STANDING ORDER FOR JUSTICE OF THE PEACE COURTS
MONTGOMERY COUNTY, TEXAS
REPORTING NATURAL/ HOSPICE DEATHS / ALL OTHER DEATHS

Purpose of order:

To clarify the expected procedures for all Montgomery County Law Enforcement Agencies in regards to notifying a Justice of the Peace concerning death notifications. These notifications are in accordance with Texas Code of Criminal Procedure Chapter 49.04, please see the below procedures that are effective immediately.

RULE:

Natural or hospice death:

Should the appropriate Law Enforcement Agency confirm in their investigation the deceased person has been recently or regularly under a physician's care or in hospice care and they have confirmed that the attending physician is willing to sign the death certificate, it is not necessary to notify the Justice of the Peace or their designee.

The exceptions to this rule are as follows;

- Suspicion of foul play, abuse, or neglect;
- Suspicion of drug overdose / alcohol abuse;
- Suspicion of fall resulting in possible trauma; or
- Any other suspicious circumstances

All other deaths:

Law enforcement will immediately notify the appropriate Justice of the Peace when there has been a death. This notification should be as soon as the scene is secure.

SO ORDERED AND EFFECTIVE JANUARY 1, 2023

Montgomery County Justice Court – Justices of the Peace

Precinct 1 – Judge Wayne L. Mack

Precinct 2 – Judge Trey Spikes

Precinct 3 – Judge Matt Beasley

Precinct 4 – Judge Jason Dunn

Precinct 5 – Judge Matt Masden