



Countywide Justice of the Peace Court  
Coleman County, Texas

## **STANDING ORDERS (SO)**

### **SO1. Defendant Pleas.**

The Clerk of the Justice Court shall receive previously completed plea forms from Defendants in the absence of the Judge of the Justice Court. The Clerk is limited to the physical act of receiving a plea form and under no circumstances advise a Defendant on plea options. The Defendant, or the Defendant's Attorney, are solely responsible for deciding on which plea to enter.

All Defendants shall submit pleas in writing. Use of electronic mail, regular mail, in-person, or by fax are all acceptable methods of submitting written pleas.

### **SO2. Complaints.**

The Clerk of the Justice Court may receive complaints in the absence of the Judge; however, the Clerk is limited to only the physical act of receiving complaints for retaining until the Judge is present to receive said complaints. The Clerk shall not be coerced or forced to review or sign any complaint submitted by Law Enforcement. If a Complainant chooses to leave a complaint with the Court Clerk, then the Complainant shall be required to re-appear to swear to the complaint in the presence of the Judge.

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**SO3. Probable Cause Affidavits (PC Affidavits).**

The Clerk of the Justice Court may receive PC Affidavits in the absence of the Judge; however, the Clerk is limited to only the physical act of receiving PC Affidavits for retaining until the Judge is present to receive said PC Affidavits. The Clerk shall not be coerced or forced to review or sign any PC Affidavit submitted by Law Enforcement. If a Complainant chooses to leave a PC Affidavit with the Court Clerk, then the Complainant shall be required to re-appear to swear to the PC Affidavit in the presence of the Judge.

**SO4. Warrants.**

The Clerk of the Justice Court may assist the Judge in the preparation of warrants of arrest (Arrest Warrant, Capias, Capias Pro Fine); however, the Clerk of the Court shall not prepare any warrant without the approval of the Judge.

**SO5. Public Information Requests / Requests for Information / Freedom of Information.**

The Clerk of the Court shall first consult with the Judge of the Court to determine if requested information may be released or shall be withheld, and to what extent and nature. Judicial Rule 12 applies to all requests. The court is only required to keep the last five years of disposed criminal offense records available. Requests for information that do not specifically pertain to this court shall be directed to the Coleman County Clerk.

**SO6. Deferred Dispositions.**

Commercial Drivers (CDL A or CDL B) are not authorized to receive any type of deferred disposition.

Defendants who were involved in an accident and were cited for an offense are eligible for a deferred disposition.

Defendants have a right to request the Driver Safety Course; however, Defendants do not have a right to Deferred Adjudication. Defendants must request a Deferred Disposition in order to be afforded one.

Defendants who are charged with speeding 25 miles or more over the posted limit; or, Defendants who are charged with speeding over 95 miles per hour or more are not authorized to be granted a Driver Safety Course; however, these Defendants may be considered for a Deferred Adjudication option by the Judge.

The Clerk of the Court is authorized to grant a standard 90-day deferral, if requested by the Defendant, for any offense involving a Rules of the Road violation – except for the exclusions stated above.

The Clerk of the Court is authorized to grant a Driver Safety (Defensive Driving) Course for any offense involving a Rules of the Road Violation to any driver who is properly licensed by the



State of Texas and not in possession of a Commercial Driver License (CDL) – except for the exclusions stated above. The Driver Safety Course may also be granted to Defendants who were involved in an accident as a part of the offense.

**ADOPTION.**

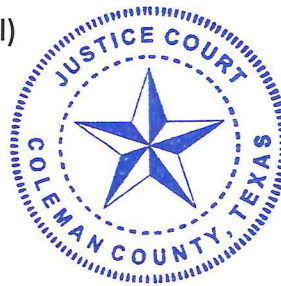
The foregoing Local Standing Orders of the Countywide Justice of the Peace Court in Coleman County, Texas are hereby adopted on the 28<sup>th</sup> day of September 2018 and shall remain effective until rescinded or amended. This is version 001. This document of Standing Orders pertains strictly to criminal cases filed at this court, except for Standing Order #5 (SO5).

Dated: 9/28/2018

By: [Signature]

JUDGE ROBERT J. NASH  
JUSTICE OF THE PEACE  
COLEMAN COUNTY  
100 West Live Oak St., Suite 103  
Coleman, Texas 76834-3533

(seal)



[Signature]