

**MISSOURI CIRCUIT COURT
TWENTY-SECOND JUDICIAL CIRCUIT
City of St. Louis**

**ADMINISTRATIVE ORDER: 2022-14
Effective Immediately**

RE: Amendment 3 Expungements

WHEREAS, Amendment 3 was recently passed into law by the voters of Missouri on November 8, 2022, and

WHEREAS, Amendment 3 directs the circuit courts of the State of Missouri to expunge the following marijuana related offenses:

1. Any person currently incarcerated in a prison, jail or halfway house, for a marijuana offense that is a misdemeanor, D felony, or E felony, excluding offenses involving distribution or delivery to a minor, any offense involving violence, or any offense of operating a motor vehicle while under the influence of marijuana, whether by trial or open or negotiated plea;
2. Any person currently on probation or parole for a marijuana law offense that is a misdemeanor, D felony, or E felony, excluding distribution or delivery to a minor or any offense of operating a motor vehicle while under the influence of marijuana, whether by trial or open or negotiated plea;
3. Any person who is no longer incarcerated or under the supervision of the department of corrections;
4. Any person incarcerated, including any supervised probation or parole, for all class A, B, or C or, successor designations, marijuana offenses for possession of more than three pounds of marijuana.

WHEREAS, the 22nd Judicial Circuit, through its Circuit Clerk, Information Technology Department (IT), Staff Attorneys, and Human Resources Department (HR) and subject to appropriations for additional resources, shall take all reasonable steps to complete the processes required Amendment 3 in accordance with the deadlines set forth therein,

WHEREAS, those individuals eligible for expungement under paragraph #1 above may file with the appropriate circuit court a petition of expungement beginning December 8, 2022, THEREFORE, these petitions for expungement shall be heard per local rule 6.2.3 of the 22nd Judicial Circuit by the Motion/Equity divisions.

WHEREAS, there are individuals eligible under paragraph #2 above, (beginning December 8, 2022), to have their sentences automatically vacated, their supervision by the department of corrections immediately terminated, and their records expunged, THEREFORE the Presiding Judge of the 22nd Judicial Circuit enters this Administrative Order, 2022-14, regarding offenses eligible for initiative expungement under paragraph #2 above and directs the Circuit Clerk with the assistance of the IT Department, Staff

Attorneys and HR Department to continue the review process of identifying those offenses eligible for initiative petitions under paragraph #2 above and to prepare the appropriate expungement orders. This review process includes the review of the information and guidance provided by the Office of the State Court Administrator. (OSCA). FURTHER, said Administrative Order shall be furnished to the Missouri Highway Patrol Criminal Justice Services Division, the Circuit Attorney's Office and the St. Louis Metropolitan Police Department Records Division.


WHEREAS, there are individuals eligible under paragraph #3 above, (beginning 6/8/23 for eligible misdemeanor offenses and 12/8/23 for eligible felony offenses), to have their records expunged, THEREFORE, the Presiding Judge of the 22nd Judicial Circuit shall, at the appropriate deadlines noted in this paragraph, enter an Administrative Order similar to Administrative Order 2022-14 regarding the eligible offenses for initiative petition under paragraph #3 above. FURTHER, said Administrative Order shall be furnished to the Missouri Highway Patrol Criminal Justice Services Division, the Circuit Attorney's Office and the St. Louis Metropolitan Police Department Records Division.

WHEREAS, those individuals eligible for initiative expungement under paragraph #4 above, upon the completion of their incarceration including any supervised probation or parole shall have the appropriate expungement order entered by the Judge who sentenced that individual or their successor if the original sentencing Judge is no longer a Judge of the 22nd Judicial Circuit.

WHEREAS, Amendment 3 directs the courts to keep a special index of cases expunged, the Circuit Clerk with the assistance of the Court's IT Department shall keep such a list including the name, date of birth, case number, charge code, expungement order and certificate of expungement for each case expunged under Amendment 3.

DATED: December 8, 2022

SO ORDERED:



Michael F. Stelzer
Presiding Judge #40716