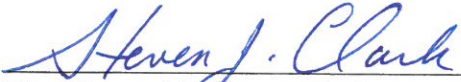


SUPPLEMENT TO CITY OF VALLEY PARK, MO REPORT UNDER § 105.145, RSMo.

CERTIFICATION OF SUBSTANTIAL COMPLIANCE UNDER § 479.360, RSMo.

As municipal court judge for the City of Valley Park, Missouri, I hereby certify that the City was in substantial compliance with the applicable municipal court procedures as required by §479.360, RSMo. effective August 28, 2015.

1. Defendants in custody pursuant to an initial arrest warrant issued by the municipal court have an opportunity to be heard by a judge in person, by telephone, or video conferencing as soon as practicable and not later than forty-eight hours on minor traffic violations and not later than seventy-two hours on other violations and, if not given that opportunity, are released;
2. Defendants in municipal custody shall not be held more than twenty-four hours without a warrant after arrest;
3. Defendants are not detained in order to coerce payment of fines and costs;
4. The municipal court has established procedures to allow indigent defendants to present evidence of their financial condition and takes such evidence into account in determining fines and costs and establishing related payment requirements;
5. The municipal court only assesses fines and costs as authorized by law;
6. No additional charge shall be issued for the failure to appear for a minor traffic violation;
7. The municipal court conducts proceedings in a courtroom that is open to the public and large enough to reasonably accommodate the public, parties, and attorneys;
8. The municipal court makes use of alternative payment plans and community service alternatives; and
9. The municipal court has adopted an electronic payment system or payment by mail for the payment of minor traffic violations.


The Honorable Steven Clark
Municipal Judge, City of Valley Park, Missouri

Date: August 21, 2015

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI
MUNICIPAL DIVISION, CITY OF VALLEY PARK

WHEREAS, the Governor of the State of Missouri has signed Senate Bill 5 (2015) into law, and its provisions relating to municipal courts and minor traffic violations go into effect on August 28, 2015; and

WHEREAS, the Missouri Supreme Court has ordered changes in Rule 37.65 effective July 1, 2015 regarding failure to pay fines; and

WHEREAS, the Court is mindful of the significant administrative tasks which the Municipal Court staff must now undertake to properly classify and account for minor traffic violations under Senate Bill 5; and

WHEREAS, the Court believes it will be less administratively burdensome to address some aspects of Senate Bill 5 and revised Rule 37.65 simultaneously as to all of its pending cases rather than conducting a case-by-case review, to the extent allowed by law;

NOW THEREFORE, THE MUNICIPAL JUDGE OF THE CITY OF VALLEY PARK, MISSOURI, ENTERS THE FOLLOWING ORDER:

ORDER

As of the effective date of this Order, court staff is instructed to take the following actions with regard to cases currently pending in the Valley Park Municipal Court:

- For cases in which the Director of Revenue has suspended a defendant's driver's license pursuant to § 302.341, RSMo. and such suspension remains in effect, the Court shall request the Department of Revenue to set aside the suspension pending final disposition.
- For all cases in warrant status in which the defendant has pled guilty or been found guilty, the Court has assessed a fine, and such fine remains unpaid, the Court shall withdraw the warrant, assign the case to a regular docket, and, pursuant to Rule 37.65, mail to the defendant's last known address a summons and an order to show cause why the defendant should not be held in contempt of court for failure to pay. The Court shall conduct a review of such cases as the individual defendants appear before the Court, wherein the Court will consider alternate dispositions, including payment plans, community service, and/or commuting fines for indigent defendants.
- All pending charges for violating § [insert FTA ordinance number] of the Municipal Code of the City of Valley Park (failure to appear in the municipal court) are dismissed *sua sponte* by the Court. No court costs shall be assessed. The original charges giving rise to the failure to appear charge shall remain pending, if not previously disposed.
- All active arrest warrants issued more than 5 years prior to the effective date of this order shall be withdrawn.

If a defendant fails to appear on his or her court date after receiving an order to show cause, and such notice is not returned to the Court as not deliverable, the Court may issue a warrant for the defendant's arrest, and/or report the defendant's case to the Department of Revenue in accordance with § 479.356, RSMo. to seek a setoff of such defendant's income tax return.

SO ORDERED this 21st day of August, 2015:

The Honorable Steven J. Clark
Municipal Judge, _____

**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI
MUNICIPAL DIVISION, CITY OF VALLEY PARK, MISSOURI**

WHEREAS, the Governor of the State of Missouri has signed Senate Bill 5 (2015) into law, and its provisions relating to municipal courts and minor traffic violations go into effect on August 28, 2015; and

WHEREAS, the Missouri Supreme Court has ordered changes in Rule 37.65 effective July 1, 2015 regarding failure to pay fines; and

WHEREAS, the Court is mindful of the significant administrative tasks which the Municipal Court staff must now undertake to properly classify and account for minor traffic violations under Senate Bill 5; and

WHEREAS, the Court believes it will be less administratively burdensome to address some aspects of Senate Bill 5 and revised Rule 37.65 simultaneously as to all of its pending cases rather than conducting a case-by-case review, to the extent allowed by law;

NOW THEREFORE, THE MUNICIPAL JUDGE OF THE CITY OF VALLEY PARK, MISSOURI ENTERS THE FOLLOWING ORDER:

ORDER

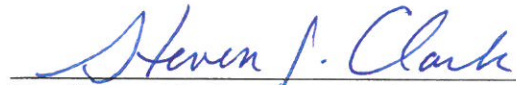
As of the effective date of this Order, court staff is instructed to take the following actions with regard to cases currently pending in the Valley Park, Municipal Court:

- For cases in which the Director of Revenue has suspended a defendant's driver's license pursuant to § 302.341, RSMo. and such suspension remains in effect, the Court shall request the Department of Revenue to set aside the suspension pending final disposition.
- For all cases in warrant status in which the defendant has pled guilty or been found guilty, the Court has assessed a fine, and such fine remains unpaid, the Court shall withdraw the warrant, assign the case to a regular docket, and, pursuant to Rule 37.65, mail to the defendant's last known address a summons and an order to show cause why the defendant should not be held in contempt of court for failure to pay. The Court shall conduct a review of such cases as the individual defendants appear before the Court, wherein the Court will consider alternate dispositions, including payment plans, community service, and/or commuting fines for indigent defendants.
- All pending charges for violating § 135.260 of the Municipal Code of the City of Valley Park (failure to appear in the municipal court) are dismissed *sua sponte* by the Court. No court costs shall be assessed. The original charges giving rise to the failure to appear charge shall remain pending, if not previously disposed.
- All active arrest warrants issued more than 5 years prior to the effective date of this order shall be withdrawn.

If a defendant fails to appear on his or her court date after receiving an order to show cause, and such notice is not returned to the Court as not deliverable, the Court may issue a warrant for

the defendant's arrest, and/or report the defendant's case to the Department of Revenue in accordance with § 479.356, RSMo. to seek a setoff of such defendant's income tax return.

SO ORDERED this 21ST day of August, 2015:



The Honorable Steven J. Clark
Municipal Judge, City of Valley Park, Missouri