

THE
NATIONAL LAW REVIEW

Hilgenberg v. Hilgenberg -- clear ruling that after judgment is entered, jurisdictional time limits are rigidly enforced

Saturday, February 4, 2017

One of the few contexts in which the word "jurisdictional" still means something:

On January 26, 2015, Wife filed a "Motion to Set Aside Decision, Amend, Reconsider, or Alternatively for New Trial" ("post-trial motion").

Under the rules, the judgment would become final if the motion wasn't decided within ninety days, or by April 26.

On April 23, 2015, apparently knowing that she was running out of time, Wife filed a "Motion for Extension of Time to Set Aside Decision, Amend, Reconsider, or Alternatively for New Trial" and a proposed order, to grant the trial court additional time in which to rule on Wife's post-trial motion.

On May 18, 2015, the trial court signed an Order granting an extension until May 26, 2015, in which to allow the trial court sufficient time to rule on Wife's post-trial motion.

On May 20, 2015, the trial court filed an "Amended Judgment of Dissolution of Marriage."

Wife tried to appeal. The court dismissed the appeal as untimely, since the judgment became final on April 26, and the wife's time to appeal had expired by the time of the entry of the amended judgment (which was itself a nullity because the court entered it after it lost jurisdiction).

1/17/2017

[Download Hilgenberg v. Hilgenberg](#)

© Copyright 2019 Armstrong Teasdale LLP. All rights reserved

Source URL: <https://www.natlawreview.com/article/hilgenberg-v-hilgenberg-clear-ruling-after-judgment-entered-jurisdictional-time>



Article By [Armstrong Teasdale](#)
[Laura A. Bentele](#) [Missouri Law Blog](#)

[Family Law / Divorce / Custody](#)
[Litigation / Trial Practice](#)
[Missouri](#)