

JUDGE'S STANDING ORDER NO. 1
COURT DECORUM

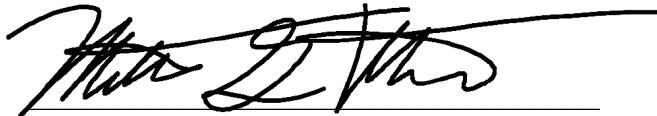
IT IS ORDERED that all parties appearing before the court will compose themselves to the following standards of court decorum:

- 1) No food or drinks are allowed in the courtroom unless provided by the court.
- 2) All persons shall be appropriately dressed in the Courtroom. All people wearing clothing considered by the Court staff to be in appropriate will be escorted from the Courtroom and asked to return properly dressed.
- 3) Stand as court is opened, recessed, or adjourned.
- 4) Stand when the jury enters or retires from the courtroom.
- 5) Stand when addressing, or being addressed by the Court.
- 6) Address all remarks to the Court and not to opposing counsel.
- 7) Avoid disparaging personal remarks, slang, or acrimony toward opposing counsel and remain wholly detached from any ill feeling between the litigants or witnesses.
- 8) Refer to all persons, including witnesses, other counsel, and the parties, by their surnames (last names), not by their first name or nick names.
- 9) If represented by an attorney, only one attorney shall be allowed to represent each party in a proceeding.
- 10) Each party of Counsel should request permission before approaching the bench.
- 11) Any document that a party or counsel wishes to have the Court examine should be handed to the clerk or Bailiff unless otherwise directed by the Judge. By function of law, all documents to be considered as evidence must be entered following the Rules of Evidence and Texas Procedure.
- 12) Any paper or exhibit not previously marked for identification should first be handed to the Clerk to be marked before it is tendered to a witness for his or her examination.
- 13) Any exhibit offered in evidence should, at the time of such offer, be handed to the opposing party or counsel.
- 14) In making objections, a party or counsel should state only the legal grounds for the objection and should withhold all further comment or argument unless elaboration is requested by the Court. Any arguments on objections shall be made by the party or counsel at the bench.

15) Offers, or requests, a stipulation should be made privately, not within the hearing of the jury.

16) All persons at counsel table shall take note that gestures, facial expressions, audible comments, or the like, as manifestations of approval or disapproval during the testimony of witnesses, or at any other time, are absolutely prohibited.

SIGNED AND ENTERED on the 3rd of October 2020.



Matthew G. Wright
Presiding Judge



JUDGE'S STANDING ORDER NO. 2
FINES

IT IS ORDERED that the fines as set forth in the attached Fine Schedule shall be assessed upon a finding of guilty for the stated violations unless individually altered by the Court.


LATE APPEARANCE

IT IS FURTHER ORDERED that if the Defendant violates his promise to appear by the date indicated on the citation the window fine shall increase by \$75, or to the maximum fine allowed by law (whichever amount is lowest) as of the first business day following the appearance date.

This penalty fine may be waived only by the Court.

The window fine will remain in effect until a warrant is signed by the Court.

SIGNED AND ENTERED on the 3rd of October 2020.



Matthew G. Wright
Presiding Judge



**JUDGE'S STANDING ORDER NO. 3
PAYMENT OF FINES AT WINDOW**

IT IS ORDERED that a Clerk may accept payment of a fine or fee at the Clerk's Window.

However, if the case has not been adjudicated (plea entered or guilt/innocence determined by the court), a Clerk may accept payment of a fine or fee from the Defendant only. The Clerk shall verify the identity of the person paying the fine or fee before acceptance.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge



**JUDGE'S STANDING ORDER NO. 4
PAYMENTS RECEIVED BY MAIL**

IT IS ORDERED that a Clerk may accept payment for a fine or fee in the form of a check, cash or money order received by mail in amounts up to Ten (\$10.00) dollars less than the amount of the judgment but in case shall the amount be less than the lawfully established minimum fine. If the amount received is more than Ten (\$10.00) dollars deficient, the payment shall be deemed *a bond and untimely* with a notice mailed to the Defendant with a request for the remaining amount of payment to be paid immediately. The Defendant shall be liable for any additional fees resulting from the untimely receipt of the fines or fees.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge



**JUDGE'S STANDING ORDER NO. 5
EXTENSIONS TO PAY FINES**

IT IS ORDERED that a Defendant who appears at the Court Clerk's window to plead "guilty" or "no contest" may receive an extension to pay the fine of up to 14 days from the date of the required appearance date. The Defendant shall complete and sign the appropriate extension form.

IT IS ORDERED that a Defendant who has mailed a payment that has been deemed to be a bond and untimely because the payment is not in full, may receive an extension to pay the fine of up to 14 days from the date the notice is mailed to the defendant. The Defendant shall complete and sign the appropriate extension form.

IT IS ORDERED that the Clerks may process a request for an extension to pay a fine unless a warrant has been issued for the Defendant by the Court.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge



**JUDGE'S STANDING ORDER NO. 6
COURT SETTINGS**

DOCKET SETTINGS

IT IS ORDERED that a Defendant or his attorney, who appears at the Court Clerk's Window any time prior to "Pending Warrant Status," or "Appear on Date," may, without the requirement of posting a bond, obtain a setting on the Court's "Not Guilty" docket, the "Pre-Trial" (Jury) docket, or the "Attorney Plea" docket, if applicable.

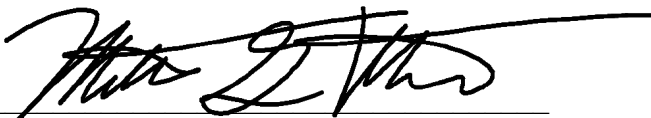
IT IS ORDERED that if a Defendant fails to appear for a properly noticed Court date, he must post a bail bond (cash, surety, or attorney) to obtain another Court Date. If a Judgment *Nisi* is entered against the Defendant, any subsequent bail bond shall be posted in cash, unless expressly approved by the Court.

CONTINUANCES

IT IS ORDERED that a motion for continuance must be in writing and filed with the Court three (3) calendar days prior to the Court setting in order to continue a case on the Court's docket. Deviations from this procedure must be approved by the Court.

Any party may obtain one (1) continuance without agreement of the opposing party and without the requirement of posting a bond. Any Motion for Continuance requested at the Court Clerk's Window must include a corresponding order for the Court's signature. Additional resets must be approved by the Court.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge



**JUDGE'S STANDING ORDER NO. 7
PAYMENT PLANS**

IT IS ORDERED that a Clerk may process a request for a payment plan from a person who appears at the Clerk's window claiming an inability to pay their fine in full under the following guidelines:

- 1) The defendant completes or updates a financial information affidavit at the time of the payment plan request;
- 2) The defendant has not previously defaulted on a payment plan ordered by the court; and
- 3) No warrant for the arrest of the defendant is pending at the time of the request.

If the defendant complies with these conditions, the clerk may proceed to process either of two (2) installment payment plan options elected by the defendant:

Option 1: 2 Week Extension to Pay in Full

- 1) The defendant pays a payment of \$50 at the time of the initial payment plan request;
- 2) The balance of the fine shall be paid in full within 2 weeks of the request;
- 3) The clerk shall not process an additional extension to pay the fine.

The clerk shall advise the defendant that failure to comply with the payment plan will result in:

- a) An additional \$25.00 time-payment fee;
- b) No further extensions to pay the fine;
- c) An arrest warrant or Capias for failure to pay the fine;
- d) A driver's license suspension order issued to the DPS;
- e) Referral of the case to a collection agency (increase of 30% to the fine).

Option 2: Limited Time Payments

- 1) The defendant pays a payment of \$50 at the time of the initial payment plan request;
- 2) A \$25.00 time-payment fee will be added to each pending case;
- 3) The defendant shall complete the Financial Information (short form) which will be verified by a clerk. False or misleading information on the document will be grounds for termination of the payment plan and acceleration of the entire balance of all fines;
- 4) No additional extensions to pay the fine(s) shall be granted by the clerk;
- 5) The clerk shall prepare the payment according to the following schedule:

Total owed: \$0 up to \$500	\$75 - \$150 / month
Total owed: \$501 up to \$1,000	\$150 - \$199 / month
Total owed: \$1,000 or more	\$200 / month
- 6) All fines, fees, and costs must be paid within one hundred twenty (days) from the date the payment plan is entered. Extension past 120 days must be approved by the court after a showing of good cause.

The clerk shall advise the defendant that failure to comply with the payment plan will result in:

- a) An additional \$25.00 time-payment fee;

- b) No further extensions to pay the fine;
- c) An arrest warrant or Capias for failure to pay the fine;
- d) A driver's license suspension order issued to the DPS; and
- e) Referral of the case to a collection agency (increase of 30% to the fine).

Option 3: Indigence Hearing

All persons who allege an inability to pay the fine(s) in accordance with Options 1 or 2 above shall be ordered to appear before the court to determine the indigence of the defendant. The clerk shall provide the defendant with a "Financial Information Affidavit" and advise the defendant to bring to court sufficient documentation to establish indigence and inability to discharge the fine through a payment plan. The information shall include:

- a) Past 2 years Federal Income Tax returns;
- b) Past 3 banks statements (3 most recent months);
- c) Past 3 pay stubs;
- d) Proof of governmental financial assistance;
- e) Verification of disability or worker's compensation benefits, if applicable;
- f) Notice of unemployment insurance disposition and benefit amount, if applicable;
- g) Address & telephone of references who can verify financial information.


The clerk shall advise the defendant that failure to comply with the payment plan will result in:

- a) An additional \$15.00 time-payment fee;
- b) No further extensions to pay the fine;
- c) An arrest warrant or Capias for failure to pay the fine;
- d) A driver's license suspension order issued to the DPS;
- e) Referral of the case to a collection agency (increase of 30% to the fine).

A Clerk may use the system-generated form or the standard two-part form to create the payment plan so long as the defendant signs the form and is advised of and agrees to appear in the event of non-compliance.

All other payment arrangements or plans must be approved by the court upon appearance of the defendant.

SIGNED and ENTERED this 3rd of October 2020.



Matthew G. Wright
Presiding Judge



**JUDGE'S STANDING ORDER NO. 8
DRIVING SAFETY COURSE**

IT IS ORDERED that a Court Clerk may accept a request for the Driving safety Course (DSC) at the Clerk's Window if the following requirements are met:

1. The Defendant requests DSC no later than the "appearance date" stated on the citation or the request is received in the mail no later than seven business days after the "appearance date".
2. The Defendant files with the court a signed affidavit complying with all eligibility requirements for DSC as set forth in Sec. 45.0511(c)(3) of the Texas Code of Criminal Procedure.
3. The Defendant provides proof of financial responsibility, pursuant to the Texas Transportation Code, valid and in force as of the date the Defendant "signs up" for DSC with the Court.
4. The Defendant presents a valid Texas Driver's License or permit.
5. The Defendant pays the DSC fee instanter.
6. The Defendant is not a minor. A minor and the minor's guardian must appear before the court.

IT IS ORDERED that a Clerk may accept proof of completion of a Driving Safety Course (DSC) for dismissal of the case at the Clerk's window or by mail under the following circumstances:

1. The Defendant presents a certificate indicating timely completion of the DSC and a driving record certified by the Texas Department of Public Safety (DPS) issued after the offense date.
2. The driving record presented by the Defendant indicates the Defendant has not completed a driving safety course for the purpose of dismissing a moving violation citation within the twelve (12) months preceding the date of the citation.
3. The course certificate indicates "court copy", is signed by the Defendant and contains with no alterations, modifications and/or erasures.

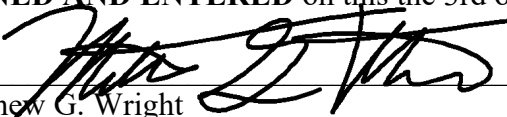
IT IS ORDERED that upon presentation and verification of completion, the Clerks shall present the case to the Court for dismissal.

If the Defendant fails to provide evidence of successful completion of the DSC within the time period allowed, the Clerk shall summon the Defendant to court to show cause why such evidence was not submitted timely. If the Defendant fails to appear, a final judgment shall be prepared for the Court's signature.

No time payment fee shall be assessed until the 31st day after a final judgment has been entered by the Court.

IT IS FURTHER ORDERED that if Defendant presents a uniform course completion certificate for DSC that indicates the course was completed after the citation was issued but prior to the date the court granted the DSC, the Clerk shall accept the certificate and process the case as ordered above.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge



**JUDGE'S STANDING ORDER NO. 9
COMPLIANCE DISMISSALS**

IT IS ORDERED that a Clerk may accept for processing and dismissal, after proof of compliance, the following cases:

1. Display Expired License Plates (registration) (T.C. 502.407(b))
2. Display Expired Inspection Certificate (T.C. 548.605(b))
3. Expired Texas Driver's License (T.C. 521.026)
4. Fail to Display Driver's License (T.C. 521.025(d))
5. Fail to Change Address/Name on Driver's License (T.C. 521.054)
6. Violation of Driver's License Restriction (T.C. 521.221)

The Clerk shall make a copy for the file of the document(s) establishing proof of compliance and present the file to the Court for dismissal of the citation.

ACCEPTABLE PROOF OF COMPLIANCE AND DISMISSAL PROCEDURES

The following are acceptable means of proving remediation and/or compliance and the procedures for processing the case for dismissal:

Expired License Plate (Registration)

1. The standard form generated by a County Tax Assessor's office stamped by the County Tax Assessor's office indicating the date and amount of payment; or
2. The new registration receipt form generated by the County Tax Assessor's office stamped by the County Tax Assessor indicating the date and amount of payment;
3. The date of compliance is not more than 20 working days after the date of offense.
4. The Clerk shall collect a fee of \$20.00 before the case may be processed for dismissal.

Expired Inspection Certificate

1. The standard Texas Vehicle Inspection Report showing the vehicle "passed" inspection, including the license plate number, make and model, the date inspected, and the amount paid, or other document evidencing compliance with the state inspection;
2. The inspection certificate has not been expired for more than 60 days;
3. The date of compliance is not more than 20 working days after the date of offense;
4. The Clerk shall collect a fee of \$20.00 before the case may be processed for dismissal.

Expired Driver's License

1. The temporary license issued by the Department of Public Safety indicating renewal of the license and the date renewed;
2. The date of compliance is not more than 20 working days after the date of offense;

3. The Clerk shall collect a fee of \$20.00 before the case may be processed for dismissal.

Fail to Display Driver's License

1. A valid Texas driver's license that was valid at the time of the offense;
2. No fee shall be collected for dismissal of this charge.

Fail to Change Address/Name on Driver's License

1. A valid Texas driver's license that indicates the name and address of the Defendant has been corrected;
2. A receipt issued by the Department of Public Safety (DPS) indicating that the change was made within 20 working days after date of the offense;
3. The Clerk shall collect a fee of \$20.00 before the case may be processed for dismissal.

Violation of Driver's License Restriction

1. A valid Texas driver's license without the restriction or endorsement;
2. A receipt issued by the (DPS) dated as of or before the defendant's first court appearance;
3. The Clerk shall collect a fee of \$10.00 before the case may be processed for dismissal.

In the event the proof does not comply with the above requirements, at the request of the Defendant, the Clerk may set the case on the "No Contest" docket for hearing before the Court.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge



**JUDGE'S STANDING ORDER NO. 10
DISMISSAL OF FINANCIAL RESPONSIBILITY VIOLATIONS**

IT IS ORDERED that any time prior to the date of hearing for a citation of "Fail to Maintain Financial Responsibility" a Clerk may accept proof of financial responsibility for dismissal if it complies with the following requirements for acceptable proof.

IT IS ORDERED that the status of the violator's driver's license or right to obtain a driver's license shall not be considered when determining eligibility for dismissal.

ACCEPTABLE PROOF

Any typewritten, company generated "Owner's Policy" of insurance coverage covering the day the citation was issued as long as the proof contains the name of the defendant or the make and model of the vehicle the defendant was driving. (Effective January 1, 2011, the minimum liability coverage increases to 30/60/25) Premium notices, payment receipts and/or handwritten documents are not "acceptable proof" of financial responsibility.

Fleet policies may be accepted by a Clerk for dismissal if the defendant presents valid proof consistent with the criteria above and indicia of authorization to drive the covered vehicle.

All documents presented to the Court as proof of Financial Responsibility shall be submitted for verification prior to dismissal, unless directed otherwise by the Court.

IT IS FURTHER ORDERED that a Clerk shall set any cases regarding the sufficiency or validity of proof of financial responsibility for hearing before the Court.

If a Defendant presents acceptable proof for a case for which a warrant has been issued, a Clerk shall attempt immediately to verify the proof.

IT IS ORDERED that if a Clerk cannot verify financial responsibility for the defendant or the vehicle on the date the citation was issued, the Defendant shall be required to post an appearance bond in the amount of the window fine and any additional fees and/or fines that may be assessed.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge



**JUDGE'S STANDING ORDER NO. 11
FAIL TO DISPLAY DRIVER'S LICENSE**

IT IS ORDERED that a charge of Fail to Display Driver's License pursuant to section 521.025 of the Texas Transportation Code shall be dismissed if the Defendant presents to a Clerk:


1. A valid Driver's License;
2. Issued to the Defendant before the time and date of the offense; and
3. Appropriate for the type of vehicle being operated.

IT IS FURTHER ORDERED that a Clerk shall obtain a copy of the Defendant's driver's license and retain said copy in the file, complete the dismissal section of the judgment by indicating the date of dismissal as the date the Defendant appeared at the clerk's window and present the file to the judge for dismissal.

This order shall apply to any "Fail to Display Driver's License" case where proof of a driver's license has been presented to a Clerk consistent with the above policy, regardless of the date this order is signed.

No fee for the dismissal of a charge of "Fail to Display a Driver's License" shall be assessed or collected.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge



**JUDGE'S STANDING ORDER NO. 12
DISMISSAL OF NON-ADJUDICATED CASES
AND UNEXECUTED ARREST WARRANTS**

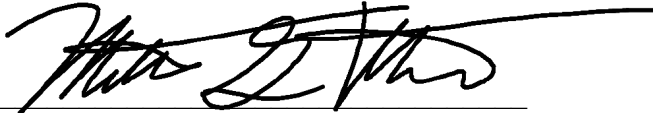
IT IS ORDERED that, pursuant to the Standing Motion of the City Prosecutor, all non-adjudicated cases filed with the Municipal Court of Rosebud more than eleven (11) years from the date of offense shall be and are hereby **DISMISSED**. This ensures that the Omni system is allowed the opportunity to secure an adjudication.

IT IS FURTHER ORDERED that all unexecuted *In Capias* warrants for non-adjudicated cases issued more than two (2) years from the date of this order shall be and are hereby **DISMISSED**.

IT IS FURTHER ORDERED that during the month of June of any year, the Clerk of the Court of the Rosebud Municipal Court shall prepare or cause to be prepared a list of non-adjudicated cases pending with the Court for more than eleven (11) years from the date of offense, said list to be incorporated by reference into the dismissal order for the relevant period, for dismissal pursuant to this Standing Order.

IT IS FURTHER ORDERED that during the month of June of any year, the Clerk of the Court of the City of Rosebud shall prepare or cause to be prepared a list of unexecuted warrants issued by the Court more than two (2) years from the date of issuance, said list to be incorporated by reference into the dismissal order for the relevant period, for dismissal pursuant to this Standing Order.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge



**JUDGE’S STANDING ORDER NO. 13
COURT DOCKET SCHEDULE**

IT IS ORDERED that the following docket schedule be followed for all regular court settings:

- | | |
|-----------------|---|
| 8:30 – 9:00 AM | Juvenile Appearance Docket
<i>(Including: Attorney Appearance, Pre-Trial Appearance, Initial Appearance, “Arraignment”, Show Cause, Pleas)</i> |
| 9:00 – 11:30 AM | Appearance Docket
<i>(Including: Attorney Appearance, Pre-Trial Appearance, Initial Appearance, “Arraignment”, Show Cause, Pleas)</i> |
| 1:00 – 3:00 PM | Bench Trials or Special Appearance Settings |
| 3:00 – 5:00 PM | Bench Trials or Jury Trials |
| 5:30 PM | Bench Trials or Jury Trials |

IT IS ORDERED that the full docket, including the Appearance Docket, Special Appearance Settings, Bench Trials and/or Jury Trials be provided to the Judge, City Attorney, Police Department and City Administration thirty (30) days, fifteen (15) days and forty-eight (48) hours in advance. The docket should be posted on the City of Rosebud’s public notice board.

IT IS ORDERED that special court settings will be set and posted by the court forty-eight (48) hours in advance.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge

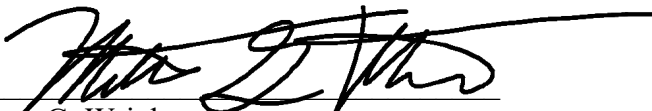


**JUDGE'S STANDING ORDER NO. 14
RECORDING OF PROCEEDINGS**

IT IS ORDERED that under penalty of Contempt of Court, no person, other than the Court Reporter or Court's electronic recording system, may record a court proceeding without the Court's permission. In addition to person in the courtroom, this prohibition applies to members of the public watching the proceedings on the Court's YouTube Channel and to persons with the ability to record via online meeting applications, including but not limited to Zoom, GoToMeeting, etc.

The Court Reporter's record or Court's electronic recording system shall be the only record of the court proceeding. Any person found to be in violation of this order faces a contempt proceeding which may result in a fine up to \$500 and confinement in jail for each act of contempt.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge




**JUDGE'S STANDING ORDER NO. 15
TELEPHONE OR VIDEO HEARINGS**

IT IS ORDERED that the following guidelines and schedule be followed for all telephone or video court settings:

1. Interruptions of Court Proceedings conducted by video or teleconference will not be tolerated.
2. No photography, recording, rebroadcasting, or saving files that have been shared on the screen is permitted per the Court's Standing Orders.
3. Attendance via remote access is open to the public via the Court's YouTube Channel.
4. Video and telephone hearings are official court proceedings. Participants are reminded that telephone or video-teleconference hearings are official court proceedings and all participants should conduct themselves accordingly.
 - a. For proceedings conducted by video teleconferencing, it is the responsibility of counsel and self-represented litigants to be signed in. Partys and counsel must be ready to proceed when the judge calls the case for hearing.
 - b. It is the responsibility of counsel and self-represented litigants to have all parties and witnesses available and ready to proceed when the case is called.
 - c. Participants must follow appropriate courtroom etiquette.
 - d. All participants must wear attired that is appropriate to a Court proceeding.
 - e. Anyone wishing to participate must be ready to access the telephone or video teleconference from an appropriate non-public location where the participant can focus without distraction.
 - f. Participants should mute their audio when not speaking.
5. Exhibits are counsel's and self-represented litigant's responsibility. Counsel and self-represented litigants are responsible for sharing of exhibits during a hearing.
6. During court operations not conducted under Emergency Orders, a party may request to be placed on an e-court docket that is conducted via telephone or videoconference with the judge's approval and upon hearing of any objections by the opposing party.

This Order shall be effective immediately and remain in effect until modified or withdrawn.

SIGNED AND ENTERED on this the 3rd of October 2020.


Matthew G. Wright
Presiding Judge



**JUDGE'S STANDING ORDER NO. 16
VULNERABLE POPULATIONS**

IT IS ORDERED that the following notice shall be posted on the Court's website, at the entrance to the Court and at the Court Clerk's window:

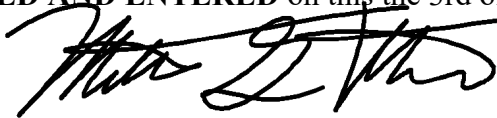
NOTICE TO VULNERABLE POPULATIONS

The following are considered to be a member of Vulnerable Populations:
Individuals who are over age 65 and individuals with serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune systems are compromised such as by chemotherapy for cancer or other conditions requiring such therapy are considered to be vulnerable populations.

Any person who is in a Vulnerable Population category may contact the court to identify themselves as a vulnerable individual and receive accommodations, which will include the ability to participate in electronic or telephonic proceedings. If you do not have the technology to appear electronically or by telephone, the court will make accommodations for you at the court that will include the ability to so participate using equipment that will be sanitized between users. If you appear in person at the court, you will be required to wear a protective mask, or one will be provided to you if you do not have one.

This Order shall be effective immediately and remain in effect until modified or withdrawn.

SIGNED AND ENTERED on this the 3rd of October 2020.



Matthew G. Wright
Presiding Judge

