

TRIAL DE NOVO INFORMATION SHEET

A TRIAL DE NOVO is a new trial of a case as though it had never been tried before.

If you have been found guilty after a trial before the Municipal Judge, you have the right to a Trial de Novo before a Circuit Judge or an Associate Circuit Judge of the Circuit Court of St. Francois County, Missouri. However, there are certain requirements that must be met in order to obtain a new trial. The following information will explain what some of the requirements are:

1. You have ten (10) **CALENDAR** days from the date of the judgment to file an application for a Trial de Novo with the Municipal Court Clerk. Attached is a form you may use to do so. Regular office hours are Monday through Friday 8:00 a.m. through 4:30 p.m.

You must submit your application and either the filing fee or a financial statement in a form obtained from the Municipal Court Clerk to the municipal court clerk by 4:30 p.m. on the 10th day from the date of the judgment or lose your right to a trial de novo, in which case the original fine and sentence shall be imposed.

In all calculations of calendar days, the following shall apply: The date of the Court ruling is not to be included. The last day of the period computed is to be included, unless it is a Saturday, Sunday or legal holiday, in which event the period runs until 4:30 p.m. on the next day that is neither a Saturday, Sunday nor a legal holiday.

2. The payment of a filing fee is required unless you qualify as indigent. If you believe you are indigent and want to avoid payment of the filing fee, you must file with the Municipal Court Clerk a completed financial statement in a form obtained from the Municipal Court Clerk. Your application and financial statement will be forwarded to the Clerk of the Circuit Court and a determination of your indigency will be made by the Circuit or Associate Circuit Court Judge assigned to your case.
3. Unless you are determined to be indigent, the filing fee of \$30.00 for each violation you are appealing **must** be paid by a **MONEY ORDER** or **CASHIER'S CHECK MADE PAYABLE TO THE CIRCUIT COURT OF ST. FRANCOIS COUNTY**.
4. The Farmington Municipal Court **DOES NOT** have the authority to alter the requirements or extend the time limitations as described above.
5. If you have satisfied any part of the penalty or costs of the judgment, a Trial de Novo cannot be granted.
6. The filing of an application for a Trial de Novo shall suspend the execution of the judgment of the Municipal Court and any judgment in the trial de novo shall replace the Municipal Court judgment.
7. If you withdraw the application for a Trial de Novo, or if before commencement of trial, the Court enters a finding that you have abandoned the Trial de Novo, or if the Judge assigned to your case determines that you are not indigent and you do not pay the filing fee, the case shall be remanded to the Municipal Division for execution of the judgment.

The Municipal Court Clerk may be reached at 573-756-6787.

I have received a copy of this notice. _____
Defendant Date