

CIRCUIT COURT OF CLAY COUNTY, MISSOURI
11. South Water Street
Liberty, Missouri 64068

LOUIS ANGLES
ASSOCIATE CIRCUIT JUDGE
Division No. 7
(816) 407-3970
louis.angles@courts.mo.gov

To: All Attorneys Practicing in Clay County Circuit Court, Division 7

From: Judge Louis Angles (Div. VII)

Re: Revised Scheduling for Division 7 for Disposition for Misdemeanor and Traffic Cases by Written Plea and Monday Webex meeting docket

Date: January 1, 2021

NOTICE

In response to the ongoing COVID-19 pandemic, Division 7 has modified and simplified the forms for written Guilty Pleas for the disposition of certain Traffic and Misdemeanors cases. The Clay County Circuit Court has taken this action in accordance with the Missouri Supreme Court Rules of Criminal Procedure and all applicable Missouri Supreme Court Orders related to the COVID-19 virus. All members of the criminal and traffic defense bar are strongly encouraged to take advantage of this opportunity to dispose of Misdemeanor and traffic cases, provided they deem it to be in the best interest of their client.

Temporary Scheduling Changes for Traffic Dockets

Effective January 1, 2021, and until further notice, Division 7 has implemented the following temporary changes for the traffic dockets. The changes are necessary due to the limited number of persons permitted in the Clay County Courthouse and the overcrowding problems which create limited access for attorneys and their clients to other Divisions.

1. Any attorney needing to continue a case, are strongly encouraged to file an electronic motion for continuance and order for each case at least 2 days prior to the scheduled court date.
2. On Wednesday traffic dockets only the attorneys, (and their clients), **ready to dispose of cases**, will be permitted in Division 7 for the 9:00 a.m docket and 1:30 p.m. traffic dockets. Attorneys needing to negotiate a plea with the prosecutor or seek a continuance will be permitted to do so after the 1:30 p.m. docket has been completed. The only other cases where attorneys and clients will be allowed into Division 7 for the 9:00 a.m. docket will be public defenders, cases set for bench trial, diversion call-back cases, and probation violation hearings.
3. The Court will implement a Webex traffic docket beginning Monday, January 11,

2021, (and on every Monday thereafter-except holidays) starting approximately 2:30 p.m, or as soon as possible immediately following the afternoon arraignment docket. You may attend the Division 7 Webex meeting if your case is not set for trial, or set for a contested hearing of any kind. Attorneys with traffic cases are encouraged to utilize this meeting procedure whenever possible. Please electronically file any applicable documents to be considered by the Court at least 3 days in advance of the Webex hearing. If the hearing involves a probation violation, it is the obligation of defense counsel to notify the probation officer of Defendant's Webex violation hearing.

MEETING LINK:

<https://mocourts.webex.com/mocourts/j.php?MTID=me0f9ea70306ba39798b4d23201827c29>

Meeting number (access code): 146 794 7008

Meeting password: Please call Division 7 at 816-407-3970 for password

Host Key: 115263

JOIN BY PHONE

+1-408-418-9388 United States Toll

Access Code 146 794 7008

**Temporary Procedures for Disposition of Traffic and
Misdemeanor Cases**

1. Most Misdemeanor and traffic cases in Clay County may be disposed of by written guilty plea. However, there are certain types of cases where written guilty pleas will generally not be accepted. These include, but are not limited to: (a) Domestic Assault; (b) Assault resulting in physical injury; (c) Violation of an Order of Protection; (d) Probation Revocations; (e) DWI/BAC cases; and (f) cases where the prosecuting attorney is recommending a conviction for DWI/BAC. In any case, if defense counsel believes that special circumstances exist which would otherwise justify the Court accepting a written plea, and the prosecuting attorney consents, defense counsel should follow the procedures set forth below.

2. The Court has created a guilty plea form when taking advantage of these new procedures. For everyone's convenience, these are Word forms that can be modified by defense counsel to fit any given case. You may download these forms by going to Circuit7.net. They include:

Form 1 – Plea of Guilty

Form 2 – Probation Order

Form 3 – Sentence-Judgment-Commitment

3. Defense counsel should first notify the Clay County Prosecutor's office that Defendant wishes to reach a plea deal at plea.request@claycopa.com. A prosecutor will respond by email. If Defense Counsel and the Prosecuting Attorney come to an agreement, then Defense Counsel should complete

Form 1 (Plea of Guilty) and have Defendant sign. That form should be emailed to the applicable Prosecutor for his/her signature. If Defendant will be on probation, the Prosecutor's Office should fill out Form 2 (Probation Order) and email it to Defense Counsel for Defendant's signature. Once the defendant has signed and returned these documents to defense counsel, defense counsel should e-mail Form 1 to div7@circuit7.net.

4. Defense counsel and the APA may provide electronic signatures ("/s/") on all forms used herein in lieu of an original signature.

5. After the Court accepts the plea agreement and enters its judgment and sentence, one of the traffic clerks will total the fines, costs, and other fees and charges, and write in the total amount due on Form 3 (Sentence-Judgment-Commitment) and efile it to Case.net. It is the responsibility of Defense Counsel to provide the clients with these forms and to have the client pay the fines and costs, and to sign up for probation.

6. If probation will be supervised by either Midwest ADP or Northland Dependency Services, please contact the applicable supervising entity within one business day to set up a date and time to attend probation orientation. It is best to call during normal business hours.

Midwest ADP, 6060 North Oak Trafficway Gladstone, Missouri 64118, (816) 468-6688

Northland Dependency Services, 26 S. Gallatin Liberty, Missouri 64068, (816) 781-8999

7. Due to the uncertainty about when the current health emergency will end, the financial hardship it has caused, and social distancing recommendations, the Court will allow up to 30 days to: (a) pay fines, court costs, CVCF payments, recoupment costs, and/or other fees or charges; and (b) up to six months to complete Court ordered programs, such as SATOP, ADEP, VIP, or Community Service. However, Court ordered installation of an Ignition Interlock Device, SCRAM, House Arrest, or random testing for drugs or alcohol will generally not be deferred. Finally, where shock time or straight jail time has been ordered, the Court may recommend a stay execution of that time during the COVID-19 crisis, depending on existing circumstances.

8. Utilizing these procedures will allow both defense counsel and the prosecuting attorney to dispose of many traffic and misdemeanor cases without exposing everyone to the coronavirus. Not only will this further the administration of justice, it will also reduce the number of people in the courthouse and the size of our Misdemeanor and Traffic dockets. This order is effective until June 1, 2021, unless extended by order of the Clay County Circuit Court.

9. Any other questions should be directed to the Circuit Clerk's office:

Traffic: (816) 407-3870 or Criminal: (816) 407-3860

/s/ Judge Louis Angles, Division VII