



**ADDISON MUNICIPAL COURT
OF
RECORD
STANDING ORDERS**

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19 JUDGE'S STANDING ORDER NO. 1:

COMPLIANCE DISMISSALS WITH ADMINISTRATIVE FEE

The Clerks are authorized to process the dismissal of the following offenses in compliance with the Standing Motion of the Prosecutor and Order of the Court, upon the payment of the specified administrative fee, if the evidence, set forth below, is presented. The Clerk must keep a copy of the evidence presented for the file to be attached to the dismissal to be processed.

1. Expired Registration/License Plate (Trans. Code, § 502.407(b))

- If defendant presents satisfactory evidence that he/she remedied the defect before the defendant's court appearance, whichever is later; and
- if presents evidence of payment of late fee for registration with the appropriate tax office, and
- and the defendant pays an administrative fee of \$20.00.

2. Expired Driver's License (Trans. Code, § 521.026)

- If defendant presents satisfactory evidence that he/she renewed his/her driver's license before the defendant's court appearance .
- and the defendant pays an administrative fee of \$20.00.

The clerks will refer the person to the Judge on the following compliance matters if he is taking window court or set on an arraignment docket if not at the window.

4. Fail to Display Driver's License, (Trans. Code, § 521.025)

5. License Plates. (Trans. Code, § 502.404(f) and (g))

6. Obscured License Plates. (Trans. Code, § 502.409)

7. Change of Address or Name. (Trans. Code, § 521.054)

8. Driver's License Endorsements or Restrictions. (Trans. Code, § 521.221)

9. Equipment Violations. (Trans. Code, § 547.004(c) and (d)).

10. Handicap Violations - Expired Disabled Parking Placard(Trans. Code, § 681.013) valid Placards are covered by Order 2.

**JUDGE'S STANDING ORDER NO. 2:
DISMISSALS WITHOUT FEE**

The Clerks are authorized to process the dismissal of the following offenses in compliance with the Standing Motion of the Prosecutor and Order of the Court if the evidence, set forth below, is presented. The Clerk must keep a copy of the evidence presented for the file to be attached to the dismissal to be processed.

1. Proof of Financial Responsibility (Trans. Code, § 601.193)

- a. Proof of financial responsibility, such as a valid insurance card or insurance policy covering the vehicle driven and the person,
- b. All others must see the Judge either at the window or be set on the arraignment docket.

Note: Insurance policies must cover those who use the vehicle with express or implied permission of the named insured; therefore, even if an individual has a no drivers' license offense, that individual may be covered if he/she was using the insured vehicle with the express or implied permission of the named insured. Transp. Code, §601.076

2. No Driver's License (Trans. Code, §521.021)

- a. Upon presentation of a driver's license, **valid on the date of the offense** the clerk may dismiss otherwise, they must see the Judge.
- b. Upon presentation of a valid driver's license to the Judge.

3. Handicap Violations (Trans. Code § 681.011)

- a. If the defendant presents satisfactory evidence that he/she had a placard on the date of offense and the placard has the Driver's License or ID of the defendant.

**JUDGE'S STANDING ORDER NO. 3:
MOTIONS FOR CONTINUANCE**

- A. Written motions are required in compliance with Chapter 29 TCCP 7 days ahead of the setting, unless the attorney for the defense or the state is before the court on the date of court whereupon a verbal motion may be made.
- B. The court, as a matter of policy, will grant one continuance per party without good cause shown.
- C. Subsequent requests for continuance will be on good cause shown, which may include but not be limited to:
 - 1. Pre-existing court dates, with appropriate documentation regarding when notified of the conflicting court date.
 - 2. Pre-scheduled vacation dates with no refunds available
 - 3. Conflicting subpoenas for witnesses
 - 4. Conflicting training schedules for witnesses
- 2. Motions for continuance shall be filed as soon as practicable or at least 7 days before the court date, based upon when party requesting the continuance determines a conflict exists. Motions received the day of or day before the scheduled court date will not be granted unless good cause is shown.
- 3. Motions untimely filed, without good cause shown, may be denied by the court. Motions denied, and subsequent failure to appear may have the prosecution request that a warrant executed and a bond for new court setting required. A cash bond will be required if the failure to appear occurred on a surety or attorney bond.

**JUDGE'S STANDING ORDER NO. 4:
JUVENILE AND PARENTAL OBLIGATION: STATUTORY WARNING**

The Clerks shall issue a subpoena to the parents of a juvenile defendant and prepare a summons for the Judge's signature to the juvenile on cases filed against a juvenile.

Upon a failure to appear by a juvenile, a letter containing the following notice shall be sent to the juvenile and their parents/guardian.

WARNING: COURT RECORDS REVEAL THAT BEFORE YOUR 17TH BIRTHDAY YOU WERE ACCUSED OF A CRIMINAL OFFENSE AND HAVE FAILED TO MAKE AN APPEARANCE OR ENTER A PLEA IN THIS MATTER. AS AN ADULT, YOU ARE NOTIFIED THAT YOU HAVE A CONTINUING OBLIGATION TO APPEAR IN THIS CASE. FAILURE TO APPEAR AS REQUIRED BY THIS NOTICE MAY BE AN ADDITIONAL CRIMINAL OFFENSE AND RESULT IN A WARRANT BEING ISSUED FOR YOUR ARREST.

JUDGE'S STANDING ORDER NO. 5:

DEFERRED DISPOSITION

PERSONS WITH CDL'S DO NOT QUALIFY, AND MAY NOT TAKE, DEFERRED DISPOSITION FOR A MOVING VIOLATION. ANY JUDGMENT PROCESSED IN ERROR WILL BE RESCINDED AND THE DEFENDANT NOTIFIED OF A NEW COURT DATE.

A. ELIGIBILITY

The Clerk of the Court may process a request for deferred disposition for a moving traffic violation, upon a plea of guilty or no contest, provided:

- The offense did not involve an accident or injury to a human
- Speeding if it was less than 25 MPH over the posted speed limit
- On Financial Responsibility and compliance violations if they do not qualify for dismissal
- All Moving and Non- moving violations not covered in B3 if defendant is 17 years of age or older
- Speeding in a School Zone
- License Violations – No DL, Expired DL, Fail to Display DL, Violate DL Restriction
- Public Intoxication or Possession of Drug Paraphernalia
- Failed to Maintain Financial Responsibility violation if they now have proof of financial responsibility

B. PROCESSING A REQUEST FOR DEFERRED DISPOSITION AT THE CASHIER'S WINDOW

The following requirements apply to processing a deferred disposition at the Cashier's Window:

1. *General provisions:* The Court Clerk may process a request for a deferred disposition at the Cashier's window if the Defendant:
 - a. requests deferred disposition while the case is in an approved status, not in warrant;
 - b. tenders full payment of the special expense fee at the time of request;
 - c. signs an application for deferred disposition, and provides a current mailing address;
 - d. provides valid proof of a policy of financial responsibility naming the Defendant as a covered driver, if the deferred disposition is for the offense of Fail to Maintain Financial Responsibility; and
 - e. does not hold, and did not hold at the time of the offense, a commercial driver's license or permit if the offense is classified by state law or city ordinance as a violation involving motor vehicle operation or control.
2. *Length of deferral period.* The length of a deferred disposition processed at the window shall be 90 days.

THE FOLLOWING MUST SEE THE JUDGE OR ARE NOT ELIGIBLE.

3. *Mandatory shows.* Those offenses designated as Mandatory Shows must request deferred disposition from the Judge either at window court or at a regular docket.
 - (1) All Juveniles
 - (2) Assaults, disorderly conduct or theft
 - (3) All alcohol violations involving minors
 - (4) Passing authorized emergency vehicle
 - (5) Driving While License Invalid (DWLI)
 - (6) Any others not listed in A.
4. *Provisional licenses.* A Defendant with a provisional license must appear in before the Judge to request deferred disposition from the Judge. The Defendant will have to retest with the Department of Public Safety.
5. *Construction zone, workers present.* A Defendant is not eligible for deferred disposition for a moving violation if the offense occurred in a construction or maintenance work zone when workers were present.
6. *Required driving safety course.* A Defendant under 25 years of age at the time of the offense must take a driving safety course as a condition of deferred disposition for any violation classified as a moving violation under rules established by the Texas Department of Public Safety. If a driving safety course is required as a condition of deferred disposition, the Defendant may take one course for all moving violations arising out of the same incident.

C. PROCESSING A REQUEST FOR DEFERRED DISPOSITION MADE ONLINE OR BY MAIL

The Clerk may process a request for deferred disposition made online or by mail under the same requirements as processing such a request at the window. For online requests, once payment is made the deferred disposition will be conditionally approved, and all required documentation must be turned in to the Court after the last day of the deferral period but before the show cause date. Failure to turn in the required documentation may be a basis for revocation of the deferred disposition, and such cases will be set for hearing.

D. TRIAL COSTS TO REMAIN

Once trial costs have been added to a case, those costs i.e. Jury Fee will remain as part of the special expense fee even if the defendant is later granted deferred disposition.

E. PROOF OF COMPLIANCE

The following requirements apply to proof of compliance with the terms of deferred disposition:

1. *General procedure.* The Clerk may accept proof of compliance with the terms of deferred disposition at the Cashier's window or mail. After the Clerk receives proof of compliance, the Clerk will make appropriate comments in the computer system and send

the case to the proper Judge's queue for dismissal. The Court shall dismiss the case if the Defendant has complied with all conditions as ordered by the Court.

Driving safety course and similar requirements. If a driving safety course, community service, or other similar conditions are required by the Court as a condition of the deferred disposition, completion of such requirements on a date or dates outside the deferral period will not be accepted for compliance.

**JUDGE'S STANDING ORDER NO. 6:
FILING A PLEA WITH COURT**

1. A plea of not guilty, guilty or no contest may be made in writing in person or by mail Art. 27.16(b) and 45.013 TCCP. The Court Clerk may process cases as follows:
 - a. Upon a plea of not guilty, the individual will be set for a pretrial unless the Defendant or their attorney waive trial before a jury then they are set on a trial before the court and will meet with the prosecutor to make any motions, have the procedures and options explained prior to the trial date or time. If the individual is represented by legal counsel, the matter will be set on the attorney docket.
 - b. Upon a plea of guilty or no contest, and request for disposition, the case may be processed in accordance with the Court's standing order, set for pretrial or set for a first appearance before the court.
 - c. All communications with the court such as, letters of representation, pleas, requests for disposition, and appeals, must be in writing, signed by the defendant or an attorney in good standing. Written communications, other than mere transmittal correspondence, will not be accepted by non-attorneys for purposes of proceedings hereunder.

**JUDGE'S STANDING ORDER NO. 7:
DRIVING SAFETY COURSE (DSC) and
MOTORCYCLE TRAINING COURSE (MTC)**

A. PROSESSING A REQUEST FOR DSC AT THE WINDOW

The Clerk of the Court may process a request for Driving Safety Program for a moving violation, upon a plea of guilty or no contest, provided:

A person qualifies for the mandatory DSC/MTC if the defendant **is not a Juvenile** and :

1. requests DSC/MTC on or before the answer date;
2. pleads guilty or no contest to the charge;
3. submits payment for the court cost and special expense fee;
4. has not taken DSC/MTC within the preceding 12 months from the date of the offense, to have another citation dismissed.
5. has a valid Texas Driver's License (unless member of US Military on active duty)
6. has current proof of financial responsibility, (i.e. valid insurance)
7. is charged with a moving violation, other than speeding 25 miles per hour or more over the posted speed limit.

However, the defendant is not entitled to mandatory DSC/MTC if charged with one of the following:

1. TC § 545.066: Passing a school bus;
2. TC § 550.022 accident involving damage to vehicle;
3. TC § 550.023, failure to give or render aid;
4. TC § 542.404, construction or maintenance work zone,
5. Holds a Commercial Driver's License
6. violation of § 522.011 (license or permit required); § 522.042 (commercial driver's license endorsement); § 522.015 (license or permit issued by other jurisdiction)

If no notice of the right to take DSC/MTC is contained on the citation issued, then the right to take DSC/MTC shall be extended until such time as the defendant is notified of that right. Further, the Court shall notify a defendant charged with a misdemeanor under Transp. Code, § 472.022 (obeying warning signs and barricades) or § 729.001(a)(3)(minor's violation of traffic laws) of the defendant's right to take DSC/MTC.

The defendant has 90 days to complete the DSC/MTC and submit to the Court a uniform Certificate of Completion (or verification with MTC), an Affidavit stating that the defendant is not taking a course under this section or has not completed a course under this section that is not shown on the person's driving record, and the person's driving record.

A show cause hearing date will be provided at the time the application to request DSC is entered for DSC/MTC. If a defendant fails to comply with the terms and conditions of the DSC/MTC deferred judgment, the court clerk shall send notice to the defendant of the failure to comply and require that the defendant appear at the time and place stated in the notice to show cause why the evidence was not timely submitted to the court.

If the defendant fails to turn in their certificate and driving record and they fail to appear at the show cause hearing, or appears but does not show good cause for the failure to comply, the court shall enter an adjudication of guilt and impose sentence. If good cause is shown, the Court may grant an extension to present the uniform certificate or verification of course completion. NO EXTENSION WILL BE GRANTED TO TAKE DSC OR MTC.

PERSONS WITH CDL'S OR WHO HELD A CDL AT THE TIME OF THE OFFENSE DO NOT QUALIFY, AND MAY NOT TAKE, DSC/MTC. ANY JUDGMENT PROCESSED IN ERROR WILL BE RESCINDED AND THE DEFENDANT NOTIFIED OF A NEW COURT DATE.

Juveniles under the age of 17 must appear in court to exercise this option.

This order is intended to comply with the requirements of Art 45.0511, CCP, as amended, and shall be so enforced and interpreted.

B. PROCESSING A REQUEST FOR DSC MADE ONLINE OR BY MAIL

The Clerk may process a request for DSC made online or by mail if the Defendant presents the items listed in 2 through 6 above no later than the 90th day after the DSC fee is paid online or by mail.

C. PROCESSING A REQUEST FOR DSC MADE BY AN ATTORNEY

An attorney for a Defendant may make a request for DSC at the Cashier's window for cases, subject to the same requirements as listed above in B for pro se defendants.

D. TRIAL COSTS TO REMAIN

Once summons or trial fees have been added to a case, those fees will remain as costs to be paid even if the defendant is later granted DSC.

E. PROOF OF COMPLIANCE

The following requirements apply to dismissal of the case upon proof of compliance:

1. *Clerk may accept documents.* The Clerk may accept proof of completion of DSC at the Cashier's window or by mail if the Defendant presents:
 - a. A certificate indicating timely completion of the driving safety course, which must be signed by the Defendant, indicate that it is the "**COURT COPY**," and have no alterations, modifications and/or erasures; AND
 - b. A driving record certified by the Texas Department of Public Safety which was issued after the offense date, indicates the Defendant's license status is Eligible, and does not show that a driving safety course has been completed for the purpose of dismissing a moving violation within the twelve (12) months preceding the date of the current citation.

2. *Defendant to appear if documents insufficient.* If a Defendant appears in person and presents documents which are insufficient for dismissal, the Clerk shall send the Defendant to see the Judge if he is available at the window. If the documents are provided by mail or download, the Clerk shall file the documents and send the case to the Judge's tray.
3. *Dismissal of case upon compliance.* If the Clerk receives sufficient proof of completion of the DSC, the Clerk will make appropriate comments in the computer system and send the case to the Judge's queue for DSC dismissal. The Court shall dismiss the case if the Defendant has complied with all conditions as ordered by the Court.
4. *Show cause hearing.* If the Defendant fails to provide evidence of successful completion of the DSC within the time period allowed, the Defendant must appear at the show cause hearing set at the time of approval and show why such evidence was not timely submitted. If the Defendant fails to appear, the case shall be placed in the Judge's queue for judgment.

**JUDGE'S STANDING ORDER NO. 8:
PAYMENT PLAN**

Upon a plea of guilty or no contest, and waiver of jury/bench trial and a request for a payment plan:

Send the defendant to the Judge if during window court hours. If not or the Judge is not available set the Defendant on the Arraignment Docket. The clerk can tell them when they can return to see the Judge. Provide the Defendant the Financial Statement Form to fill out prior to seeing the Judge.

If defendant claims he/she cannot make the payments in accordance with this order, the Court Clerk shall set the case on an arraignment docket to discuss with the Judge or come to window court in order to explain the alternate ways to satisfy their obligations.

**JUDGE'S STANDING ORDER NO. 9:
FAILURE TO APPEAR/VOLUNTARY WRITTEN PROMISE TO APPEAR**

If a defendant has failed to timely appear in court to properly dispose of his/her case, and subsequently appears in court, the Court Clerk is authorized to process the case as provided in these standing orders if the defendant:

1. Set the case on the appropriate Show Cause Dockets for Capias Warrants on the FD docket and Capias Pro Fine for an SP docket to the see the Judge,
2. The Clerk may withdraw a warrant for the failure to appear/violate promise to appear charge and the companion charges if a plea of guilty or no contest and full payment of the fine and court costs;
3. If the person feels they cannot pay in full refer them to the Judge if he is available at the window, or
4. Upon a plea of not guilty, posts an attorney, surety or cash bond and sets a court date on all charges not cleared.

JUDGE'S STANDING ORDER NO. 10:

**JURY TRIALS AND
PRE-TRIAL CONFERENCES**

1. JURY TRIALS

The rules and procedures concerning trial by jury including summoning will comply with Chapter 45 TCCP specifically 45.026 thru 45.036.

Any defendant requesting a jury trial, or as otherwise specified herein, shall be set for a pre-trial docket to speak with the prosecutor. The defendant is advised that all pre-trial motions and request for discovery must be filed in writing 7 days in advance of the hearing before the Court.

Any defendant who requests a jury trial is advised that failure to appear on the day of trial will cause the assessment against the defendant of the costs of impaneling the jury, unless good cause is shown to the Court, pursuant to Article 45.026 of the Texas Code of Criminal Procedure.

A pretrial with the prosecutor may be reset by the defendant once without agreement of the prosecutor. Thereafter, resets will only be granted upon agreement of the prosecution, or for good cause shown to the Court.

2. OTHER MATTERS SET FOR PRE-TRIAL

Any matter where a pro se needs to discuss dismissal, request for discovery, other pretrial matters shall be set on a pretrial to discuss with the prosecutor.

**JUDGE'S STANDING ORDER NO. 11:
MODEL RULES OF DECORUM ADOPTED**

All persons who appear before Court must adhere to the model rules of decorum which are hereby adopted.

LOCAL RULES AND DECORUM

All counsel and any person appearing pro se in the Municipal Court of the Town of Addison shall by entering an appearance acknowledge that he or she has read and is familiar with these Local Rules, the Rules of Decorum set forth in Appendix 2, and The Texas Lawyers Creed set forth in Appendix 3.

Every attorney permitted to practice in this court shall familiarize oneself with and comply with the standards of professional conduct required of members of the State Bar of Texas and contained in the Texas Disciplinary Rules of Professional Conduct, V.T.C.A. Government Code, Title 2, Subtitle G-Appendix and the decisions of any court applicable thereto, which are hereby adopted as standards of professional conduct of these courts.

Counsel, witnesses under their control, and parties should exercise good taste and common sense in matters concerning dress, personal appearance, and behavior when appearing in court or when interacting with court personnel. All lawyers should become familiar with their duties and obligations as defined and classified generally in the Lawyers Creed, Disciplinary Rules, common law decisions, the statutes, and the usages, customs, and practices of the bar.

RULES OF DECORUM FOR THE MUNICIPAL COURT OF ADDISON, TEXAS

1. COURTS WHERE APPLICABLE

The following rules of decorum shall be applicable to and shall govern cases tried in the Municipal Court of Record of Addison, Dallas County, Texas.

2. CONDUCT REQUIRED OF ALL PERSONS WHILE ATTENDING COURT; UNLESS OTHERWISE PERMITTED BY THE TRIAL JUDGE

- a. No reading of newspapers or magazines in the courtroom at any time, unrelated to proper participation in the case then before the Court;
- b. No bottles, paper cups or beverage containers into the courtroom;
- c. No edibles or food containers or packaging in the courtroom;
- d. No feet on tables, chairs or benches;
- e. Do not sit on tables, railings, desks or arms of chairs;
- f. No person shall walk through, sleep or loiter in the courtroom while any proceedings are being held (or court in session);
- g. No making noises or talking by persons unless during the proper participation in the matter then before the Court;
- h. No gum chewing in the courtroom;
- i. Before entering a courtroom all persons shall first remove overcoat, hats, etc.;
- j. Before entering a courtroom all persons shall first ensure that all cell phones, pagers, or other electronic devices as appropriate are turned off or configured in such a manner so as to prevent any interruption of the proceedings before the court; and
- k. While appearing before the court, or at any time during the trial of a matter, no person shall by any facial expression, nonverbal gesture, guttural utterances, or any other conduct exhibit approval or disapproval of any testimony elicited or any statement or transaction which has occurred in the courtroom.

JUDGE'S STANDING ORDER NO. 12:

ATTORNEY APPEARANCES

NOTICE OF APPEARANCE, MOTIONS AND OTHER SUBMISSIONS

On this date, the Court entered the following **ORDER** with respect to notice of appearance, motions and other documents submitted to the Court:

A. NOTICE OF APPEARANCE AND SUBSEQUENT CORRESPONDENCE

The following requirements apply to notices of appearance and subsequent correspondence:

1. *Notice of appearance.* An attorney who makes an appearance for a Defendant shall file a letter with the Court Clerk clearly indicating such entry of appearance and requesting that the case be set on an attorney docket. The letter must contain the following:
 - a. Defendant's full name;
 - b. defendant's date of birth;
 - c. defendant's driver's license or identification card number and state of issuance, if known;
 - d. the case or citation number and offense name of each charge on which the attorney is appearing.
2. *Subsequent correspondence.* Subsequent correspondence regarding one or more of the Defendant's cause numbers must continue to contain this identifying information.

B. MOTIONS TO WITHDRAW

The following requirements apply to motions to withdraw:

1. *Form of motion; notice.* An attorney of record shall not be permitted to withdraw from any case without presenting a motion in writing and obtaining from the Court an order granting leave to withdraw. When withdrawal is made at the request of or on agreement of the Defendant, such motion shall be accompanied by the Defendant's written consent to such withdrawal or a certificate by another lawyer that he/she has been employed to represent the Defendant in the case. In the event the Defendant has not consented, a copy of the motion to withdraw shall be mailed to the Defendant at his/her last known address by certified mail and regular first class mail. A copy of the motion shall be sent to the State's attorney by way of the Prosecutor portal at the Court's website at www.addisontexas.net.
2. *Contents of motion.* The motion to withdraw shall contain the following:
 - a. Defendant's full name;
 - b. defendant's date of birth;
 - c. defendant's driver license or identification card number and state of issuance;
 - d. the case number and offense name of each charge from which the attorney wishes to withdraw;
 - e. the reason the attorney wishes to withdraw; and
 - f. a list of current deadlines and settings.

The following must be also included in any motion to which the Defendant has not consented:

- g. Defendant's last known address and telephone number;
 - h. a statement that a copy of the motion was delivered to the Defendant; and
 - i. a statement that the Defendant was notified in writing of his/her right to object to the motion.
 - j. An Order for the ruling of the Judge shall be included.
3. *Time deadline.* A motion to withdraw must be filed at least 7 days prior to the next docket setting, or it will be denied as untimely. Notice of the motion must also be mailed to the Defendant at least 7 days prior to the docket setting.
 4. *Notice to Defendant after motion granted.* After leave to withdraw is granted, the withdrawing attorney shall advise a Defendant who has not consented to the motion of the withdrawal by regular mail, stating any settings for trial or otherwise, and advising the defendant of the right to secure other counsel.
 5. You will not be released from any bond by withdrawing or substitution of council without approval of the court.

C. MOTIONS TO SUBSTITUTE COUNSEL

A motion to substitute counsel must contain items 2a-d of the preceding section, and contain a statement that the Defendant approves the substitution. The motion must contain the signature of the attorney to be substituted along with his or her address, telephone, facsimile number and State Bar number, or be accompanied by a letter or certificate of representation from that attorney.

D. VACATION LETTERS

The Court does not accept vacation letters:

1. *Inadvertent setting.* If a matter is inadvertently set during the dates designated in the letter, the Court may cancel the setting and/or reschedule it upon oral or written motion of a party or on the Court's own motion.
2. *Continuance required for prior settings.* A vacation letter alone will not excuse appearance at hearings, docket or trials set prior to the filing of the vacation letter. In the event an attorney already has a setting at the time the vacation letter is filed, a motion for continuance must be filed and a ruling obtained, and there is no assurance that the motion will be granted.

E. SUBMISSION OF MEDICAL, FINANCIAL AND SIMILAR DOCUMENTS

The following requirements apply to medical, financial and similar documents:

1. *General provision.* If the Clerk receives documents relating to a case pending in the Court which contain medical, financial, psychological or similar personal information, the disclosure of which may violate a Defendant's or other person's common law right of privacy, the Clerk will provide such documents to the Court for an *in camera* review. After review, the Court will direct the Clerk as to whether the documents shall be filed as public records in the Defendant's case, be returned to the provider of the documents, or be destroyed.

F. DEADLINE FOR MOTIONS PRIOR TO TRIAL

All motions to be considered at a trial or pre-trial hearing must be on file with the Docket Clerk at least 7 days prior to the trial or hearing date.

G. SIGNING IN AT BAILIFFS DESK

1. An attorney appearing in court shall print his/her name under their signature on the Attorney Docket sheet showing the clients he/she represents.
2. if appearing for another attorney they shall print the attorney they are appearing for.

JUDGE'S STANDING ORDER NO. 13
AMENDMENT AND REILING OF COMPLAINTS

On this date, the Court entered the following ORDER with respect to amendment and reiling of complaints:

A. APPROPRIATE CIRCUMSTANCES FOR AMENDMENT OR REILING

Notwithstanding the form of the State's motion or the Court's order, the Clerk shall take the following action when presented with a motion and order to either amend a complaint or to dismiss and refile a complaint:

1. Complaints to be amended. The existing complaint shall be amended, with the case remaining under the same cause number, when the State requests:
 - a. A correction to the Defendant's name;
 - b. A correction to the location of the offense;
 - c. A correction to the date of the offense;
 - d. A correction to any variable, such as an object or a name;
 - e. The addition of an enhancement allegation;
 - f. The addition of an allegation of family violence in an assault case; or
 - g. Any other correction or addition not listed in subsection 2, below.

2. Complaints to be dismissed and refiled. The existing complaint shall be dismissed, with the case refiled under a new cause number, in the following circumstances:
 - a. The State is alleging the offense was committed by a different person than the Defendant against whom the case was originally filed; or
 - b. The State is alleging a different offense than was originally filed.

JUDGE'S STANDING ORDER NO. 14
ACCEPTABLE PAYMENT METHODS

IT IS ORDERED that the following payment methods may be utilized when processing payments for fines due:

1. **Credit/Debit Payments.** Most major credit cards and debit cards will be accepted. Persons making payment shall be responsible for payment of all service fees or additional charges for use of debit or credit cards.
2. **Internet Payments.** Payments may be made online at www.municipalonlinepayments.com/addisontx with a credit or debit card. Persons making payment shall be responsible for payment of all service fees or additional charges for use of debit or credit cards via the internet.
3. **Checks, Cash, and Negotiable Instruments.** Personal Checks, Cashier's Checks and Money Orders will be accepted for payment of fines and fees; provided however, that personal checks shall not be accepted for payment of warrants. Personal checks must be accepted by Telechek and may not be a starter check. Cash, Credit Card, Cashier's Check or Money Order are acceptable payment methods for money due on a warrant.
4. **Cash Payments.** Cash payments meeting the following requirements will be accepted:
 - A. No more than \$20 paid in coin; and/or
 - B. No more than \$100 paid in one dollar bills;

Persons paying in cash must remain at the Court window while the payment is being counted. A payment receipt will be issued only if the person tendering payment remains to witness the counting of currency by Court staff. If a person refuses to remain at the window and witness the counting of the currency by Court staff, the currency will be immediately returned.

JUDGE'S STANDING ORDER NO. 15
CORRECTION OF COURT'S RECORDS

On this date, the Court entered the following ORDER with respect to correction of the Court's records:

A. CORRECTION OF ERROR IN COMPUTER RECORDS OR COMPLAINT

If after the filing of a citation or complaint, the Clerk observes that the Court's records of the Defendant's name or date of birth are incorrect based on a government-issued identification card or passport which has been presented to the Court by the Defendant, the Clerk may correct the computer records and/or the complaint in the case to reflect the correct information as contained in the identifying document. The clerk shall make a comment indicating the correction that was made. **If the Clerk has any question about whether the correction of the name or date of birth is appropriate, the Clerk shall ask the Judge for instruction.**

B. CORRECTION OF ERROR IN CASE AT WARRANT

In a case with an outstanding warrant, if the Clerk observes that the Court's records of the Defendant's name or date of birth are incorrect based on a government-issued identification card or passport which has been presented to the Court by the Defendant, the Clerk may correct the computer records and/or the complaint in the case to reflect the correct information as contained in the identifying document. Under those circumstances, the Clerk shall cancel the warrant, remove the warrant fee, correct the Court's records including the warrant affidavit to reflect the correct information as contained in a government-issued identification card or passport on file, and return the case to the Judge for issuance of a corrected warrant. The clerk shall make a comment indicating the correction that was made. If the Clerk has any question about whether the correction of the name or date of birth is appropriate the Clerk shall ask the Judge for instruction.

C.COMBINATION OF NAMES

If the Clerk observes that the Court has records belonging to one identifiable Defendant which are contained in separate "names" on the Incode computer software, the Clerk may consolidate or combine these names as appropriate to properly reflect all the violations under a single name, even if the original violations existed under different names of the same defendant..

STANDING ORDER No. 16
REGARDING CONDUCT AND USE OF CELLULAR
PHONES. PORTABLE COMPUTERS. PHOTOGRAPHIC. RECORDING OR
OTHER ELECTRONIC EQUIPMENT

WHEREAS, the Rules of the Municipal Court of the TOWN OF ADDISON, TEXAS and Chapter 21 of the Texas Government Code give the Courts the responsibility and authority of ensuring the integrity and impartiality of court proceedings; and require that proceedings be conducted with dignity and in an orderly and expeditious manner with control of the proceedings so that justice is done; and

WHEREAS, a person's conduct, and use of technology in the Town of Addison Municipal Court impacts the dignity and the orderly and expeditious manner in which the proceedings are conducted so that justice is done; and

WHEREAS, this Order is established to address protocols on conduct and usage of technology in a court setting; and

WHEREAS, the Town of Addison Municipal Court Judges encourage the appropriate conduct and use of expanding technology in an effort to provide opportunities for all parties, in order to process court

HEREAS, the Town of Addison Municipal Court Judges also wish to protect the privacy of parties, observers and court personnel conducting business from unwanted conduct and intrusion from others in the courthouse.

NOW THEREFORE, IT IS HEREBY ORDERED by the Town of Addison Municipal Court Judges that the following policy is in effect from this day forward to maintain proper order and decorum and the appearance of impartiality:

1. Conduct: No person shall be permitted to remain within the Addison Municipal Courtroom if engaged in loud, disruptive, or offensive language or actions.

2. Recording Prohibition: The photographing, recording, broadcasting or televising of any person, object or proceeding inside the Addison Municipal Courtroom is not permitted, unless previously authorized by the Court. The Court Bailiffs shall be extra vigilant in ensuring that cellular telephones/devices with camera capabilities, cameras, or other recording devices are not used to photograph, record, and broadcast or televise any person, object or proceeding. Any individual who violates this Order may be subject to being removed from this Addison Municipal Courtroom and having his/her electronic device forfeited to the Court Bailiffs. All forms of audio recording, video recording and use of photographic applications are strictly prohibited in Town of Addison Municipal Court except as specified in this order. Audio recording, video recording, and photographic devices may be permitted during Court proceeding only with prior approval from the judge.

3. General Public Provision: Cellular devices, laptop computers, tablet computers, and any other electronic recording devices or photographic equipment shall not be used in the courtroom and must be turned off, unless approval is granted by the Judge. Cellular devices, laptop computers and tablet computers may be used in the lobby areas provided that they are used in a reasonable and non-disruptive manner, subject to the recording prohibitions in number two above. All persons appearing in Town of Addison Municipal Courts shall adhere to these Rules of the Municipal Court of the Town of Addison, Texas. Dignity and solemnity shall be maintained in the courtroom. Unnecessary conversation, loud whispering, newspaper or magazine reading or other distracting activity in the courtroom while Court is in session is strictly prohibited.

4. Violations: Violation of this Court Order may result in the individual being asked to leave the Addison Municipal Courtroom, being removed from the Addison Municipal Courtroom, the confiscation of cellular devices, laptop computers, tablet computers, and any other electronic recording devices or photographic equipment, and/or a finding of Contempt of Court. Any confiscated items will be returned upon exiting the building.

JUDGE'S STANDING ORDER NO. 17
BONDS, BOND SURRENDERS AND BOND FORFEITURES

On this date, the Court entered the following **ORDER** with respect to bonds, bond surrenders and bond forfeitures:

A. SURETY BONDS

Surety bonds must comply with the requirements of Texas Code of Criminal Procedure Article 17.08 and be on a form promulgated by the Court. All bonds must include a Court date for the Defendant to appear in the Addison Municipal Court.

B. PERSONAL BONDS

Personal bonds must comply with the requirements of Texas Code of Criminal Procedure Article 17.04 and be on a form approved by the Court.

C. ATTORNEY BONDS

No attorney bond will be accepted by the Court unless it complies with the requirements of Texas Code of Criminal Procedure Article 17.08 and be on a form promulgated by the Court. All bonds must include a Court date for the Defendant to appear in the Addison Municipal Court..

D. CASH BONDS

Cash bonds must comply with the requirements of Texas Code of Criminal Procedure Article 17.08 and be on a form approved by the Court. Any cash funds deposited shall be receipted for by the officer receiving the funds and the receipt provided to the Court to file in the records of the case..

E. AMOUNT OF BONDS

Bond will be set in each case an amount of the total due on the case.

F. APPLICATION OF CASH BONDS TO FINE AND COSTS

Upon request of the Defendant and/or order of the Court to apply a cash bond to Defendant's outstanding fines and costs, any remaining funds after such sums are paid shall be refunded as provided above. After the Defendant complies with the conditions of the defendant's bond any remainder will be refunded to:

1. the person named in the receipt, or named in the bond form as the person who provided the funds, including the Defendant if the receipt was issued to the defendant; or
2. the Defendant, if no other person is able to produce a receipt for the funds.

F. PROCEDURE FOR SURRENDER

A surety wishing to surrender a bond shall comply with the requirements of Texas Code of Criminal Procedure Article 17.19(a). The affidavit of surrender must contain the following information:

1. the court and cause number of the case;
2. the name of the Defendant;
3. the offense with which the Defendant is charged;
4. the date of the bond;
5. the cause for the surrender; and
6. that notice of the surety's intention to surrender the principal has been given to the Defendant's attorney as required.

G. RESETTING OF BONDS AFTER FORFEITURE OR SURRENDER

Any Defendant who requests a court setting after a bail or appearance bond has been forfeited or surrendered shall first post a **cash** bond and then be set on the appearance docket or the trial docket, as appropriate, unless the Court in its discretion allows the resetting of a personal or surety bond.

H. CANCELLATION OF FORFEITURE ON DEFENDANTS APPEARING SAME DAY

If a Defendant appears on the same day that a bond was forfeited and the case is resolved by conviction, deferral or dismissal, the civil bond forfeiture case will not be filed, but the criminal case warrant fees may remain, at the discretion of the Court. If the Defendant appears on the same day that a bond was forfeited and maintains a plea of not guilty, the decision whether to process the civil bond forfeiture case or to reinstate the bond is at the discretion of the Court.

I. CONTINUATION OF BOND AFTER AMENDMENT OR REILING

If the case for which the bond has been made is amended or refiled, the bond continues to be valid and will follow the amended or refiled case, without the need for the defendant to post a new bond.

J. RELEASE FROM JAIL ON BOND PRIOR TO MAGISTRATION

A Defendant booked into jail on a capias warrant where the bond has been set may be released on a cash or surety bond in the amount of the total amount due on the case prior to seeing the Judge in magistration. The bond will be returnable the next business day, or on a date provided by the Clerk in the case of holiday weekends. For new offenses in which the Judge finds probable cause to hold the Defendant, the Judge will set bond at the next magistration. For on-view offenses in which the Judge does not find probable cause, the Defendant is to be released without bond.

JUDGE'S STANDING ORDER NO. 18
DISCOVERY

On this date, the Court entered the following **ORDER** with respect to discovery:
In accordance with Article 39.14, Texas Code of Criminal Procedure, the following requirements apply to requests for discovery:

1. *After request, State shall permit inspection.* The State shall, as soon as practicable following a timely request from the Defendant, produce and permit the inspection by or on behalf of the Defendant of all documents, items, or information responsive to Defendant's request which are in the possession, custody, or control of the State, or any person under contract with the State. The State is not required to permit inspection of its work product, or of material which is otherwise privileged. If the State withholds or redacts privileged material, it shall so inform the Defendant.
2. *Duplication to be allowed; exception.* The State shall permit electronic duplication, copying and photographing of the material requested, and may voluntarily provide such copies or electronic duplicates to the Defendant at its own expense, except that in the case of a pro se Defendant, the State is not required to allow electronic duplication of the material.
3. *Defendant not to disclose material.* Except as provided in Article 39.14, the Defendant, an attorney representing the Defendant, or any agent of the Defendant may not disclose to a third party any documents, evidence, materials, or witness statements received from the State unless:
 - (a) the Court orders the disclosure upon a showing of good cause after notice and hearing after considering the security and privacy interests of any victim or witness; or
 - (b) the documents, evidence, materials, or witness statements have already been publicly disclosed.
4. *Exculpatory evidence to be provided.* The State shall disclose to the Defendant any exculpatory, impeachment, or mitigating document, item, or information in the possession, custody, or control of the State that tends to negate the guilt of the Defendant or would tend to reduce the punishment for the offense charged.
5. *Duty to supplement.* If at any time before, during, or after trial the State discovers any additional document, item, or information required to be disclosed under section 4 above, the State shall promptly disclose the existence of the document, item, or information to the Defendant or the Court.
6. *Either party may request hearing.* Either party may request and shall be entitled to a hearing on any dispute arising from discovery requests or discovery responses.

**THE ABOVE REVISED JUDGE'S STANDING ORDERS NUMBERS 1 THROUGH 18
ARE HEREBY ADOPTED.**

Signed this 15th day of February, 2019.

A handwritten signature in blue ink that reads "Larry B. Dwight". The signature is written in a cursive style with a large initial "L" and "D".

PRESIDING JUDGE LARRY B. DWIGHT