



MICHAEL J. HURNEY  
City Prosecutor

Post Office Box 2076  
Branson West, Missouri 65737  
Office: (417) 465-4654 / Court Clerks: (417) 357-6511

## Attorney Directions

### **THE ENCLOSED INFORMATION IS TO BE USED ONLY BY ATTORNEYS OF THE MISSOURI BAR**

Last revised 12/05/2025

Sir/Madame:

I serve in different prosecution roles in the area. While many of you are familiar with my positions and policies, some are not. I hope this brief orientation assists you. If you need anything, please reach out; email is generally the best means.

Some brief reminders:

- **Court Information:**

- EFFECTIVE DECEMBER 2025, Kimberling City Muni Cases are heard at the Stone County Courthouse.

Judge E. Chavez, Associate Circuit Judge (or otherwise assigned as needed)

Stone County Courthouse  
110 S. Maple Street  
MAIL TO: Stone Co. Circuit Clerk,  
Post Office Box 18  
Galena, Missouri (MO) 65656

Court Clerks: (417) 357-6511

Court Website: <https://www.stoneco-mo.us/circuitcourt.htm>

- **Court Dates:** Court is typically held on the 2<sup>nd</sup> Thursday of the month at 1:30PM\*, but the date WILL VARY due to holidays and scheduling conflicts. Check Casenet for the assigned dates on specific cases.

\*\*\*See the times below regarding conference hours.

- **Prosecutor Contact Info:** At the end of this letter.



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- **Prosecutor Contact/Hours:** Attorneys wishing to confer with the prosecutor need to do so via telephone or email well in advance of the assigned court date. Court day **conference hours are held BEGINNING AT NOON (12PM)** on court days at/near the assigned courtroom.

While pro-se defendants are also seen, attorneys will be given preference in line. Due to the court changes and demands, meetings with the prosecutor after 1:30 (when court begins) are not likely. Please arrive as close to noon, as practically as possible, to permit time for a meeting.

- Please use your office's resources to handle all matters (filings, requests for offers, relaying extenuating circumstances, etc.) prior to the court day, as much as possible, but know these deadlines:
- The COURT has instructed that all accepted OFFERS/PLEAS need to be e-filed AT LEAST 10 DAYS PRIOR TO THE COURT DATE. Filings after that deadline will likely not be processed in time and, thus, an appearance will be required.

Consequently, NO OFFERS WILL BE SENT inside the 14 day window leading up to your assigned court date.

Again, NO OFFERS ARE SENT WITHIN 14 days of the assigned court date AND those offers sent before that window are DUE BY E-FILING AT LEAST 10 DAYS before the court date. If they are not processed by the clerks before court, you must appear.

- Reference the below sections for obtaining an offer.
- **CaseNet**
  - **EOA:**
    - Please make a timely Entry of Appearance (EOA) via Missouri CaseNet under EACH case number you intend to enter on. (In the past, some attorneys have failed to file an EOA on all tickets; remember traffic stops often result in multiple tickets, which will each have a case number. Failure to enter an appearance may result in a warrant for the ticket(s) you overlook.)



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- If, for some reason, your electronic access is impaired, please contact the court clerk for further directions. However, Stone County uses digital records, so electronic filing is expected.

- **E-filed Requests for Offers:**

- Your EOA does NOT constitute a Request for Offer/Disposition.

Further, DO NOT e-file requests for recommendations/offers. You will not be answered. Requests are to be written, accompanied by the required information, and e-mailed to the prosecutor's staff (again, see below).

- **Motion to Continue (MTC):**

- The City will normally support 1<sup>st</sup> continuances which are timely e-filed by counsel.
- The City will generally object to all 2<sup>nd</sup>(+) continuances and will ask for a warrant unless the request is for good cause AND we have communicated via email beforehand as to the need and reasoning. Please contact my office to discuss these requests well in advance of court.
- As you know, it is ultimately the decision of the Court to grant or deny your Motion to Continue. We suggest filing motions at least 10 days prior to the assigned court date. Failure to secure advanced approval will require an appearance by counsel on the original date.

- **Discovery Requests:**

- E-file Discovery Requests via CaseNet for each applicable case AND email the request to us as well; this will ensure your request is viewed by the correct staff.
  - Keep in mind that discovery for municipal cases (R. 37.54) is different than other divisions (R. 25). Please limit your discovery requests to the authorized materials for the certain case types with statutorily-authorized discovery (RSMo §479.162).
  - Provide an email address on the Discovery Request; discovery is generally forwarded electronically and a confirmation answer e-filed.



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- **Requests for Offers**

- Before contacting us, please READ THIS INFORMATION THOROUGHLY!
- APPEARANCES REQUIRED-
  - The PA will not endorse, and the Court generally will not allow, disposition of cases such as theft, DWI/BAC, Traffic Accidents, and other “non-routine” matters without in-person appearances by the defendant and counsel.
  - Out-of-area attorneys need to be especially mindful of appearance requirements when undertaking cases. Generally, routine traffic matters (speeding, lane violations, stop signs, etc.) can be disposed of without in-person appearance by using the offer request information below. If no offer is agreed to, is untimely, or an edit is desired after an offer is generated, an in-person appearance will be required.
  - *These are the types of things we routinely see get defendants/counsel in trouble:*
    - Failing to secure an offer in time. **The Court stated you must have the plea/offer e-filed AT LEAST 10 days prior to the court date.**
    - **NO offers will be sent in the 14-day window leading up to the assigned court date.** Again, those sent before then need to be e-filed at least 10 days prior to court!
    - Requesting an offer via an unrecognized method and/or without the required information.
    - Requesting a late-hour MTC and the judge not approving it.
  - To obtain a disposition offer, please generate a request letter or formal email, and email it to us directly (email address follows, near the bottom).
  - **Your offer request must include the following:**
    1. **General case information: defendant name/identifiers, City/Court name, Case #, and COURT DATE.**
    2. Your contact info, including a return email address.
    3. Special requests/information: to be considered, these MUST be in your initial request.
    4. For traffic cases, the request MUST include the results of the DIP screening that you did with your client. (Directions



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follow below.) You must state/certify the results of the screening.

Concerning the above:

- Special Requests: Your office MUST be upfront in your initial contact regarding any special requests, alternative dispositions requests (SIS, Deferral, etc.), and any special considerations we need to know (ie, inability to pay). We can discuss those via e-mail upon your request.
- NOTE: Once a plea offer packet is emailed to your office and e-filed with the Court, it will NOT be changed or reconsidered electronically. This means the offer will not be reconsidered unless there is an in-person appearance by counsel and the matter is discussed face-to-face.
  - For example, a common amendment for a minor speeding ticket is "Defective Equipment" with a fine, say \$225. Once that offer packet is issued to you and e-filed with the Court, it will not be changed. (Making changes is unfair to the resources of the City and Court, and hampers the plea-bargaining process. Further, it adds confusion for all personnel, including court personnel.) If your client is having financial hardships or there are other concerns, the time to have discussed that was in your initial letter- meaning BEFORE the offer was generated.
- Requests for offers must be received at least 2 weeks prior to the assigned court date. For the final time... ATTORNEYS MUST RECEIVE, SIGN, AND E-FILE OFFERS/PLEAS AT LEAST 10 DAYS BEFORE COURT. Continuance information is listed above. Failure to schedule your cases and reach out in a timely manner does not constitute an emergency on our end;



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late submissions will require an unnecessary, in-person appearance.

- **Offer Packet Issuance:** For routine traffic matters (speeding, stop signs, lane violations, etc.): Once your request is timely received and the DIP Certificate is attached (when required), my staff or I will generally e-mail an offer packet which may be used to dispose of the case electronically, if e-filed prior to the 10-day window before court. A court-copy will be e-filed to the case.
  - Only one plea offer packet is generated per case and it will not be changed without a face-to-face meeting.
  - Directions for e-filing the plea and making payment will be in the packet. PLEASE do NOT pay on Casenet until such time as the Court approves the conversion and the new charge is listed in Casenet. *Believe it or not, this has occurred often – attorneys have rushed and paid online, thus pleading guilty to the original charge!!*
- If your case is a non-routine matter, such as a DWI, BAC, Assault, etc, your initial request will be answered with a proposed disposition. It is incumbent upon you that we try to make disposition plans before the court date, as limited time is available on actual court days. Meaning, if the agreement is jail, fines, and/or probation, we need to agree to those terms and my office will try to have the paperwork prepared before court, thus expediting the process on the actual court day.
- Driver Improvement Program (DIP) Policy (For all traffic-related cases)  
The current DIP policy may be found at the following link, which opens as a .pdf form:  
<https://www.ozarkslg.com/downloads/DIP.pdf>  
(this is case-sensitive)
- Each attorney is responsible for screening their own client against the DIP policy and notifying us of the results: 1 and 2 are the only answers.



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- (1) Either the client is required to do a DIP; state the reason (reason examples: ticket history, current charge type, etc.) **OR**
- (2) you certify that you have screened them and they are not required to do the DIP.
  - NOT ALL clients will require a DIP class! Please correctly screen them against the current policy.
  - We suggest NOT relying on client's statements alone. Please check Casenet and other databases. YOU are certifying the results of the screening. With the candor expected as officers of the Court, consulting with your client, verifying the information, and correctly reporting information is incumbent on your office. Failure to do so will cause your office to be on our must-appear (or no-offers) list.
  - DIP Submission Information: If your client DOES require the DIP, most attorneys are simply submitting the DIP Certificate with their original request, thus saving time and back-and-forth emails.
    - However, if your client would like to know the proposed offer prior to taking a DIP, you can email asking for that preliminary offer information, with a clear notation that the DIP class is required but not yet done. We will respond with a proposal that is contingent on the completion of the DIP and no additional new charges.
  - No offer packets will be generated until the DIP certificate is turned in, when required.
  - NOTE:
    - DIP requirements are firm and not waived. I strive to treat everyone respectfully and fairly.
    - The DIP class is not SATOP. While SATOP is generally an additional requirement on alcohol-related offenses, DIP must be done separately.
    - If you have an alcohol-related charge, I encourage you to have the DIP and SATOP done prior to case disposition; trust me – it's one less thing for your client to keep track of.



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- Attorney Contact with my office:

- PLEASE re-read the above sections before you reach out. Step-by-step directions on how to request offers and discovery is spelled out above.
- All correspondence needs to follow the directions above. I promise, nothing is more irritating than answering a question that has already been answered. And don't be the reason your attorney has to make unnecessary trips to Court for something that should have already been disposed of.
- If you need to contact my office, please provide your direct contact information, including your best e-mail address and phone numbers. I refuse to play phone-tag and, often, e-mail is the best method.
- The easiest contact with my office is via email:
  - [PAContact@OzarksLG.com](mailto:PAContact@OzarksLG.com) (This email is private and is reserved for attorneys and their staff and is NOT to be used by defendants.)
  - My office phone number is 417-465-4654, however email remains the best means of contact.

If any of the above has not answered your questions, please contact me as needed. I look forward to a smooth and fair disposition of your client's matter.

Sincerely yours,

/s/ Michael Hurney  
Prosecuting Attorney for  
Kimberling City, Missouri