

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

SPEEDY TRIAL ACT PLAN

Pursuant to the Speedy Trial Act of 1974, 18 U.S.C. § 3161 *et seq.*, the judges of the United States District Court for the Eastern District of Missouri adopt the following Speedy Trial Act Plan, which shall take effect upon approval of the Judicial Council of the Eighth Circuit. The purpose of this plan is to provide time limits and procedures to minimize undue delay and to further the fair and prompt disposition of criminal cases and certain juvenile proceedings.

Copies of this Plan are available for inspection and copying at the office of the Clerk, United States District Court, Eastern District of Missouri, Thomas F. Eagleton United States Courthouse, 111 South Tenth Street, Room 3.300, St. Louis, MO 63102.

I. Time Limits Adopted

As support for this Plan, this court adopts the time limits and procedures required by the following authorities and incorporates them by reference into this Plan:

- A. The Speedy Trial Act of 1974, 18 U.S.C. § 3161 *et seq.*;
- B. The Speedy Trial Act Amendments Act of 1979, Pub. L. No. 96-43, 93 Stat. 327;
- C. The Federal Juvenile Delinquency Act, 18 U.S.C. § 5031, *et seq.*;
- D. The Interstate Agreement on Detainers Act, 18 U.S.C. App. 2 § 1, *et seq.*;
- E. Rule 50 of the Federal Rules of Criminal Procedure; and
- F. All applicable local rules.

II. Procedures and Expectations of the Court

All criminal cases will be managed and monitored to ensure their just and speedy disposition in compliance with the federal laws and rules referred to herein, the court's local rules, and the Sixth Amendment to the United States Constitution.

The following practices advance the goals set forth in 18 U.S.C. § 3165(b) and are hereby adopted by this court:

- A. All participants in the criminal justice system will promote the just and speedy disposition of criminal cases within the duties of their respective offices.
- B. Reasonable discovery, motion, and pleading deadlines will be set at arraignment or as soon thereafter as practicable.
- C. Counsel will comply with all local rules, particularly:
 - 1. Meeting motion filing deadlines and response times;
 - 2. Complying with the requirements for providing disclosure and discovery;
 - 3. Complying with the requirement to confer in person or by telephone in a good-faith effort to resolve discovery disputes before filing a motion concerning discovery;
 - 4. Complying with the requirements for requesting continuances.
- D. The United States Attorney's Office must monitor, on a continuing basis, the progress of each defendant toward trial.
- E. The United States Attorney's Office must familiarize itself with the scheduling procedures of each judge and assign, or reassign, cases to ensure that the government will be ready for trial in accordance with the time limits specified in

this Plan.

- F. The clerk's office will track excludable time periods for each criminal defendant in the court's electronic document filing system to assist judges with the management of their calendars.
- G. The court will schedule cases for trial within the speedy trial period and will give criminal cases preference on the trial docket, to the extent that it is practicable.
- H. The district judge to whom a case is assigned is responsible for setting the case for trial. Each case will be set for trial on a date certain.
- I. The chief judge may reassign any or all of the criminal cases of an assigned judge to other judges if the assigned judge cannot comply with time limits under this Plan because of incapacity, unavailability, or a congested criminal docket.
- J. The court will schedule cases for sentencing at the earliest practicable time upon completion of the presentence report, subject to reasonable notice to the parties and sufficient opportunity to file objections pursuant to the Federal Rules of Criminal Procedure and the local rules.
- K. The court will remain open to new or revised procedures and technological innovations to manage its criminal caseload.

III. Statistics Concerning the Administration of Criminal Justice

Information and statistics concerning the administration of criminal justice within the district are dynamic in nature. Most data can be obtained either by using the reporting functions of the court's electronic document filing system or by reviewing the federal court management statistics

reported by the Administrative Office of the United States Courts. Furthermore, in accordance with the information required under 18 U.S.C. § 3166, the court incorporates by reference into this Plan the Annual Reports compiled by the Clerk of Court. Other data, however, are only available to the United States Attorney's Office, the Federal Public Defender's Office, or the district's Pretrial Services or Probation Offices. When compiling statistics for requests concerning the administration of criminal justice that require this data, the clerk's office will consult with these agencies to obtain the appropriate information.

IV. Effective Date

Immediately upon approval of the reviewing panel of the Judicial Council of the Eighth Circuit, designated in accordance with 18 U.S.C. § 3165(c) and Rule 50(b) of the Federal Rules of Criminal Procedure, the time limits and procedures set forth herein shall become effective and shall supersede those previously in effect.

DATED this 6 day of June, 2012.

BY THE COURT:

/s/ Catherine D. Perry

Catherine D. Perry, Chief Judge
United States District Judge