

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
FAMILY COURT DIVISION

IN RE: Termination of Parental Rights Cases ADMINISTRATIVE ORDER: 07- 04  
Filed On and After March 20, 2007

ORDER

It is hereby ordered that the following case management system is adopted and shall apply to all petitions for termination of parental rights cases filed pursuant to Section 211.447 RSMo. filed on and after March 20, 2007. The immediate purpose of case management is to create a more efficient, predictable system in order to achieve more timely case dispositions, reduced waiting times, and more meaningful appearances for the parties, attorneys and the Court, thereby promoting the timely administration of justice.

1. **ASSIGNMENT OF CASES:** The Docketing Unit will assign all such cases to the administrative judge of the Family Court Division who can further assign such cases, at the judge's discretion, to other members of the Circuit Court who are assigned to hear Family Court matters.
2. **APPOINTMENT OF COUNSEL:** In all cases, docketing shall mail a copy of the petition to counsel who were appointed in the underlying case under Section 211.031 RSMo, informing them that the copy is informational and not an appointment. Parties shall file an application for appointment of counsel in the termination case, including a statement of their income and assets, if they seek appointment of counsel due to indigence. Parents who reside out of the Greater Kansas City area or who are incarcerated may request the appointment of an attorney by mail provided they submit proof of indigence. The Docketing Unit shall review the application and transmit the same to the Court for appointment of counsel for the party if they qualify. If the party is represented by appointed counsel in an underlying case filed pursuant to Section 211.031 [1.](1) RSMo, the Court will ordinarily appoint the same attorney in the termination of parental rights action. Counsel shall serve for all stages of the proceedings, including appeal, if taken, unless relieved by the court for good cause shown. The party has a responsibility to cooperate with the appointed attorney and failure to do so may result in the attorney being granted leave to withdraw. Requests to withdraw by counsel shall comply with Local Rules 21.6.1.
3. **APPOINTMENT OF GUARDIAN AD LITEM:** The Docketing Unit shall assure the appointment of the child's or parent's guardian ad litem at the time of filing of the petition for termination of parental rights.
4. **RESOLUTION:** All cases are to be resolved within 26 weeks after service of the petition or as soon thereafter as practicable.

5. **SERVICE MEETING:** Pursuant to Section 211.455 RSMo, the Petitioner shall, within thirty days of the filing of the petition, meet with and advise the Court of the status of service of summons on all parties and request additional time to serve the parties if necessary. The Petitioner shall request that the investigation and social study be prepared. The Court will determine whether all parties have been served with summons or if additional time is needed to serve parties and will extend the time for service if it appears that service is forthcoming and that the best interests of the child would be served thereby. The petitioner shall verify the status of service prior to the Service Return Hearing and prior to at all other hearings to assure that service is properly documented .
6. **INVESTIGATION AND SOCIAL STUDY:** The Court will order that an investigation and social study be prepared by a designated agency pursuant to Section 211.455 RSMo. Any objections to the agency designated shall be made no later than the Case Management Conference.
7. **SERVICE RETURN HEARING:** Service Return Hearings shall be held at which the parties summoned shall appear. At that time, the parties may submit their application for appointed counsel and discuss alternative dispute resolution of the case.
8. **UNCONTESTED/DEFAULT TRACK:** If at the Service Return Hearing or any other subsequent hearing the Court determines that parties have been served and are in default, the Court shall schedule the matter for a dispositional hearing on the allegations of the petition.
9. **CONTESTED TRACK:**
  - a) The assigned division will schedule contested cases for a Case Management Conference within six to eight weeks from the date of the Service Return Hearing or as soon thereafter as practicable. The assigned division will send notice of the Case Management Conference to all parties and counsel.
  - b) Parties are expected to attempt a resolution of the case and are expected to explore the use of Alternative Dispute Resolution through Family Court Resources Services if such will assist the parties.
  - c) Prior to the Case Management Meeting, attorneys of record shall discuss resolution of the case and of all outstanding issues.
  - d) All attorneys of record and unrepresented parties, including the Missouri Children's Division, shall appear at the Case Management Conference and shall be prepared to discuss the merits of the case with a view toward early disposition of the case. If the parties are able to reach agreement, the

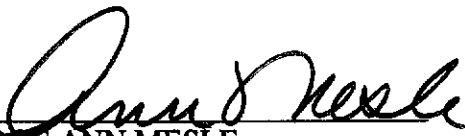
matter shall be scheduled for an uncontested hearing. If the case is not resolved at the conference, the Court will set it for trial. Counsel and parties shall bring their calendars to the Case Management Conference and be ready to discuss available dates for trial.

- e) The parties are encouraged to engage in informal discovery. Parties receiving exhibits from opposing counsel shall, within ten (10) days of the receipt of same, advise opposing counsel of their known objections, if any, to the admission of the exhibits in evidence. The parties shall exchange witness lists and exhibit lists prior to the hearing and in as timely a manner as possible.
- f) Due to the nature of these cases, counsel are advised that many witnesses such as therapists, psychologists, and other service providers may be requested to give opinion testimony within the scope of their expertise and no pretrial designation of experts is required. The parties may engage in discovery of experts as in any civil case, if they so desire.
- g) Trial shall commence on the date and time set up by the Court, except for extraordinary unforeseen circumstances, which are brought to the Court's attention prior to the date set for trial.

10. APPEALS: A party wishing to file an appeal in forma pauperis shall file a Statement of Financial Status To Proceed In Forma Pauperis (obtainable from Judicial Records) with the motion.

It is hereby ordered that administrative order number 05-06 is hereby set aside and held for naught.

3.20.07  
Date

  
JUDGE ANN MESLE  
ADMINISTRATIVE JUDGE  
FAMILY COURT DIVISION

Copies to:  
Court Administrator  
Family Court Judges and Commissioners  
Deputy Court Administrator/Family Court  
Juvenile Officer  
Family Court Directors and Assistant Directors  
Director, Legal Services  
Assistant Legal Counsel/Family Court  
CASA Project  
Office of Guardian Ad Litem  
Officer of the Public Defender  
Division of Legal Services (DSS), Jackson County office

**Children's Division, Jackson County offices  
Volunteer Attorney Project  
Chairs, Juvenile Law and Family Law Committees, KCMBA**

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