

COLLIN COUNTY COURT AT LAW NUMBER THREE (3)
STANDING ORDER NO. 2: CRIMINAL DOCKET CONTROL

The County Court at Law No. 3 issues Standing Order No. 2 regarding criminal docket control, for the reason that the court will soon be going paperless. Defendants will now be ordered to appear at all settings (but there will be fewer settings).

Docket: Docket will be conducted from 8:30 am to 11:30 am on Thursdays and Fridays. At 11:30, no more paperwork for pleas will be accepted for that morning. Anyone not appearing on that day within that timeframe will be treated as if they did not appear. If you are a court appointed attorney, you will be unappointed. If you are a retained attorney, a show-cause order will be issued for you to appear to explain why you failed to appear for your client. Your client must appear with you at the show-cause setting. If your client does not appear, his or her bond will be immediately forfeited. If you let the court coordinator know you have a conflict, your matter may be reset for the following day. You may also pass the case in advance.

First Appearances and Plea Settings: From the date the attorney first makes an appearance in the case, the case will be passed out approximately 90 days for "The Plea Setting". The attorney and the client must appear at this setting. In that first 90 days, the attorney is expected to obtain discovery from the prosecution (including any applicable video or audible tapes), negotiate a plea agreement and be prepared on that setting to plea the case or set it for trial. In other words, handle the case by phone, email or in person with the prosecutor. Do not use fax because it may not get to the correct prosecutor. Prosecutor email addresses are located on the DA website (www.collincountyda.com). You should also tell your client that you need to be paid in full within that time or you will be allowed to withdraw.

Videos: The DA's will provide the video to the defense attorney upon request. If you do not pick up the video or audio tapes from the DA at docket on the first appearance, the tapes will be delivered to the court coordinator and held for your pick-up. The Court will know if you have picked up the tapes in time to be prepared at The Plea Setting.

Pleas: At The Plea Setting, you must be prepared to plea the case or set it for trial. You can plea the case at any time prior to the Plea Setting by notifying the prosecutor and the court of your intent so that it can be put on our docket, and the DA will have their file. Once a case is set for trial, you may still plea it prior to the pre-

trial. After the pre-trial setting, pleas are unlikely to be accepted unless there is some special circumstance to justify the case not being pleaded out earlier. Client must be present at all settings.

Payments: If the defense attorney has not been paid in full, then the client must be present at the Plea Setting to explain why and when the attorney will be paid. If no mention of money is made at the Plea Setting, then the attorney will not be permitted to withdraw after that date for monetary reasons. If the case is set for trial, it will be assumed that the attorney is paid in full. The case will not be delayed for the attorney to get paid after the plea setting. If the client has not paid the attorney in full and the attorney chooses to remain on the case, the client and attorney must make bi-weekly appearances until the attorney is paid in full, not to exceed two more months.

Bond forfeiture: If the client does not appear at the Plea Setting, his or her bond will be forfeited immediately. We will not give one week for him or her to appear.

Self-Represented Defendants: If you do not have an attorney, but want to hire one, at your first appearance, fill out the "Dangers and Disadvantages" form and indicate that you intend to hire an attorney. Your case will be passed for 2 weeks to allow you to decide if you want to hire an attorney and allow time to hire one. You will appear at that next setting with an attorney, or you will be appointed an attorney, or you should be prepared at that point to represent yourself. At that setting, your case will be set for the Plea Setting that is mentioned above.

Effective date: this order is to become effective on June 1st, 2013 and applies to all cases with informations or petitions to adjudicate or motions to revoke file marked on or after June 1, 2013.

So Ordered this 29 day of May, 2013.



LANCE S. BAXTER, Judge Presiding
COUNTY COURT AT LAW NO. 3