

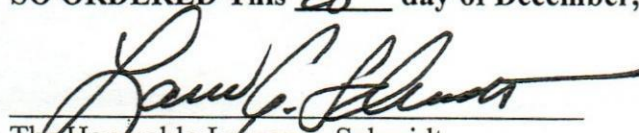
**In the Circuit Court of the 23rd Judicial Circuit of Missouri  
City of Festus Municipal Division**

**ORDER**

The City Council of the City of Festus has enacted Ordinance 4520 which provides that as of January 1, 2020, the municipal court in the City of Festus shall cease operations and the City's ordinance violations shall be heard before an associate circuit judge in the 23<sup>rd</sup> Judicial Circuit at the courthouse in Hillsboro, Missouri. In order to effectuate the smooth transition of operations, the Court ORDERS as follows:

1. Effective immediately, all active warrants in the municipal court shall be recalled. The clerk of the municipal court is directed to notify the Festus Police Department of this Order to ensure that all active warrants are cancelled in the law enforcement database. The prosecuting attorney shall review all cases for which a plea has not been entered to determine whether continued prosecution is warranted.
2. For all cases in warrant status prior to the entry of this Order, in which a plea has been entered and a fine assessed by the court, and some or all of the fine and costs remain unpaid, such outstanding fines and costs shall be waived and the fines and costs shall be deemed satisfied. The sentence shall be modified accordingly. Provided however, that for any case in which the defendant was charged with driving while intoxicated or in which more than \$5,000.00 remains due and owing, fines and costs shall not be waived until the prosecuting attorney reviews the file to determine if justice demands that waiver of fines and costs is not appropriate. The prosecuting attorney shall review such files and request an appropriate order from the court.
3. All lieu of bail holds (see § 544.065, RSMo), all failure to appear in court suspensions (see § 302.341, RSMo) shall be released and rescinded. The clerk of the municipal court is directed to notify the Missouri Department of Revenue to release and rescind such holds/suspensions.
4. The clerk of the municipal court shall compile a list of all defendants presently on probation to this court, along with the scheduled completion date of such probation. Such list shall be transmitted to the Circuit Court for the Court to transfer supervision of such probationers.
5. For all pending cases in which a cash bond has been posted, the conditions of release shall be modified to release on recognizance and such bond money shall be refunded to the defendant or person who posted bond.
6. All pending charges of failure to appear ("FTA") in court (See § 130.180 of the Festus City Code), regardless of the status of the case, shall be dismissed by the court. If a plea has been entered to an FTA charge, but no fine or costs have been paid, the plea shall be deemed withdrawn and the charge dismissed. If a plea has been entered and a fine has been partially paid, the court modifies the sentence to the amount paid thus far so that such case may be finally closed.

SO ORDERED This 20<sup>th</sup> day of December, 2019

  
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The Honorable Laurence Schmidt  
Municipal Judge, City of Festus


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City of Festus Municipal Division**

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1. For all cases in which a plea has been entered and a fine assessed by the court, and some or all of the fine and costs remain unpaid, such outstanding fines and costs shall be waived and the fines and costs shall be deemed satisfied. The sentence shall be modified accordingly. Provided however, that for any case in which the defendant was charged with driving while intoxicated or in which more than \$5,000.00 remains due and owing, fines and costs shall not be waived until the prosecuting attorney reviews the file to determine if justice demands that waiver of fines and costs is not appropriate. The prosecuting attorney shall review such files and request an appropriate order from the court.
2. All remaining lieu of bail holds (see § 544.065, RSMo), all failure to appear in court suspensions (see § 302.341, RSMo) shall be released and rescinded. The clerk of the municipal court is directed to notify the Missouri Department of Revenue to release and rescind such holds/suspensions.
3. For all remaining cases in which a cash bond has been posted, the conditions of release shall be modified to release on recognizance and such bond money shall be refunded to the defendant or person who posted bond.

**SO ORDERED this 31<sup>st</sup> day of December, 2019**

  
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The Honorable Laurence Schmidt  
Municipal Judge, City of Festus