

Missouri Appellate Courts Important Resources & Contact Information

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Supreme Court of Missouri
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573-751-4144
573-751-7514 Fax Filings
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Clerk's Offices - Missouri Court of Appeals

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Eastern District
111 North 7th Street
St. Louis, MO 63101
314-340-6960
314-340-6964 Fax Filings

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Southern District
300 Hammons Parkway
Springfield, MO 65806
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Terence G. Lord
Missouri Court of Appeals,
Western District
1300 Oak Street
Kansas City, MO 64106
816-889-3600
816-889-3668 Fax Filings

Additional Resources

CaseNet <http://casenet.osca.state.mo.us>
Missouri Supreme Court <http://www.osca.state.mo.us/sup/index.nsf>
Missouri Judiciary <http://www.osca.state.mo.us/index.nsf>

Pages for the Districts of the Missouri Court of Appeals are reachable from either the Missouri Supreme Court or the Missouri Judiciary pages.

Rules Regarding Telefacsimile Filings

Eastern District - Special Rule 415
Western District - Special Rule XXV
Southern District - Special Rule 8

Number of Copies

Court/Pleading Copies

Western District - Special Rules XII, XXVIII and XXXII

Petitions, suggestions, responses and answers in writ proceedings Original + 3

Briefs 7 + Floppy Disk

Post-opinion motions, applications, suggestions and replies Original + 5

All other motions Original or Fax

Stipulations Original or Fax

Transcript Original + Floppy Disk

Eastern District - Special Rules 330, 337 and 362

Motions other than motion for rehearing or application for transfer Original

Transcript Original + Floppy Disk

Legal File 1

Exhibits Original

Briefs 10 + Floppy Disk

Post-opinion motions and related suggestions in support or opposition Original + 14

Petitions for writs and related exhibits and suggestions in support or opposition Original + 5

Southern District - Special Rules 2 and 13

Petitions for original writs, motions, stipulations, petitions, applications and other
papers and documents Original + 7

Legal file and notice of appeal 1

Transcript, exhibits, dismissal of appeal Original

Briefs Original + 9 + Floppy Disk

STATE COURT APPEALS
(Last updated May 2, 2004)

NOTE: UNLESS QUOTATION MARKS INCLUDED, THE FOLLOWING ARE SUMMARIES OF VARIOUS STATUTES AND RULES. CONSULT THE RELEVANT RULES FOR ACTUAL LANGUAGE.

I. Associate Circuit Division less than \$3,000 - Trial de novo

RSMo. § 512.180.1

“Any person aggrieved by a judgment in a civil case tried without a jury before an associate circuit judge, other than an associate circuit judge sitting in the probate division or who has been assigned to hear the case on the record under procedures applicable before circuit judges, shall have the right of a trial de novo in all cases where the pleading claims damages not to exceed three thousand dollars.”

RSMo. § 512.190

Application for trial de novo due within 10 days after Judgment rendered. A copy of the application must be served on opposing side within fifteen days after Judgment rendered.

II. All Other Cases - Appeal

Rule 74.01

Judgment is a writing, signed by judge and denominated "judgment" or "decree". When multiple claims or parties and order does not dispose of entire case, judgment must recite an express determination that there is no just reason for delay.

Rule 75.01

Trial court retains control over judgment for 30 days after entry.

Rule 78.04

Motion for new trial due 30 days after entry of judgment on a jury verdict.

Rule 72.01

Motion for judgment notwithstanding the verdict due 30 days after entry of judgment. Rules regarding grant or denial of jnov and right to request new trial on appeal.

Rule 78.06

Motion for new trial, motion to amend, or motion for jnov is overruled if not ruled on within 90 days after last such timely motion filed.

Rule 81.05

Unless timely authorized after-trial motions filed, judgment becomes final 30 days after entry. If a timely authorized after-trial motion, judgment becomes final 90 days after filing

of such motion if the motion is not ruled upon. If the motion is ruled upon, the judgment becomes final at the later of 30 days after entered or the date the motion is ruled upon.

Rule 81.04

Notice of appeal to be filed with the clerk of the trial court. Notice of appeal due 10 days after judgment final. Notice of appeal by additional parties due 10 days after initial notice of appeal. Docket fee of \$70 due with notice of appeal.

Rule 81.08

Contents and service of the notice of appeal.

Rules 81.09, 81.10 and 81.11

Supersedeas bond requirements.

RSMo § 512.050

"All charges due to the court reporter for preparation of the transcript of the record of the trial court shall be paid within ten days of the ordering of the transcript. In the event that actual charges due for the preparation of the transcript cannot be readily determined, a deposit in the amount of the estimated charges due for preparation of the transcript shall be paid within ten days of the written notification by the court reporter of the amount of such estimated charges. The court reporter shall provide such written notification within ten days of any request for transcript."

Rule 81.12(c)

"Within ten days after the notice of appeal is filed, appellant shall order the transcript, in writing, from the reporter or from the clerk of the trial court if the proceedings were recorded by means of an electronic sound recording. Charges due for preparation of the transcript shall be paid as directed in § 512.050, RSMo. . . . Appellant's certificate stating the date on which the transcript was ordered and the date on which the transcript charges were paid shall be filed in the appellate court within ten days after the payment of the charges."

Rule 81.12

Contents of the record on appeal. Order documents needed for legal file within 30 days of filing notice of appeal. Requirements for filing and service of the record on appeal.

Rules 81.13, 81.14 and 81.15

Rules concerning additional options for the record on appeal.

Rule 81.19

If legal file only, record on appeal due 30 days after notice of appeal filed. Otherwise, record on appeal due 90 days after notice of appeal filed.

Rule 84.05

Appellant's Brief due 60 days after record on appeal filed. Respondent's Brief due 30 days after Appellant's Brief filed. Appellant's Reply Brief due 15 days after Respondent's Brief filed.

Local Rule 1(b), Southern District Court of Appeals

Request for Oral Argument due 10 days after Respondent's Brief due to be filed. Such request can be on cover of Appellant's Brief or by separate pleading called "Request for Oral Argument".

Local Rule 390, Eastern District Court of Appeals

Request for Oral Argument due 10 days after notice of right to submit case without oral argument.

Local Rule 1, Western District Court of Appeals

Parties may request oral argument in writing within 10 days after date of letter from Court stating that it is the Court's opinion that oral argument would not be beneficial. [Request oral argument in cover letter filing brief and you will probably not get above letter.]

Rule 84.04

Content of Briefs

Rule 84.06

Form of Briefs, Floppy Disk Requirement

Rule 84.13

Allegations of Error Considered on Appeal

Rule 84.17

Motion for Rehearing due 15 days after opinion filed. Suggestions in opposition are not to be filed unless requested by the Court. Such suggestions due 10 days after request.

Rule 83.02

Application for Transfer (to be filed in Court of Appeals) due 15 days after opinion filed. No response to an application for transfer shall be filed unless requested.

Rule 83.04

If the Application under Rule 83.02 have been denied, may file Application for Transfer with Supreme Court. Such Application for Transfer (to be filed with Supreme Court) is to be filed within 15 days after the order denying the Application under Rule 83.02. No response to be filed unless requested by the Supreme Court.

Rule 83.04

Form and content of Applications under Rules 83.02 and 83.04.

Due Dates

Judgment Final	30 days after Judgment Entered or when after-trial motions ruled
Notice of Appeal due	10 days after Judgment Final
Notice by other parties	10 days after 1st Notice
Order Transcript	10 days after Notice of Appeal
Pay for Transcript	10 days after Ordered or after estimate
Certificate	10 days after paying for Transcript
Order Documents for Legal File	30 days after Notice of Appeal
Record on Appeal - Legal File Only	30 days after Notice of Appeal
Otherwise	90 days after Last Notice
Appellant's Brief	60 days after Record filed
Respondent's Brief	30 days after Appellant's Brief
Reply Brief	15 days after Respondent's Brief
Motion for Rehearing & Application for Transfer	15 days after Opinion filed
Application for Transfer (filed w/ Supreme Court)	15 days after 1st Application for Transfer denied

APPEAL CHECKLIST

[This checklist is for cases not governed by RSMo. §§ 512.180 & 512.190 dealing with trial de novo. In such cases you must file the application for trial de novo within 10 days of the judgment.]

Judgment is appealable only if:

Judgment determines entire case and is denominated "Judgment" or "Decree"

-OR-

Judgment is denominated "Judgment" or "Decree" and includes express determination that there is no just reason for delay.

Due Dates & Filing Dates

Judgment Date _____

New Trial & Other Motions

Due 30 days

Due Date _____

After-Trial Motions Filed:

Date Filed _____

Denied if not ruled within 90 days

Ruling Due Date _____

Date Ruled _____

Judgment Final:

30 days if no After-Trial Motions -or-
Later of 30 days or date After-Trial
Motions determined

Notice of Appeal due

10 days after Judgment Final

Due Date _____

1st Notice of Appeal

Date Filed _____

Filing Party: _____

Notice of Cross Appeal due 10

days after 1st Notice filed

Due Date _____

Cross Appeal Notice

Date Filed _____

Filing Party: _____

Order Transcript - 10 days after Notice filed

Due Date _____

Date Ordered _____

Pay for Transcript - 10 days after order/estimate	Due Date	_____
	Date Paid	_____
Certificate - 10 days after paid	Due Date	_____
	Date Filed	_____
Order Documents for Record 30 days after Notice filed	Due Date	_____
	Date Ordered	_____
Record on Appeal due 30 days, if Legal File only, otherwise 90 days after Notice of Appeal	Due Date	_____
	Date Filed	_____
Appellant's Brief due 60 days after Record	Due Date	_____
	Date Filed	_____
Respondent's Brief due 30 days after Appellant's	Due Date	_____
	Date Filed	_____
Reply Brief due 15 days after Respondent's Brief	Due Date	_____
	Date Filed	_____
Court of Appeals Opinion filed		_____
Motion for Rehearing & Application for Transfer in Court of Appeals due 15 days after Opinion	Due Date	_____
	Date Filed	_____
Ruling on Application for Transfer by Court of Appeals		_____
Application for Transfer in Supreme Court due 15 days after Application denied in Court of Appeals	Due Date	_____
	Date Filed	_____

**IN THE MISSOURI COURT OF APPEALS
SOUTHERN DISTRICT**

[case style]

TRANSCRIPT CERTIFICATE

COMES NOW Appellant, _____, through its attorneys, and pursuant to Supreme Court Rule 81.12(c), certifies to the Court as follows:

1. The above matter was tried to the court and the parties did not make opening statements or closing arguments.
2. The Notice of Appeal in this case was filed on _____.
3. The entire transcript of the trial of the above matter was ordered from the court reporter on _____.
4. An estimate of the charges for preparation of the transcript was received on _____.
5. The estimated charges for preparation of the transcript were paid on _____.

[signature & certificate of service]

RULE 84.06(c) AND (g) CERTIFICATE

I hereby certify that this Appellants' Brief complies with the limitations contained in Supreme Court Rule 84.06(b) and that the entire brief contains _____ words. I hereby further certify that the floppy disks containing the brief and filed with the Court and served on the Attorney for Respondents were scanned for viruses by an anti-virus program and are virus-free according to such program.

Richard L. Rollings, Jr.