number of the case, excluding suffix numbers. Motions in cases with a cause number ending in an odd number shall be scheduled in Division 20. Motions in cases with a cause number ending in an even number shall be scheduled in Division 19.

## Scheduling Motions in Division 1

1. **Informal Matters** in Division 1 are heard at 9:00 am on Mondays and Thursdays and at 2:00 pm on Tuesdays and Thursdays.

## Scheduling Motions in Division 19 and Division 20

1. **Informal matters** in Division 19 and 20 are heard at 9:00 am Monday through Friday
2. **Testimonial Motions** shall be scheduled by contacting the Courtroom Clerk

3. **Dispositive Motions** shall be scheduled and submitted at least 60 days prior to a trial setting in a General Trial Division or the motion may not be heard, unless circumstances establish good cause why that was not possible.
4. **Contested Motions**
  - a. Contested Motions shall be scheduled exclusively through the Court's website (stlcitycircuitcourt.com) by selecting the Motion Docket Sign-up tab on the homepage.
  - b. Movant's attorney shall eFile a Notice of Hearing for all scheduled motions and shall eFile a Notice of Cancellation if a scheduled motion has been resolved or rescheduled.
  - c. Movant's attorney shall schedule the motion on a day that is mutually convenient for the opposing party(s), unless circumstances establish good cause why that was not possible.
  - d. The motion docket is called at 9:00 a.m. Motions are called in the order that they were added to the Motion Docket Sign-Up Sheet on the Court's website.
  - e. If available motion dockets are full, add-ons may be permitted for good cause shown by contacting the courtroom clerk.
  - f. Local Rule 33.5 must be observed, if applicable, or the motion may not be heard.
  - g. Pursuant to Local Rule 33.3, oral arguments on any motion shall not exceed fifteen minutes for each side, unless the Court, for good cause shown, on application made before the commencement of argument, shall otherwise order.

**Division 1 Contact Information** (Civil Courts Building 10<sup>th</sup> Floor)

Judge Rex M. Burlison	622-4313	<a href="mailto:rex.burlison@courts.mo.gov">rex.burlison@courts.mo.gov</a>
Secretary, Charlotte Strong	622-4311	<a href="mailto:charlotte.strong@courts.mo.gov">charlotte.strong@courts.mo.gov</a>
Judge's Assistant, Kenya Morgan	622-4478	<a href="mailto:kenya.morgan@courts.mo.gov">kenya.morgan@courts.mo.gov</a>
Courtroom Clerk, Janeth Gutierrez	622-4313	<a href="mailto:janeth.gutierrez@courts.mo.gov">janeth.gutierrez@courts.mo.gov</a>
Division 1 Fax Number	589-6599	
Docket Calendar Clerk, Pat Thomasson	622-4314	<a href="mailto:patrick.thomasson@courts.mo.gov">patrick.thomasson@courts.mo.gov</a>
Docket Calendar Clerk Fax Number	622-3234	

**Division 19 Contact Information** (Civil Courts Building 6th Floor)

Judge Christopher M. McGraugh 622-4462 [christopher.mcgraugh@courts.mo.gov](mailto:christopher.mcgraugh@courts.mo.gov)

Courtroom Clerk, Angela Smith 622-4493 [angela.smith@courts.mo.gov](mailto:angela.smith@courts.mo.gov)

Judge's Assistant, Chelsea Gibson 622-4462 [chelsea.gibson@courts.mo.gov](mailto:chelsea.gibson@courts.mo.gov)

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**Division 20 Contact Information** (Carnahan Courthouse 8th Floor)

Judge Joan L. Moriarty 622-4927 [joan.moriarty@courts.mo.gov](mailto:joan.moriarty@courts.mo.gov)

Court Clerk, Anna Kreuter 622-4503 [anna.kreuter@courts.mo.gov](mailto:anna.kreuter@courts.mo.gov)

Judge's Assistant, Lisa Anderson 622-4927 [lisa.laymon@courts.mo.gov](mailto:lisa.laymon@courts.mo.gov)

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