

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI

FILED

DEC 05 2019

JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

IN RE:)
)
)
)
MISSOURI STATE PUBLIC)
DEFENDER, District 21,)
St. Louis County Trial Office)
)
)
)
)

Cause No. 18SL-CC00129

Div. 19

**COURT ADMINISTRATIVE ORDER GRANTING MOTION TO ESTABLISH AN
INDIGENT DEFENDANTS' WAIT LIST PURSUANT TO §600.063 RSMO.**

Before the court is the motion of Stephen Reynolds, District Defender of the St. Louis Trial Office (District 21) of the Missouri State Public Defender System (MSPD), requesting that this court authorize this implementation of a wait list of indigent defendants, under the suggested terms and conditions laid out in his motion, pursuant to §600.063 RSMo.

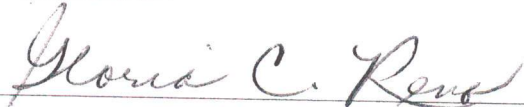
In support, Mr. Reynolds lays out the procedural history of this litigation and the current status of each staff attorney in the Area 21 MSPD Trial Office. *See* Exhibits A-C.

The court takes judicial notice of its file, including but not limited to the response of Wesley Bell, Prosecuting Attorney of St. Louis County, filed on or about November 20, 2019, indicating no current objection to the request as provided therein. The court finds that, at present, the proposed wait list can be implemented and managed without unduly endangering community safety or causing undue disruption to the effective administration of justice in St. Louis County, especially if implemented in conjunction with St. Louis County Local Court Rule 21.06 ("Appointment of Attorneys in Criminal Proceedings) and the attorney appointment protocol associated therewith.

Therefore, being fully advised, this court hereby approves and authorizes the implementation of a wait list, under provisions of the seven (7) points proposed on page 9 Mr. Reynold's motion. This administrative order will be effective as of January 2, 2020, and shall remain in full force and effect unless and until otherwise amended or rescinded.

However, the court reserves the continuing right to review this administrative order if the establishment of a wait list causes or threatens to cause any undue disruption to any party's constitutional rights, community safety, the administration of justice or to any county court stakeholders. Further, the court specifically declines to order that individual attorney caseloads in the Area 21 MSPD Office must be limited to the caseload caps and recommended "hours of work per month" in the Rubin-Brown analytical metric, *See* p. 6, fn. 7 of MSPD's motion. However, the court is sensitive to ethical obligations which bind all attorneys, including public service attorneys such as those who work in the MSPD. The court is also sensitive to its long-standing and continuing ethical duty to ensure that each defendant has effective assistance of counsel. *State ex rel. Missouri Pub. Def. Comm'n v. Waters*, 370 S.W.3d 592 (Mo. 2012), *State ex rel. Missouri Pub. Def. Comm'n v. Pratte*, 298 S.W.3d 870 (Mo. 2009), *Sanders v. State*, 738 S.W.2d 856, 856 (Mo. banc 1987). Such reconsideration of the wait list, if any, will be upon written notice of hearing in advance to Area 21 MSPD and the St. Louis County Prosecuting Attorney.

SO ORDERED:



Hon. Gloria Reno
Presiding Judge, Division 19
Twenty-First Judicial Circuit

12/5/2019

cc: to all parties, through counsel of record, via the court's electronic filing system.