

COVID-19 KCMO HOUSING DOCKETS IN I COURT (DIVISION 209)

DEFENDANT FREQUENTLY ASKED QUESTIONS

Can I appear on a virtual housing code violation docket instead of showing up in court on my court date? Yes. You must schedule your virtual court appearance to take place prior to your scheduled court date. If you do not schedule and appear at your virtual housing violation court appearance, you must come to court on your scheduled court date.

How do I schedule a virtual hearing? As soon as is practical, email the court at kcmcvirtualdocket@kcmo.org and ask for a virtual hearing.

Who will be present on the virtual docket? The judge, prosecutor and you. If you have hired a defense attorney, the attorney should be familiar with the procedures and also be present. If the attorney is not familiar with the procedures, the attorney should contact the prosecutor at housing.animal@kcmo.org.

If I have hired an attorney who has scheduled a virtual hearing, is it necessary for me to also be present virtually? Yes. Unless your attorney has been authorized by the court to release you from your obligation to appear. Ask your attorney for guidance.

Should I hire a defense attorney to represent me on my housing cases? You have the right to be represented by an attorney. You also have the right to waive your right to be represented by an attorney. One of the primary considerations when considering whether to hire an attorney is the possible consequences if you plead guilty or are found guilty after a trial. Typically, housing case convictions result in fines only and in some cases, where the circumstances merit, no fines are assessed. However, where the defendant has a significant conviction history or the violations are extreme, the court will consider placing a defendant on probation. Correction of any violation complained of makes less likely, but does not guarantee, that a probation will not be ordered.

If I am charged with a housing violation, can I communicate with the prosecutor about this even though I do not have an attorney? Typically, if the prosecutor is not asking the judge to order a probation or the defendant has signed a written waiver of right to attorney, the prosecutor is willing to discuss the cases with an unrepresented defendant. The housing court prosecutor can be reached at housing.animal@kcmo.org.

If I appear by myself at a virtual hearing and I am facing the possibility of a jail sentence, will the judge let me know? Yes.

If I appear by myself at a virtual hearing, will the judge give me a continuance if I decide to hire an attorney? Yes.

If I am facing the possibility of a jail sentence and I cannot afford to hire an attorney, will the court appoint a Legal Aid Attorney to represent me at no cost to me? Yes. This possibility will be explored at the virtual hearing.

If I have hired an attorney to represent me, can my cases be handled without a virtual hearing and without a personal appearance in court? Yes, providing there is a written guilty plea agreement negotiated by your attorney and the prosecutor. For this, your attorney will need to follow the procedure described at www.kcmo.gov/court under the Information for Attorneys section.

If I am pleading not guilty to any of the charges what will happen? The judge will most likely set the case to a status date later in time.