

# Standing Order No. 1:

#### Compliance Dismissal with Administrative Fee

The Clerk and the Staff are authorized to process the dismissal of the following offenses. Upon the payment of the specified administrative fee, the proper documentation set forth below is presented. The Clerk and staff shall maintain an electronic record of the documents presented.

- 1. Expired Registration, 504.407(B), T.C.
  - Defendant presents documentation that the defect was remedied within 20 working days of the offense or before the defendant's first court appearance, whichever is later.
  - Defendant presents documentation of payment of the late fee for registration (late registration penalty fee) with the appropriate tax office.
  - Defendant pays an administrative fee of \$20.00 to the court.
- 2. Expired Driver's License, 521.026, T.C.
  - Defendant presents documentation that the defendant's driver's license was renewed within 20 workings day of the date of the offense or before the defendant's first court appearance, whichever is later.
  - Defendant pays an administrative fee of \$20.00 to the court.
- 3. Fail to Display Driver's License, 521.025, T.C.
  - Upon presentation of a Driver's License that was:
    - Issued to that person.
    - > Appropriate for the type of vehicle and valid at the time of arrest for the offense.
  - Defendant pays an administrative fee of \$10.00 to the court.
- 4. Violate Driver's License Restriction or Endorsement, 521.221, T.C.
  - Defendant presents documentation of DPS removing restriction or endorsement before first court appearance.
  - Defendant pays an administrative fee of \$10.00 to the court.
- 5. No Front License Plate or Only one License Plate, 502.404(F) and (G). T.C.

- Defendant presents photographic documents that the defect was remedied before the first court appearance; and the registration for the vehicle is current during the period the offense was committed.
- Defendant appears on or before the first court appearance to the court office and a peace officer inspects the vehicle and verifies the violation has been corrected.
- Defendant pays an administrative fee of \$10.00 to the court.
- 6. Display Altered, Unclean, or Obscure License Plates, 502.409, T.C.
  - Defendant presents photographic documentation that defect was remedied before the first court appearance.
  - Defendant appears at the court office and a peace officer inspects the vehicle and verifies the violation has been corrected.
  - Defendant pays an administrative fee of \$10.00 to the court.
- 7. Fail to Report Change of Name or Address, 521.054, T.C.
  - Defendant presents documentation that the defect was remedied within 20 working days
    of the offense.
  - Defendant pays an administrative fee of \$20.00 to the court.
- 8. Operate Vehicle with Defective Equipment, 547.00(C) and (D) T.C.
  - Defendant presents documentation that defect was remedied before the first court appearance.
    - > The offense should not involve a commercial motor vehicle.
  - Defendant appears at the court office and a peace officer inspects the vehicle and verifies the violation has been corrected.
    - > The offense should not involve a commercial motor vehicle.
  - Defendant pays an administrative fee of \$10.00 to the court.

The above Sta	nding Order is	hereby adopted	d, signed,	ordered,	and decre	eed or	n this the	23m	day
of May		hereby adopted _, 20_24		•					

Amanda Webb Rowe (Judge, Municipal Court)



# Standing Order No. 2:

#### **Dismissals without Fees**

The Court Clerks are authorized to process the dismissal of the following offenses upon showing the requisite proof.

- 1. No Proof of Financial Responsibility, 601.193, T.C.
  - Defendant presents documentation of an insurance card or insurance policy valid at the time of offense, on or before the first court appearance.
- 2. No Driver's License, 521.021, T.C.
  - Defendant presents documentation of valid driver's license at the time of offense on or before the first court appearance.

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				Amanda Webb Rowe (Judge,	, Municipal Court)
				City of Oak Ridge North	
				Montgomery County, Texas	



# Standing Order No. 3:

#### **Motions for Continuance**

Written motions that are verified are required unless the defendant, attorney for the defense, or state appear before the court on the date of court, whereupon a verbal motion may be made.

The court as a matter of policy will grant one continuance motion per party without good cause shown. If motion is filled three (3) business days before scheduled court appearance.

Subsequent motions for continuance filed at least seven (7) business days before the court date, will be on good cause shown. Which may include but not be limited to:

- > Pre-existing court date, with appropriate documentation regarding when notified of the conflicting court date.
- Pre-scheduled vacation dates
- Conflicting subpoenas for witness,

A date for a hearing on the subsequent motion will be provided to the defendant, such as a hearing shall be set before defendant's next scheduled court appearance.

Motions untimely filed or without good cause shown, may be denied by court.

Motions denied and subsequent failure to appear, may have the prosecutor request that a failure to appear/violate to appear charge be filled and a warrant will be executed.

Unverified motions will be denied.

The above Standing Order is hereby adopted, signed, ordered, and decreed on this the  $\frac{\partial \mathcal{S}^{rO}}{\partial \mathcal{S}^{rO}}$  day of  $\frac{\partial \mathcal{S}^{rO}}{\partial \mathcal{S}^{rO}}$ .

Amanda Webb Rowe (Judge, Municipal Court)

City of Oak Ridge North

Montgomery County, Texas



### Standing Order No. 4:

### Juvenile and Parental Obligation Statutory Warning

In accordance with Article 45.057 Texas Code of Criminal Procedure, you are hereby advised as follows:

A child and parent required to appear before the court have an obligation to provide the court in writing with the current address and residence of the child. The obligation does not end when the child reaches age seventeen (17). On or before the seventh (7th) day after the date the child or parent changes residence, the child or parent shall notify the court of the current address in the manner directs by the court. A violation of this subsection may result in arrest and is a Class C Misdemeanor. The obligation to provide notice terminates on discharge and satisfaction of the judgment or final disposition not requiring finding of guilt.

Upon failure to appear by a juvenile, the following notice shall be sent to the juvenile.

**Warning:** court records reveal that before your seventeenth (17th) birthday you were accused of a criminal offense and have failed to make 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.

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The above Standing Order is hereby adopted, signed,	ordered, and decreed on this the	day
of $\langle \gamma $		

Amanda Webb Rowe (Judge, Municipal Court)



#### Standing Order No. 5:

#### **Deferred Disposition**

Individuals with Commercial Driver's Licenses (CDL's) do not qualify for deferred disposition for a violation of a state law or local ordinance relating to motor vehicle control.

Any judgment process in error will be rescinded and the defendant notified of a new court date.

Pursuant to any Prosecutor's offer, clerks may process a request for deferred disposition, upon a plea of guilty or no contest. The terms of the deferral disposition and conditions are below:

- The offense did not involve a violation in a construction zone with workers present.
- The defendant was not a juvenile at the time of the offense.
- The defendant may not receive any new citations during period of deferral.
- If the defendant is under the age of twenty-five (25), an additional term of the deferral is that the defendant is required to complete a driving safety course. Defendant must provide certificate prior to the end of deferral.
- The defendant must pay the court cost and special expense fee immediately or before the end of the deferral.

If a defendant fails to comply with the terms and conditions of the deferred disposition judgment, the court clerk shall send notice to the defendant of the failure to comply and required that the defendant appear at the time and place stated in the notice to show cause why the terms and conditions were not timely submitted to the court.

If defendant fails to appear at the show cause hearing, the court shall enter an adjudication of guilt and impose sentence.

The above Standing Order is hereby adopted, signed, ordered, and decreed on this the 30 day

Amanda Webb Rowe (Judge, Municipal Court)



### Standing Order No. 6:

### **Driving Safety Course**

Individuals with Commercial Driver's Licenses (CDLs) do not qualify for driving safety course (DSC) for a violation as a state law or local ordinance relating to motor vehicle control.

Any judgment process in error will be rescinded and the defendant notified of a new court date.

Pursuant to any Prosecutor's offer, clerks may process a request for driving safety course, upon a plea of guilty or no contest. The defendant has ninety (90) to complete the driving safety course (DSC). Defendant shall submit a uniform certificate of the completion and driving record to the court.

The terms of the driving safety course and conditions are below:

- Defendant requests DSC on or before the initial appearance.
- Plead guilty or no contest to the charge.
- Has not taken DSC within the preceding 12 months from the date of the offense to dismiss a citation.
- An affidavit stating that the defendant is not currently taking course under this section shall be signed beforehand.
- Has valid driver's license, current proof of financial responsibility, and must pay special expense fee.
- Is charged with a moving violation.

Defendant is not entitled to mandatory DSC if charge with one of the following:

- Passing a school bus 545.066 TC
- Accident involving damage to vehicle 550.022 TC.
- Construction or maintenance work zone 542.404 TC.
- Driving more than 25 mph over the speed limit.
- Reckless driving.

If a defendant fails to comply with the terms and conditions of the driving safety course judgment, the court clerk shall send notice to the defendant of the failure to comply and required that the defendant appear at the time and place stated in the notice to show cause why the terms and conditions were not timely submitted to the court.

If defendant fails 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 EXTENSIONS WILL BE GRANTED TO TAKE DSC AT THE WINDOW BY THE COURT CLERKS.

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

The above Standing Order is hereby adopted, signed, ordered, and decreed on this the day of \_\_\_\_\_\_\_, 20\_\_\_\_\_.

Amanda Webb Rowe (Judge, Municipal Court)



#### Standing Order No. 7:

#### Fail to Appear/Violate Promise to Appear

If a defendant has failed to timely appear in court to properly dispose of their case, and subsequently appears. The court clerk is authorized to process the case as provided in these standing orders, if the defendant:

- Disposes of the failure to appear/violate to appear charge by a plea of guilt or no contest a full payment of the fine and court costs.
- Upon plea of not guilty, post a bond, and sets a court date.

If defendant fails to appear for the initial appearance date, the court clerk shall make a comment stating that the defendant failed to appear on the electronic docket (INCODE).

If the defendant fails to appear on the fourteenth (14th) calendar day after the initial appearance date, the court clerk shall adjust the window fine to the maximum allowed fine for that offense.

The court clerk shall, after the fourteenth (14th) calendar day after the initial appearance date, submit the case to OMNI and add additional \$10.00 fee to the case.

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The	above Standing	Order is hereby adopt	ed, signed,	ordered, an	d decreed or	n this the	day
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Amanda Webb Rowe (Judge, Municipal Court)



#### Standing Order No. 8:

#### Payment plans

Upon a plea of guilty or no contest, and waiver of jury/bench trial, the Court Clerk may process a payment plan upon the following terms:

• Defendant may request 30 days to pay the fine in full without a required initial payment.

If the defendant states they cannot make the payments in accordance with this order, the Court Clerk may process the case work, indicating the plea of guilty or no contest and waiver of bench/jury trial and set the case(s) for an indigency hearing.

- Defendant is required to provide proof of income, bills, debts, financial obligations and wage statement detail at the time of the hearing.
- Failure to appear at the indigency hearing will result in a Capias Pro Fine warrant being issued.

Defendant should make periodic payments in the amount they can afford to reduce the amount outstanding, all of which will be taken into consideration at the time of the hearing.

After a defendant has set up a payment plan and the defendant has a change in circumstances that they can no longer make their payments as previously scheduled, the court clerk may process an extension for the payment plan up to 60 days. Anything needed more than 60 days will have to schedule an indigency hearing with the Court.

The	above Standing	Order is hereby adopted	d, signed,	ordered,	and decreed	on this the	23rd	day
of_	may	, 20 <u>24</u> .						

Amanda Webb Rowe (Judge, Municipal Court)



# Standing Order No. 9:

# Time Served/Jail Credit

The Court may grant time served/jail credit at a rate of \$150 per calendar day spent in jail. A Defendant requesting jail credit for time served in a jail must show proof of incarceration to the Court.

The above Standing Order is	hereby adopted, signed	, ordered, and decreed on thi	s the $\frac{23}{100}$ da
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		Amanda Webb Rowe (Judge	, Municipal Court)



# Standing Order No. 10:

#### **Capias Pro Fine Warrants**

Upon Defendant's presentation of self at the Court Clerk's window the clerk may:

- Accept payment in full for the total amount due.
- Accept half of the total amount due immediately and set up payment plan on the balance according to standing order No. 8.

If the defendant claims they cannot make the payment in accordance with this order, the Court Clerk any process the case work and set a hearing for indigency.

- Defendant is required to provide proof of income, bills, debts, financial obligations and wage statement detail at the time of the hearing.
- Failure to appear at the indigency hearing will result in a Capias Pro Fine warrant being issued.

Defendant should make periodic payments in the amount they can afford to reduce the amount outstanding, all of which will be taken into consideration at the time of the hearing.

Defendants with three (3) or more Capias Pro Fine Warrants on any individual case will be deemed to have not made a good faith effort to resolve their case and are subject to arrest.

The	above Standing	Order is hereby adopte	ed, signed	, ordered,	and decreed	on this the	23rd	day
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Amanda Webb Rowe (Judge, Municipal Court)



#### Standing Order No. 11:

### **Warrant Payment Plan**

Upon the plea of guilty or no contest and waiver of trial, the court clerk may process a payment plan upon the following terms for arrest warrant.

- Accept payment in full for the total amount due.
- Accept half of the total amount due immediately and set up payment plan on the balance according to standing order No. 8.

If the defendant claims they cannot make the payment in accordance with this order, the Court Clerk any process the case work and set a hearing for indigency.

- Defendant is required to provide proof of income, bills, debts, financial obligations and wage statement detail at the time of the hearing.
- Failure to appear at the indigency hearing will result in a Capias Pro Fine warrant being issued.

Defendant should make periodic payments in the amount they can afford to reduce the amount outstanding, all of which will be taken into consideration at the time of the indigency hearing.

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Amanda Webb Rowe (Judge, Municipal Court)



#### Standing Order No. 12:

# **Regarding Misdemeanor Assault Family Violence Cases**

The Court requires Defendant to appear at Court if they are charged with Assault cases involving family violence, except in the case where the defendant is represented by an attorney. If the defendant has an attorney, the attorney can appear on behalf of the defendant for non-disposition settings. The defendant must appear with attorney for plea or trial settings.

Texas Law requires that certain citations issued for a Class C Misdemeanor contain a prominently printed admonishment stating the defendant's convicted of certain offense constituting family violence are prohibited from possessing or purchasing firearms and advising defendant with question to consult with an attorney.

Requires a court to issue the same admonishment to a defendant charged with a misdemeanor involving family violence before accepting a plea of guilty or no contest.

Provides that the citation serves as this admonishment if the defendant is charged with a misdemeanor punishable by fine only.

Removes the requirement under current law that the court must admonish a defendant that arraignment, prior to accepting a plea of guilty or no contest, regarding possession or purchase of a firearm if the defendant is convicted of a misdemeanor involving family violence. 14.06(b), 26.13 (a), ad 27.14(e), C.C.P.

The	above Standing	Order is hereby adopt	ed, signed,	ordered,	and decreed	on this the	23ra	day
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Amanda Webb Rowe (Judge, Municipal Court)