

The Circuit Court of St. Louis County, Missouri, 21st Judicial Circuit
BRECKENRIDGE HILLS MUNICIPAL DIVISION
9623 St. Charles Rock Road, Breckenridge Hills, Missouri 63114

May 18, 2021

Via E-Mail

St. Louis County Circuit Court
Corona Virus Committee
105 South Central Avenue
St. Louis, Missouri 63105

RE: Breckenridge Hills Municipal Division Continuity of Operations Plan

Dear Committee Members and Judge Burton:

Pursuant to Administrative Order #30, Judge Burton's letter dated May 5, 2020, to Municipal Judges and Court Administrators in St. Louis County, and the approved Phase Three Reopening Checklist, the Breckenridge Hills Municipal Division submits the following Continuity of Operation Plan (COOP) for your review.

1. Prior to conducting in-person hearings, the Court will certify that the Presiding Judge of St. Louis County has moved St. Louis County Courts to Operating Phase Three.
2. The Court has reexamined its local orders and COVID-19 notices to ensure in-person court proceedings are conducted in compliance with social distancing protocols and occupancy rate limitations.
3. The Court will make accommodations to vulnerable litigants, witnesses, victims, attorneys and other individuals involved in court proceedings to participate in the proceedings remotely or postpone their required presence at the court facility.
4. The Court will utilize all available technologies, including teleconferencing and video conferencing, whenever possible to limit in-person courtroom appearances to the extent not permitted by constitutional or statutory provisions.
5. The Court will permit vulnerable judicial employees to return to work but supervisors shall make reasonable accommodations to address those vulnerabilities. The Court will insist that judicial employees stay home if they a) are subject to a quarantine or isolation order or are living with or caring for such an individual; b) have been advised by a health care provider to self-quarantine or are living with or caring for an individual who

has been advised to self-quarantine; c) are experiencing symptoms of COVID-19 and seeking medical treatment, or are living with or caring for such an individual.

6. The Court will comply with all CDC/Department of Public Health directives relating to quarantining and contact tracing whenever COVID is detected.

7. The Municipal Division's plan for social distancing to protect court personnel and the public.

IN PERSON COURT APPEARANCES WILL BE CONDUCTED AS FOLLOWS:

The Security Checkpoint will be located in the lobby just inside the front door of the City of Breckenridge Hills Administrative Building. There will one Security Officer stationed at this location. There will be another Security Officer located just outside the front door conducting screenings of individuals prior to entering the Court facility. This screening will include at a minimum, a temperature check and virus related questions as prescribed by the St. Louis County Department of Public Health ("DPH"). If an individual has a temperature above 100.4F, he or she will not be allowed to enter the building. If the individual passes the virus screening, he or she will be allowed into the lobby area where the second Security Officer will conduct a security check. If the lobby area is at maximum capacity, the person will wait outside in a designated line along the sidewalk in front of the building. The line and standing locations will be marked to ensure social distancing is maintained.

The lobby area will be marked with signs and tape indicating where the person should proceed after the security check point. No one will be allowed to congregate or line up in the lobby and no more than Twelve (12) Defendants will be allowed in the Courtroom at a time. Court Security will serve as gatekeepers by keeping track of the number of people that pass through security to ensure the maximum number of people described above is not exceeded. Unless specifically authorized by the Judge, only Defendants will be allowed in the Courtroom.

A Notice of Rights is posted in the lobby outside the Courtroom, on the City's website, and a paper copy is distributed to each Defendant.

Chairs will be at least six (6) feet apart and social distancing signs will be placed around the building. Defendants will be seated in the order they appear and enter the Courtroom at a distance of six (6) feet apart. The Courtroom will be marked with signs and tape indicating where a person should proceed as they enter.

When a person's name is called, he or she will approach the Bench. The location will be marked so that the person knows exactly where to stand. Upon entering his or her plea, court personnel will provide pre-printed forms with either a new Court date or the amount

of Fines and Costs and will place it on a table for the person to pick up before exiting the building. There will be no hand-to-hand transactions between Court personnel and Defendants.

The Defendant will then exit the Courtroom and the building. Upon exiting the building, Security will allow the next person into the lobby.

I have attached photos of the lobby area and Courtroom, with areas marked with tape for your review.

8. Compliance with CDC and DPH directives for preventing the spread of COVID-19 including, but not limited to: Cleaning and disinfecting public areas; providing face masks and gloves for staff; and making available hand sanitizer for all visitors.

The building will be thoroughly sanitized prior to Court. The lobby area and Courtroom will have hand sanitizer at each entry point and at the table near the Bench.

Anyone who enters the Court facility will be required to wear a mask. The Court will provide employees with masks and hand sanitizer and ensure that employees will have at least six (6) feet of distance between themselves and the public. Hand sanitizer and masks for Defendants will be provided upon request.

If an employee or individual discloses they have been exposed by COVID-19 within two (2) weeks prior to the Court date, the employee will not be permitted to work on that Court date and will not be permitted to work future Court dates until he or she has been tested for the disease and he or she provides the City with documentation that he or she has tested negative. If a Defendant was exposed within two (2) weeks of the Court date, he or she will be given a continuance and not allowed in the building. Determinations for employees and individuals who have been exposed to COVID-19 beyond two (2) weeks from the Court date will be made on a case by case determination by the Judge in consultation with the City, CDC and DPH.

9. Alternate means for Court operations such as video-conferencing, WebEx hearings, staggered dockets and additional dockets.

The Court's website will contain information for Defense Attorneys on how to request conferences or plea negotiations with the Prosecuting Attorney, and information for Defendants related to procedures for requesting continuances, paying fines and warrant recalls. The first Court date of every month will be an initial Arraignment Docket and will be a virtual docket held via WebEx. Defendants who fail to appear for that initial Arraignment Docket and have been issued a Summons to Appear, or who have requested an in-person hearing with the Judge, or who have entered a plea of "Not Guilty" and have requested a Trial will be scheduled for the second docket of the month, which will be held

in person. Defendants receive, with their initial citation, a notice containing information on how to participate in their hearing via WebEx. They are also provided with a link to obtain a Waiver of Appearance and Consent to participate via WebEx and instructions to return that Waiver prior to their Court date.

Additional Dockets will be considered once the Circuit reaches Phase Three, as well as staggering rescheduled Dockets, as appropriate, to avoid overcrowding. These additional dockets will likely have designated times for WebEx appearances, attorney appearances, and Trials.

10. Notification to litigants of Court protocols to instill confidence in the Courts providing a safe place to appear.

IMPORTANT NOTICE REGARDING SCHEDULED COURT DATE

Enclosed you have received notice of your rescheduled Court date, which had previously been suspended due to the Coronavirus also known as COVID-19. The Presiding Judge of St. Louis County had suspended all in person hearings for all Municipal Courts until St. Louis County Courts reach Operating Phase Three. The Breckenridge Hills Municipal Division is currently in compliance with Centers for Disease Control ("CDC") and Department of Public Health ("DPH") relations and has been approved by the Presiding Judge in St. Louis County to resume in-person hearings.

Out of an abundance of caution during these in-person proceedings, and to promote the safety and health of the public and Court personnel, the following protocols will be followed:

- Any person entering the Court facility must first pass a virus screening. This screening will include a temperature check. Anyone with a temperature above 100.4F will not be allowed in the building and their case will be continued. The person will also be asked to answer virus check public safety questions. These questions are designed to protect everyone in the building and to prevent the spread of the disease.
- Non-essential persons shall not accompany Defendants inside the lobby or Courtroom. If a Defendant considers another person essential, notify Security personnel.
- Defendants are required to appear with a face mask and it must be worn at all times, over the nose and mouth, while outside in line, in the lobby and in the Courtroom.

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- Hand sanitizing stations will be provided.
- Flow of social distancing movement (six feet apart) throughout the building will be enforced.

All of these steps have been taken to insure your personal safety when coming to our Court.

Please continue to check with www.courts.mo.gov for further COVID-19 alerts from Missouri Courts. You can also visit www.breckenridge-hills.mo.us for any updates specific to the Breckenridge Hills Municipal Division.

PLEASE NOTE:

This is a rescheduled Court date and if you fail to appear, a warrant may be issued for your arrest and your driving privileges may be suspended. If you have any pre-existing conditions or any concerns which make you vulnerable to COVID-19, you are required to request in writing, a new court date or request a video conference with the Judge at least twenty-four (24) hours prior to your Court date. You may do this by e-mailing this request to the Court Administrator, Kathy Palladino, at kpalladino@breckenridge-hills.mo.us . A suggested format is set forth below:

Dear Judge:

I cannot make the in-person Court, but I am requesting a video appearance to replace this in-person hearing.

Full Name:
Court Date:
Date of Birth:
Case Number:

I understand that this video conference will serve as my appearance.

Prior to your video conference, please review Your Rights in Municipal Court. Those rights can be found at <https://www.breckenridge-hills.mo.us>.

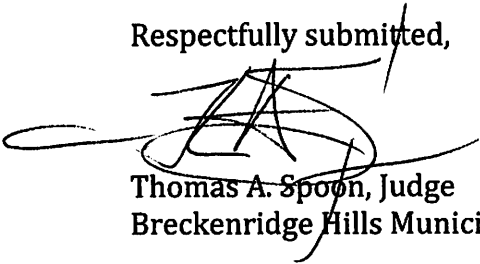
You will receive notification via the address you provided of your scheduled video conference date and time. **YOU WILL BE RESPONSIBLE FOR LOGGING IN PURSUANT TO THE INSTRUCTIONS YOU RECEIVE.**

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The Breckenridge Hills Municipal Division has consulted with local judiciary partners in formulating this plan and will continue to rely on health officials or departments and CDC guidance to adapt Court operating decisions to local health conditions.

If you need any additional information or we need to modify our plan, please do not hesitate to contact me. My cell number is (314) 800-9991 or I can be reached by e-mail at taspoon@pbj-law.com

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TASpoon', with a large, stylized flourish extending to the left.

Thomas A. Spoon, Judge
Breckenridge Hills Municipal Division

TAS/lkc

attachments

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS, MISSOURI
MUNICIPAL DIVISION - CITY OF BRECKENRIDGE HILLS
9623 ST. CHARLES ROCK ROAD, BRECKENRIDGE HILLS, MO 63114

COURT ORDER

VIOLATIONS BUREAU SCHEDULE OF OFFENSES AND FINES
EFFECTIVE JANUARY 1, 2021

Pursuant to 479.050, RSMo, Supreme Court Rule 37.49, the undersigned Municipal Judge of the City of Breckenridge Hills hereby orders that the following designated offenses shall be payable to the City of Breckenridge Hills Violations Bureau. In such cases, no court appearance is necessary.

This schedule is divided into four parts. Part I consists of the St. Louis County Municipal Court Uniform Traffic Violation Schedule, for moving violations (points). Part II consists of the St. Louis County Municipal Court Uniform Traffic Violation Schedule for non-moving violations. Part III consists of the City of Breckenridge Hills Violation Schedule for moving and non-moving violations which are not part of the Uniform Traffic Violation Schedule. Part IV consists of ordinance violations which can be paid out of court as imposed by the City of Breckenridge Hills.

In accordance with Missouri statutes and ordinances adopted by the City, total court costs shall be \$31.50 Court Costs of \$12.00, Crime Victim's Compensation Surcharge of \$7.50, Law Enforcement Training Fund of \$1.00, Peace Officer's Standard Training Fund of \$2.00 and Inmate Security Fund of \$2.00; Court Automation Fee \$7.00 in addition to the fine.

Part I. ST. LOUIS COUNTY MUNICIPAL COURT UNIFORM MOVING TRAFFIC VIOLATION SCHEDULE.

Speeding:

- 1 – 5 MPH over Speed Limit \$50.50 Fine and \$31.50 Court Costs = \$82.00
- 6 – 10 MPH over Speed Limit – Fine \$60.50 and \$31.50 Court Costs = \$92.00
- 11-15 MPH over Speed Limit – Fine \$70.50 and \$31.50 Court Costs = \$102.00
- 16 -19 MPH over Speed Limit – Fine \$100.50 and \$31.50 Court Costs = \$132.00
- 20 – 25 MPH over Speed Limit – Fine \$155.50 and \$31.50 Court Costs = \$187.00

Must come to court if charged with speeding more than 25mph over limit.

	FINE	COURT COSTS	TOTAL
Weaving	\$60.50	\$31.50	\$92.00
Driving on Closed Road	\$60.50	\$31.50	\$92.00
Operate All Terrain Vehicle	\$50.50	\$31.50	\$82.00
Driving Wrong Side of Road	\$60.50	\$31.50	\$92.00
Driving Wrong Way (One Way Street)	\$60.50	\$31.50	\$92.00
Expired Operator's License	\$50.50	\$31.50	\$82.00
Corner Cutting to Avoid Signal	\$60.50	\$31.50	\$92.00

Failure to Dim Lights	\$50.50	\$31.50	\$82.00
Failure to Keep to the Right	\$60.50	\$31.50	\$92.00
Failure to Obey Electric Signal	\$60.50	\$31.50	\$92.00
Failure to Obey Stop Sign	\$60.50	\$31.50	\$82.00
Failure to Signal	\$60.50	\$31.50	\$95.00
Texting/Sending/Reading Mobile Device While Driving	\$80.50	\$31.50	\$112.00
Failure to Yield	\$60.50	\$31.50	\$92.00
Failure to Yield to Emergency Vehicle	\$80.50	\$31.50	\$112.00
Following Too Closely	\$60.50	\$31.50	\$92.00
Impeding/Obstructing Traffic Movement	\$50.50	\$31.50	\$82.00
Drove in Center Lane	\$60.50	\$31.50	\$92.00
Improper Lane Usage	\$60.50	\$31.50	\$92.00
Improper Passing	\$60.50	\$31.50	\$92.00
Improper/Prohibited Turn	\$60.50	\$31.50	\$92.00
Fail Slow Down Reasonable Speed Existing Conditions	\$60.50	\$31.50	\$92.00
Prohibited U-Turn	\$60.50	\$31.50	\$92.00
Traffic Turn Signal Violation	\$60.50	\$31.50	\$92.00

Part II. ST. LOUIS COUNTY MUNICIPAL COURT UNIFORM NON-MOVING TRAFFIC VIOLATION SCHEDULE.

	FINE	COURT COSTS	TOTAL
Blocking Driveway or Alley	\$50.50	\$31.50	\$82.00
Child Restraint Seat Violation	\$49.50	\$31.50	\$81.00
Excessive Vehicle Noise	\$50.50	\$31.50	\$82.00
Expired License Plates (Tags)	\$50.50	\$31.50	\$82.00
Failure to Dim Headlights	\$50.50	\$31.50	\$82.00
Fail Yield Pedestrian Facing Walk Signal	\$60.50	\$31.50	\$92.00
Fake Temporary Tags	\$50.50	\$31.50	\$82.00
Fictitious License Tabs	\$50.50	\$31.50	\$82.00
Improper Exhaust or Muffler	\$50.50	\$31.50	\$82.00
Improper Registration (Failure to Register)	\$50.50	\$31.50	\$82.00
License Plate not Illuminated	\$50.50	\$31.50	\$82.00
No Brake Lights	\$50.50	\$31.50	\$82.00
No Headlight	\$50.50	\$31.50	\$82.00
No Inspection Sticker	\$50.50	\$31.50	\$82.00
Failure to Sound Horn	\$50.50	\$31.50	\$82.00
No License Plates	\$50.50	\$31.50	\$82.00

No Motorcycle Helmet	\$25.00	NONE	\$25.00
No Taillights	\$50.50	\$31.50	\$82.00
One Headlight and/or Taillight	\$50.50	\$31.50	\$82.00
Operated MV w/Defective Parts	\$50.50	\$31.50	\$82.00
Parking at Fire Hydrant	\$50.50	\$31.50	\$82.00
Parking in Fire Zone	\$50.50	\$31.50	\$82.00
Parking in Handicapped Zone	100.50	\$31.50	\$132.00
All other Parking Violations	\$15.50	\$31.50	\$47.00
Seat Belt Violation	\$10.00	None	\$10.00
Tow Truck Violation of Restrictions/Regulations	\$130.50	\$31.50	\$162.00

Part III. CITY OF BRECKENRIDGE HILLS ADDITIONAL TRAFFIC VIOLATION SCHEDULE.

Improper Backing	\$60.50	\$31.50	\$92.00
Parking Oversize Truck	\$50.50	\$31.50	\$82.00
Exceeding Maximum Weight Limit	\$50.50	\$31.50	\$82.00
Parking Oversize Truck	\$50.00	\$31.50	\$82.00
Not Motorcycle Qualified	\$70.50	\$31.50	\$102.00
No Corrective Lenses	\$50.50	\$31.50	\$82.00
Projecting Objects: No Red Flag	\$50.50	\$31.50	\$82.00
Passing School Bus when Loading/Unloading	\$130.50	\$31.50	\$162.00
Projecting Objects: No Red Warning Flag	\$50.50	\$31.50	\$82.00
Riding or Sitting on Exterior of Motor Vehicle	\$50.50	\$31.50	\$82.00

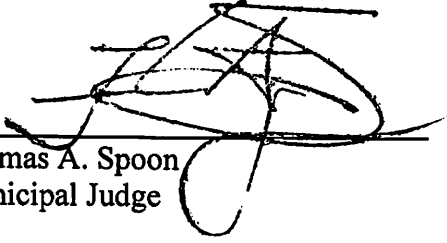
Part IV. ORDINANCE VIOLATIONS SCHEDULE

Animal at Large - 1 st Offense	\$50.50	\$31.50	\$82.00
No Dog Tags (with proof of tags)	\$50.50	\$31.50	\$82.00
Abandoned Vehicle	\$50.50	\$31.50	\$82.00
Loud Music from Vehicle	\$50.50	\$31.50	\$82.00
No Occupancy Permit (with proof)	\$100.50	\$31.50	\$132.00
No Occupancy Permit	\$100.50	\$31.50	\$132.00
No Trashcan Lid	\$100.50	\$31.50	\$132.00
No Trashcans	\$100.50	\$31.50	\$132.00
Grass/Weed Violations (1 st offense)	\$100.50	\$31.50	\$132.00
No Business License (with proof)	\$100.50	\$31.50	\$132.00
Jaywalking	\$15.50	\$31.50	\$47.00
Sagging Pants	\$100.50	\$31.50	\$132.50

All other matters not set forth in this schedule require a court appearance.

Kathy Palladino is appointed Violations Clerk and said Clerk may designate assistants.

SO ORDERED



Thomas A. Spoon
Municipal Judge

EFFECTIVE JANUARY 1, 2021