

RULE 12**MONIES PAID INTO COURT**

(1) Property other than exhibits delivered to the Court in any pending case shall be turned over for safekeeping to the Circuit Clerk. Money to be paid into the registry of the Court shall be paid to the Circuit Clerk, who shall deposit the same in the registry of the Court. Proper accounting records with respect thereto shall be maintained by the clerk. No such property shall be relinquished or money withdrawn except on a written order signed by the Judge having heard or ruled in the case in which said funds are deposited, or in his absence, by the Presiding Judge or the Assistant Presiding Judge.

(2) All monies received as court cost deposits, fees or otherwise, for which these rules do not specifically provide, shall be deposited with the Circuit Clerk.

12.1 BOND IN CIVIL CASES

[No local rule]

12.2 BOND IN CRIMINAL CASES

(1) All cash or cash equivalents deposited as security for any court appearance, as a condition of release or otherwise in a criminal, infraction or traffic case shall be paid to the Circuit Clerk.

(2) The refund of any monies received pursuant to this rule shall be paid by the Circuit Clerk.

(3) No such refund shall be paid except upon a written order signed by the Judge having heard or ruled in the case in which said funds are deposited, or in the absence of the Judge hearing the case, by the Presiding Judge or the Assistant Presiding Judge.

(4) The surety's notice of change of address required by Rule 33.16 shall be delivered to the Circuit Clerk's Criminal/Traffic Manager, and shall list the defendant's name and case number for each case on which the surety is currently serving.

12.3 BOND IN INFRACTION CASES

See Rule 12.2, supra.

12.4 BOND IN TRAFFIC CASES

See Rule 12.2, supra.

12.5 APPEARANCE BONDS

See Rule 12.2, supra.

12.6 MONEY TO BE DEPOSITED IN AN INTEREST BEARING ACCOUNT

(1) A party may request an Order that funds on deposit, or to be deposited, in the registry of the Court shall be held in a separate, interest bearing account. If such an Order is entered by the Court, the Order shall be effective only after a copy of the Order is delivered personally either to the Circuit Clerk or the Secretary to the Circuit Clerk. Upon receipt, the Order shall be endorsed with the time and date it was received and it shall be filed in the case file.

(2) The Circuit Clerk shall open the interest bearing account not later than the third business day after receipt of the funds to be invested and the Order of the Court.

(3) Funds deposited with the Court after the date the Order is entered shall be accompanied by a copy of the Order.

(4) Funds invested under an Order entered pursuant to this rule shall be deposited by the Circuit Clerk into United States Treasury Bills, or into a banking or savings and loan institution in an account secured in the manner prescribed in Section 483.312 RSMo. If any banking or savings and loan institution fails or refuses to comply with Section 483.312 RSMo., the Circuit Clerk shall deposit the funds into an account in a banking or savings and loan institution that does secure the account as prescribed by that statute. If the Circuit Clerk makes the deposit under this Rule into an institution other than one specified in the Order, the Circuit Clerk shall promptly notify the parties, or the attorneys for the parties, in writing, of the change.

(5) Pursuant to Section 483.310 RSMo., the Court may order that the necessary costs for administering the investment shall be paid to the Circuit Clerk. The necessary costs shall include a reasonable fee to the Circuit Clerk of at least \$100.00 and shall be paid from interest earned on the account.

(6) Money held by the Circuit Clerk in any separate, interest bearing account shall be payable as provided in Rule 12(1).

12.7 PAYMENT BY CREDIT CARD

The payment of court costs and fees may be made to the office of the Circuit Clerk by credit card pursuant to this rule. Any credit card payment must be in excess of \$1.00 and only payments via Master Card, Visa or Discover will be accepted.

12.8 DEPOSIT OF FEE FOR QUALIFIED INTERPRETER OR TRANSLATOR FOR NONENGLISH SPEAKING PERSON

(1) When the Court, as a condition of entering an order for the appointment of a qualified interpreter or translator for a non-English speaking person, orders one or more of the parties to deposit funds into the Registry of the Court in a specified amount reasonably necessary to cover the fees and expenses of the qualified interpreter or translator, such funds shall be paid to the Circuit Clerk. (See, Rule 25)

(2) Upon disposition of the proceedings and the order of the Court, the Circuit Clerk shall pay such funds to the qualified interpreter or translator, and shall return any portion of the deposit to the parties.

(3) In the event that the Court is asked to tax the fees and expenses of a qualified interpreter or translator as costs to the parties as permitted by §476.803, a copy of a statement of the fees and expenses of the qualified interpreter or translator shall be filed with the Court prior to the taxing of costs in the case.