

Part 5. RULES FOR DISPOSITION OF CRIMINAL CASES

Rule 5.1: COURTROOM DECORUM

(a) All persons with business before the Court shall be prompt and shall come to order as the Judge takes the bench, be attentive to proceedings, and cause no distraction.

(b) No person shall make gestures, facial expressions nor sounds indicating approval or disapproval of any ruling, testimony, person or conduct.

(c) Unless otherwise ordered by the Judge of the court, no firearms or weapons of any kind will be permitted in areas of the building set aside for use by criminal cases, except for those carried by the bailiffs assigned to each court, by peace officer witnesses, District Attorney investigators, or other authorized security personnel serving the court.

(d) No camera or recording equipment is permitted in the environs of the courtroom without prior permission of the court.

(e) All attorneys are expected to strictly follow Rule 3.07 of the Texas Disciplinary Rules of Professional Conduct regarding trial publicity.

Rule 5.2: PRETRIAL MATTERS

Rule 5.21: MOTION PRACTICE

(a) Parties are directed to use all reasonable means to resolve pre-trial disputes to avoid the necessity of judicial intervention.

(b) No motions, objections or special exceptions will be set for hearing unless the moving party shall have certified in such motion or in a letter substantially the following:

"A conference was held on (date) with (name of attorney for opposing party) on the merits of this motion. Agreement could not be reached. Therefore it is presented to the Court for determination."

or

"A conference was not held with (name of opposing attorney) on the merits of this motion because (explain inability to confer)."

(c) Court Coordinators are responsible for scheduling the dates and times for hearings. Upon receiving the date and time of hearing, the moving party shall immediately notify all other parties in writing as to the date, time and subject matter of the hearing. A Copy of this communication shall be provided to the Court Coordinator.

#### Rule 5.22: SETTING PREFERENCE

The Court will attempt to accommodate conflicting settings of counsel. Priorities, as they relate to such conflicts shall be:

- (1) Settings in any federal court;
- (2) Election contests or other matters requiring assignment of a visiting judge;
- (3) Cases set for any purpose following appearance on a dismissal docket;
- (4) Felony Criminal cases.
- (5) Misdemeanor Criminal Cases.
- (6) Trials on the merit in any court take precedence over hearings, motions, and other temporary matters that any other court.

#### Rule 5.23 ATTORNEY VACATION

Counsel wishing to avoid assignment to trial or other court setting during a vacation period, shall advise the court coordinator in writing at least forty-five (45) days prior to the beginning of the vacation period.

#### Rule 5.24: BAIL BONDS

(a) A condition of all bail bonds in Tarrant County shall be that the person accused shall retain counsel within three days of his/her release. Formal appearance of counsel must be filed with the court within ten days of the defendant's release. A person appearing for any court setting without counsel may be found to have violated a condition of bond and may be arrested and placed in jail and his bond forfeited.

(b) Judges will set bond amounts using as minimum amounts the attached bail schedule - Addendum A.

**Rule 5.3: CASE DISPOSITION**

Attorneys shall follow the procedure set out in each individual court as to continuances, plea dockets, trial settings, presentence reports, appointment of counsel and discovery.

**Rule 5.4: FILING (AMENDED 4-7-92)**

(a) The District Clerk shall accept and file all felony complaints presented to him and identify and docket each case with the unique file number that is assigned to it electronically and randomly by the computer for equal distribution of the cases among the Criminal District Courts and the District Courts trying criminal cases.

(b) The District Clerk shall accept and file all capital murder complaints presented to him and distribute the cases equally on a rotating basis among the Criminal District Courts and the District Courts trying criminal cases.

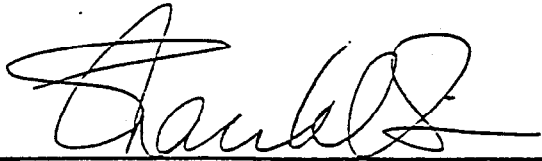
**Rule 5.5: ATTORNEY FEES**

(a) Attorneys appointed to represent indigent defendants must disclose to the court all compensation received from any source on behalf of the indigent defendant. The court will take that disclosure into consideration in determining the appropriate fee to pay court-appointed counsel. Such disclosure should be made within five working days of the attorney's receipt of the compensation, but must be made before the court's payment of attorney's fees to the court appointed attorney.

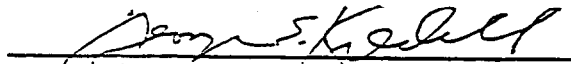
(b) Attorney fees will be paid according to the schedule of fees adopted by the county and district criminal court judges and attached hereto as Addendum B.

**Rules 5.6 to 5.99 - RESERVED**

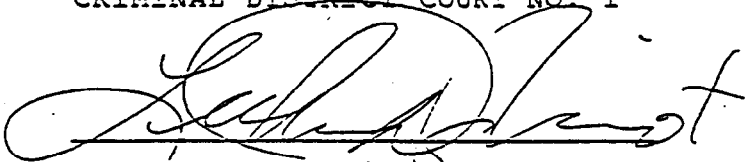
Adopted July 17, 1991



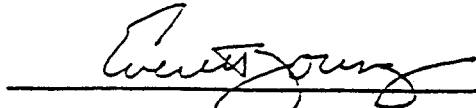
SHAREN WILSON, JUDGE  
CRIMINAL DISTRICT COURT NO. 1



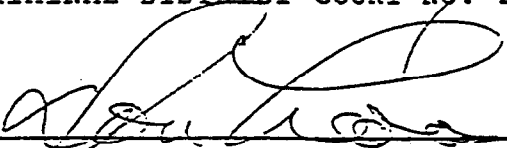
GEORGE KREDELL, JUDGE  
213th DISTRICT COURT



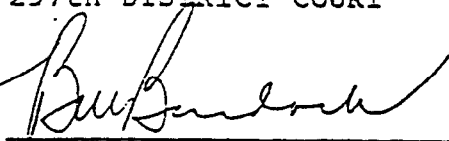
LEE ANN DAUPHINOT, JUDGE  
CRIMINAL DISTRICT COURT NO. 2



EVERETT YOUNG, JUDGE  
297th DISTRICT COURT



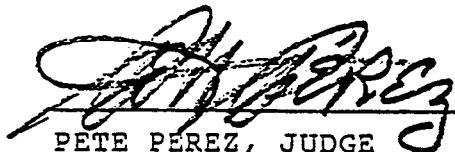
DON LEONARD, JUDGE  
CRIMINAL DISTRICT COURT NO. 3



BILL BURDOCK, JUDGE  
371st DISTRICT COURT



JOE DRAGO, JUDGE  
CRIMINAL DISTRICT COURT NO. 4



PETE PEREZ, JUDGE  
372nd DISTRICT COURT

**BOND SCHEDULE - Minimums Only**

1. Misdemeanor - \$500
2. Third degree felony - \$1,000
3. Burglary - \$2,000
4. Small Possession C.S. - \$2,500
5. Second degree felony - \$5,000
6. First degree felony - \$10,000
7. Agg. robbery, sexual  
Assault, D.W. - \$25,000
8. Capital murder - \$500,000

**ADDENDUM A**

## Attorneys Fee Schedule

## Misdemeanor

court appearance including uncontested disposition	\$ 50 - 250 / appearance
evidentiary court appearance including jury trial	\$ 300 - 800 / day
out of court time	\$ 50 - 100 / hour
appellate time	\$ 75 - 125 / hour

## Felony

court appearance including uncontested disposition	\$ 75 - 300 / appearance
evidentiary court appearance including jury trial	\$ 500 - 1200 / day
out of court time	\$ 75 - 125 / hour
appellate time	\$ 75 - 125 / hour

## Capital Murder - Death Penalty Sought

evidentiary court appearance including jury trial	\$ 750 - 1200 / day
out of court time	\$ 100 - 150 / hour
appellate time	\$ 100 - 150 / hour

*All requests for hourly payment must be itemized. The first client notification letter will not be charged for.*


Rule 5.4 FILING


(a) unchanged


(b) The Court Coordinators shall distribute all capital murder complaints on a sequentially rotating basis among the Criminal District Courts and the District Courts trying criminal cases. As far as possible, all co-defendants will be filed together in a single court and such filing will constitute one capital murder filing in that court for purposes of determining sequence.

By 'sequence' is meant a numerically increasing order, i.e. Criminal District Court No. 1, Criminal District Court No. 2, Criminal District Court No. 3, Criminal District Court No. 4, 213th District Court, 297th District Court, 371st District Court, 372nd District Court, etc.


Adopted April 7, 1992.


  
SHAREN WILSON, JUDGE  
CRIMINAL DISTRICT COURT NO. 1


  
GEORGE KREDELL, JUDGE  
213th DISTRICT COURT

  
LEE ANN DAUPHINOT, JUDGE  
CRIMINAL DISTRICT COURT NO. 2

  
EVERETT YOUNG, JUDGE  
297th DISTRICT COURT

  
DON LEONARD, JUDGE  
CRIMINAL DISTRICT COURT NO. 3

  
BILL BURDOCK, JUDGE  
371st DISTRICT COURT

  
JOE DRAGO, III, JUDGE  
CRIMINAL DISTRICT COURT NO. 4

  
PETE PEREZ, JUDGE  
372nd DISTRICT COURT

**IN THE SUPREME COURT OF TEXAS**

Misc. Docket No. 92-0085

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**APPROVAL OF AMENDMENTS TO LOCAL RULES OF THE  
DISTRICT COURTS OF TARRANT COUNTY**

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**ORDERED:**

Pursuant to Rule 3a of the Texas Rules of Civil Procedure, the Supreme Court approves the following amendments to local rules, which have been previously approved by the presiding judge of the appropriate administrative judicial region and submitted to this Court:

Amendments to Rule 5.4 of the Local Rules of the District Courts of Tarrant County adopted by the judges of the District Courts of Tarrant County handling criminal cases on April 7, 1992.

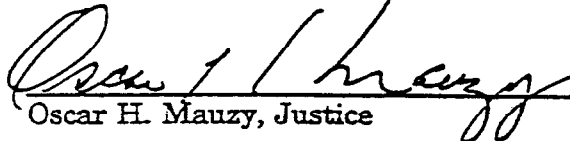
The approval of these amendments is temporary, pending further orders of the Court.


Misc. Docket No. 92-0085


SIGNED AND ENTERED this 16<sup>th</sup> day of June, 1992.

  
Thomas R. Phillips, Chief Justice

  
Raul A. Gonzalez, Justice

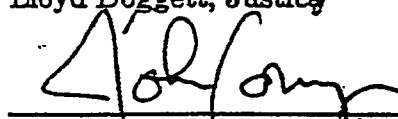
  
Oscar H. Mauzy, Justice

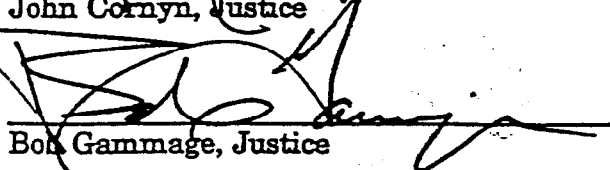
  
Eugene A. Cook, Justice

  
Jack Hightower, Justice

  
Nathan L. Hecht, Justice

  
Lloyd Doggett, Justice

  
John Cornyn, Justice

  
Bob Gammage, Justice

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