

REQUESTS FOR RECOMMENDATION and DISCOVERY

Requests for recommendations must be sent in writing to the Prosecuting Attorney's Office addressed as follows:

Prosecuting Attorney's Office
City of Festus
100 Park Avenue
Festus, Missouri 63028

and include the following:

- A self-addressed, stamped envelope (recommendations will not be mailed without one)
- A copy of your entry of appearance filed with the Court, which should contain the Defendant's name, citation/case number(s), initial Court date and charge(s), and/or provide a copy of the ticket; and
- Any relevant documentation that would assist the prosecutor in making a recommendation, i.e. proof of insurance, registration, reinstatement, five-year driving history for all traffic charges, etc. NOTE: If your client's charge(s) involves a motor vehicle accident, a copy of the insurance card is not sufficient. You must provide either a letter from your client's insurer verifying valid liability insurance on the date of the accident or proof of restitution.

Failure to file the original entry of appearance with the Court and a separate copy to the prosecutor may impede proper notice of your representation and possibly result in defendants' warrants remaining active.

Counsel will receive a written recommendation from the prosecutor by mail with a new Court date. It is counsel's responsibility to notify the defendant of the recommendation. The recommendation will indicate if an appearance is required, otherwise recommendations may be accepted by the attorney signing the recommendation form and returning to the Court with payment in full by the date and time given. Do **NOT** forward payment to the Municipal Prosecutor's office. The payment will not be processed by the Prosecutor's office.

If the recommendation is not accepted and paid in full by the date and time noted on the recommendation, it is counsel's responsibility to contact the Court to obtain a continuance. Although the prosecutor may not object to a continuance, he is not authorized to continue Court dates.

PLEASE NOTE: Due to changes by the Supreme Court to Rule 37.04, requests for recommendations mailed to the Court will not be processed by the Court. It is your responsibility to ensure that an entry of appearance is filed with the Court and a separate request for recommendation is mailed to the prosecutor's office.

Requests for discovery and/or police report - Discovery in Municipal Court is governed by Rule 37.54. Copies of police reports, accident reports or DWI reports will be provided upon written request without obtaining an order from the Court. All other requests for discovery must be presented to the Court in writing with a copy of such request provided to the prosecutor. Reports may be picked up in person at the prosecutor's office at the City of Festus Municipal Building or will be mailed if you provide a sufficiently sized, self-addressed envelope with the proper postage affixed.

Thank you for your cooperation.

Lawrence Wadsack
Prosecuting Attorney