

Administrative Policy

ALL CRIMINAL CASES	§	51 ST DISTRICT COURT
	§	119 TH DISTRICT COURT
	§	340 TH DISTRICT COURT
	§	391 ST DISTRICT COURT
	§	TOM GREEN COUNTY, TEXAS

STANDING ORDER FOR THE REFERRAL OF MATTERS TO THE CRIMINAL MAGISTRATE

ON THIS DATE, came on to be considered this Standing Order by the Presiding Judges of the District Courts of Tom Green County, Texas, in their administrative authority. The purpose of this Standing Order is to provide for the most efficient method of addressing and disposing of current and future cases, and to define the parameters of the use of the newly created Criminal Magistrate position in Tom Green County, Texas.

ACCORDINGLY, ON AND AFTER MARCH 9, 2022, and pursuant to Title 2, Subtitle QQ, § 54.2606 of the Texas Government Code:

- (a) a District Court Judge may refer a criminal case or matter relating to a criminal case for proceedings pending in the 51st, 119th, 340th or 391st Judicial Districts, of Tom Green County, Texas involving:
- (1) A negotiated plea of guilty or no contest and sentencing before the court;
 - (2) A bond forfeiture, remittitur, and related proceedings;
 - (3) A pretrial motion;
 - (4) A writ of habeas corpus
 - (5) An examining trial;
 - (6) An occupational driver's license;
 - (7) A petition for an order of expunction under Chapter 55, Code of Criminal Procedure;
 - (8) An asset forfeiture hearing as provided by Chapter 59, Code of Criminal Procedure;
 - (9) A petition for an order of nondisclosure of criminal history record information or an order of nondisclosure of criminal history record information that does not require a petition provided by Subchapter E-1, Chapter 411;
 - (10) A motion to modify or revoke community supervision or to proceed with an adjudication of guilty;

- (11) Setting conditions, modifying, revoking, and surrendering of bonds, including surety bonds;
- (12) Specialty court proceedings;
- (13) A waiver of extradition; and
- (14) Any other matter the judge considers necessary and proper.

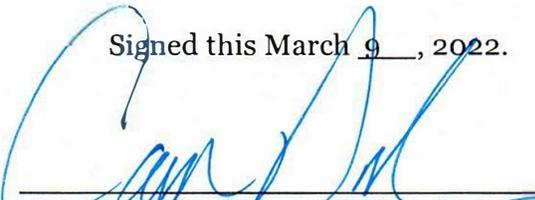
Additionally, the following matters may also be referred:

- (b) A civil case arising out of Chapter 59 of the Code of Criminal Procedure, for any purpose authorized by that chapter, including issuing orders, accepting agreed judgments, enforcing judgments, and presiding over a case on the merits if a party has not requested a jury trial.
- (c) A magistrate may accept a plea of guilty from a defendant charged with misdemeanor, felony, or both misdemeanor and felony offenses.
- (d) A magistrate may select a jury. A magistrate may not preside over a criminal trial on the merits, whether or not the trial is before a jury.
- (e) A magistrate may not hear a jury trial on the merits of a bond forfeiture.
- (f) A judge of a designated juvenile court may refer to a magistrate any proceeding over which a juvenile court has exclusive jurisdiction under Title 3, Family Code, including any matter ancillary to the proceeding.

HENCEFORTH, this shall be considered the Order of Referral for all cases assigned by the District Judges to the Criminal Magistrate, specifically for resolution of any of the above stated matters.

Notwithstanding this standing order, a District Judge may limit the magistrate's powers pursuant to §54.2607. If any limitations are placed on the magistrate, those limitations will be enumerated in a separate individual order for that case.

Signed this March 9, 2022.



The Honorable Carmen S. Dusek
Judge Presiding, 51st District Court



The Honorable Ben Woodward
Judge Presiding, 119th District Court



The Honorable Jay K. Weatherby
Judge Presiding, 340th District Court



The Honorable Brad Goodwin
Judge Presiding, 391st District Court.