

# 366<sup>th</sup> District Court

Honorable Tom Nowak  
Judge Presiding

Russell A. Steindam Courts Building  
2100 Bloomdale Road, Suite 30146  
McKinney, TX 75071

972-548-4570

[366@co.collin.tx.us](mailto:366@co.collin.tx.us)

## Information Related to Criminal Cases

Effective 1/31/2021

### Court Staff

<b>Court Coordinator:</b>	Misty Beaty 972-548-4570	<a href="mailto:mbeaty@co.collin.tx.us">mbeaty@co.collin.tx.us</a>
<b>Court Bailiff:</b>	Egan Pond 972-548-4571	<a href="mailto:jpond@co.collin.tx.us">jpond@co.collin.tx.us</a>
<b>Court Reporter:</b>	Antoinette Varela 972-548-4572	<a href="mailto:avarela@co.collin.tx.us">avarela@co.collin.tx.us</a>

**Who to Contact for issues:** Attorneys please e-mail Deputy Pond ([jpond@co.collin.tx.us](mailto:jpond@co.collin.tx.us)) and in the body of the e-mail include Defendant's name, defendant's phone number and e-mail if available, cause(s) #, and Attorney's contact information. If Bailiff is unavailable, please contact the court coordinator, Misty Beaty ([mbeaty@co.collin.tx.us](mailto:mbeaty@co.collin.tx.us)) to have your setting put on the docket or issue brought to the attention of the court.

**Pass Slips:** A 366<sup>th</sup> Pass slip is available for download from our website. There is also a PDF format fillable form for use. Please do not use any other court's form or outdated versions. Incorrect pass slips or those not completely filled out will be sent back to the parties.

**Setting Rules:** Defendants who are represented should have 3 settings before a final announcement setting. The court will allow more than 2 weeks between the

initial settings, but no more than 4 weeks between settings absent special circumstances. A disposition **MUST** be set after the final announcement setting. Attorneys must get court approval for settings beyond the schedule. If there is a delay on the part of the State in giving an offer or required discovery, please let the Court know.

**What time must defendants appear by:** 9 am and defendants are **REQUIRED** to appear absent a waiver approved by the court. Waivers are only granted for the next setting and do not carry over multiple times.

**Whether or not there is a formal check-in:** Defendants must appear and check in with the bailiff to note their arrival. However, due to covid, current appearances for announcement (only) settings are waived. It is required that the attorney has ongoing contact with the defendant and attaches proof of receipt of the next setting to the pass slip, if due to technical limitations, the defendant is unable to sign the pass slip. This can be done by way of a printout or screenshot of communications concerning the next court date and acknowledgement by the defendant in the communication exchange.

Attorneys are required to notify the court if they have lost contact with the defendant during this process.

**Bond Forfeiture Policy:** A defendant's bond will be forfeited at noon (12pm) for failure to show for their required court date, failure to provide proof the defendant has agreed to the next court date, or because contact has been lost.

**Covid related instructions:** Due to the pandemic, we are limited on our availability to have individuals appear in the courtroom. That is meant to prevent too many people trying to access areas like probation or the courtrooms at the same time. The Court conducts all pleas and hearings remotely at this time. You should prepare your client and consult the Rules for Remote Hearings (by Zoom and Phone) available for download on the 366<sup>th</sup> District Court Page. If your client is unable to appear by Zoom (due to a lack of technology etc) he may appear in court (with proper safety protocols in place) to use an available ipad for his portion of the remote appearance. Attorneys may accompany their clients into the court. However, attorneys and defendants do so at their own risk. It is strongly encouraged that attorneys appear remotely if possible.

**What days are available for settings:** Due to the pandemic, Agreed Pleas will be held on Tuesday mornings at 9:00am. The Court will take up each case in the order it was received and when all parties are ready to proceed. The Court prefers to hold Motions to suppress or complex hearings on Thursday afternoons (to include competency, insanity, and MH bond hearings). Bond hearings with a small amount of evidence presented, may also be held on Friday Mornings during criminal docket. However, State must be given notice prior to the hearing. Friday afternoons are also available for special settings.

We are happy to accommodate schedules for hearings on other days if the court is available and the parties agree to a date in consultation with the court.

**Efile Motions and Requests/Orders:** Pleas e-File your motion with a proposed order, and then get a date set with court.

**PLEASE NOTE:** When a party files any Motion/Request through e-file, the court will not see or be made aware of the filing unless it is accompanied by a proposed order. The system does not send any notification that a document has been filed in a case. It is up to the attorney filing the Motion to follow-up with the court to obtain a hearing with every Motion/Request if the motion/request is filed without a proposed order.

**Please do not file Notices of Hearings or Fiats with your submissions.**

**Motions to Withdraw/Substitutions:** Clerk policies require that a motion to substitute and a proposed order be filed before they will change the name of the attorney of record. A notice of appearance in a case where a defendant is ALREADY represented will not be sufficient.

Because of the need to have defendants represented at all times, Motions to Withdraw will not be granted unless 1) the defendant has been properly notified 2) defendant appears for the next setting 3) a determination can be made on the ability of the defendant to obtain representation or qualify for a court appointed attorney.

**Pleas:** It is preferred that plea agreement paperwork be signed and e-mailed to Deputy Pond a day before the plea in the 366<sup>th</sup>. The court MUST be informed of a need for an interpreter when requesting a plea setting. The remote hearing on

Zoom must be set up with the proper settings to allow for simultaneous interpreter services.

**Aux Court Bond Pleas:** Pleas must go through Deputy Pond first. E-mail your completed paperwork to Dep. Pond with your request for the day you wish to plead. Dep. Pond will forward the paperwork to Aux Court if it is in proper form and after any back-time calculations are completed.

**Aux Court Jail Pleas:** Consult the Remote Plea Procedures for Collin County.

**Lastly, if there are any issues or concerns, please don't hesitate to ask!**