

# CLINICAL LAW OFFICES

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October 31, 2014

Mr. Bill Thompson  
Clerk  
Supreme Court of Missouri  
207 West High Street  
Jefferson City, Missouri 65101

Re: Creation of Special Rules Committee on Municipal Court Procedures

Dear Mr. Thompson:

The undersigned write as representatives of the only two nonprofit organizations that regularly provide legal representation to homeless and working poor individuals in St. Louis County municipal courts. We respectfully request that the Supreme Court exercise its superintending authority and convene a special rules committee to recommend appropriate amendments to Rule 37, with the objective of ensuring the fair and uniform administration of justice in municipal courts. Additionally, we respectfully request that the Court consider the appointment of a special master to monitor implementation of those rules which are adopted and their efficacy. While by no means an exhaustive list, the committee would consider rules providing detailed guidance to municipal courts on the following:

- The right to counsel
- Procedures for determining ability to pay
- Procedures governing utilization of contempt power
- Procedure for defendants who lack capacity
- Procedures for juvenile defendants
- Procedures for issuing warrants
- Procedures for notifying defendants of rights
- Availability of the presiding judge
- Recognizance and bond assessment
- Assessment of surcharges
- Public access to the courts

As practicing attorneys in St. Louis County municipal courts, we can attest that the goal of uniform administration of justice is not met in these courts. The available data reflects our experience. As of 2013, according to the Office of the State Court Administrator, there were a total of 411,948 outstanding arrest warrants for violations of civil ordinances in St. Louis County. This represents one warrant for every two adults in St. Louis County and more than 35% of the total outstanding arrest warrants in the State of Missouri. As a point of reference, this is nine times the number of arrest warrants outstanding in the City of Chicago.

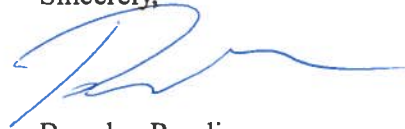
We applaud the efforts already underway to examine potential municipal court reform in St. Louis County. The committee formed by the Honorable Maura McShane and its recommendations will be a valuable resource. However, the goal of a unified modern justice system will best be achieved through uniform rules. In addition to state-wide representation, we believe the proposed Supreme Court committee

would benefit from representation on the committee by our organizations and we stand ready to serve.

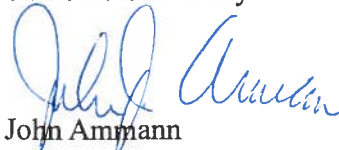
While we understand the Court has committees to study civil and criminal rules changes, the issues set above are of such significance that a Supreme Court committee dedicated solely to municipal courts is needed. We believe the need for a deliberate and informed process can be balanced with the need to ensure that the rights of defendants are protected. A dedicated special rules committee could accomplish both in an expedited fashion. A Special Master would ensure that these rules are appropriately implemented and report back any difficulties.

We are truly grateful for your consideration.

Sincerely,



Brendan Roediger  
Professor of Law  
St. Louis University



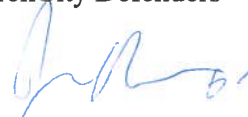
John Ammann  
Professor of Law  
St. Louis University



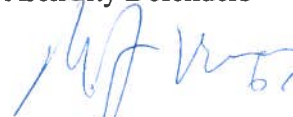
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