

**RULES OF ADMINISTRATION FOR DALLAS CRIMINAL DISTRICT COURTS
AND DISTRICT COURTS GIVING PREFERENCE TO CRIMINAL CASES
PURSUANT TO TEXAS GOVERNMENT CODE SECTION 74.093**

WHEREAS, Texas government code section 74.093 states that the district and statutory county court judges in each county shall, by majority vote, adopt local rules of administration;

NOW, THEREFORE, the following rules of administration and procedure are adopted by the Criminal District Courts and the District Courts giving preference to criminal cases of Dallas County Texas.

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1.0 FILING, ASSIGNING, AND DOCKETING OF CRIMINAL CASES

1.1 FILING CASES. Criminal cases invoking district court jurisdiction shall be filed on a rotating basis among the district courts.

1.2 DOCKET CALLS, ARRAIGNMENTS, AND PRETRIAL. The times for docket calls, arraignments and pretrial hearings on all cases shall be governed by the judge of the court in which the case is docketed.

1.3 SPEEDY DISPOSITION OF CRIMINAL CASES. Each court shall strive for the speedy disposition of all cases on his or her docket.

1.31 Each felony case shall be set for trial as soon as practical according to the availability of trial dates on the docket of the court in which the case is pending.

1.32 Preference shall be given to jail cases, with the oldest pending jail case being given priority whenever practical.

1.33 Cases not reached on the date set may be carried from day to day at the discretion of the trial judge.

2.0 TRANSFER OF CASES AMONG COURTS

2.1 The transfer of cases between criminal district courts of Dallas County may be done by written order upon consent of the judges of those courts participating in the transfer.

2.2 Cases assigned pursuant to section 1.1 above shall be transferred to the proper court according to the following rules:

1. If the defendant is on probation in another court the case shall be transferred to the court that has the defendant on probation.
2. If the defendant has a case pending in another court with an earlier file date, the case shall be transferred to that court. When two or more cases are filed in different courts and the filing dates are the same, the lowest case number determines the transfer.
3. Companion cases shall be transferred to the court assigned the case with the earliest file date. If all cases are filed the same date, the lowest case number determines the transfer.
4. If the defendant has a pending appeal in another court, the case shall be transferred to that court.
5. If the defendant is on work release from another court, the case shall be transferred to that court.

6. If the defendant is in jail with a disposed case from another court and has not been transferred to TDC, the case shall be transferred to that court.
7. If the case is assigned to another court PRE-INDICTMENT, which includes both filed and unfiled cases, the case should be transferred to that court.
8. When there are two or more un-filed cases in various courts on a defendant, the case shall be transferred to the court with the earliest magistration date. If the magistration date is over 30 days old on an un-filed case, a court receiving a new case on the same defendant keeps the new case. If the new case is an offense arising out of the same transaction as the un-filed case, the case is transferred to the court that the un-filed case was originally assigned to.
9. If the defendant is found to be on probation in two or more courts under alias name, the case should be transferred to the court that first placed the defendant on probation.
10. When one or more co-defendants are on probation in another court, those cases will be transferred to the court where the first co-defendant was placed on probation.
11. When there is one or more companion cases that are un-filed, those cases shall be transferred to the court that has the case with the earliest magistration date. If none of the cases have been magistrated, the lowest case number determines the transfer.
12. On the Monday of each jury week all the district courts trying criminal cases and the criminal district courts, upon an announcement of ready by the parties, shall call to trial State Jail Felony cases from their designated State Jail Felony docket. If the Judge of the court calling the docket for those cases is unable to proceed to trial on the day on the called State Jail Felony case, the Judge shall notify the Court Manager. The Court Manager shall then TRANSFER the State Jail Felony cases to an open court for trial to begin the next day. The Court Manager is to order the defendant on the jail chain of the court to which the case is transferred for trial the next day.
13. All capital murder and murder cases shall be transferred by the Local Administrative Judge or his designee to the criminal district courts in a sequential order to ensure an equal distribution of case. A court receiving more than one case due to companion cases being filed will not be assigned any additional capital murder or murder cases until each of the other criminal district courts have received an equal number of capital murder and murder cases. This transfer policy shall overrule all other transfer policies. Any related cases or probation cases pending in another court at the time of the assignment of the capital murder or murder case shall be transferred to the court receiving the capital murder or murder case.

2.3 All transfers not specifically provided for in section 2.0 and its subsections shall be made only by the Presiding Judge and/or the Local Administrative Judge for the fair and equitable division of case loads. No case shall be transferred by the Presiding Judge or the Local Administrative Judge unless the case transferred is within the jurisdiction of the court to which the case is transferred.

3.0 HOURS AND PLACE FOR HOLDING COURT

3.1 Court shall be held at such times as may be determined expedient by the judge of each court.

3.2 Court shall be held at the Frank Crowley Courts Building in Dallas County, Texas and at such other places in Dallas County as ordered by the District Judges.

4.0 JUDICIAL VACATION, SICK LEAVE, ATTENDANCE AT EDUCATIONAL PROGRAMS AND OTHER ABSENCES

4.1 Judicial absences and vacations shall be scheduled by the Judge in each court in accordance with the needs of the court.

4.2 The Judges by agreement shall schedule vacations and absences so that there will be at least one Criminal District Judge available at all times.

4.3 Requests for visiting judges should be made to the Regional Presiding Judge.

5.0 JUDICIAL MEETINGS AND COMMITTEE ASSIGNMENTS

5.1 The criminal district court judges shall meet the first Thursday of every month at noon for regular meetings or at such other time designated by the Presiding Criminal District Judge.

5.2 Committee assignments shall be made by the Presiding Criminal District Judge in accordance with the Criminal District Court Policies.

6.0 PRESIDING JUDGE

6.1 The judges shall elect a Presiding Criminal District Judge. The election shall be in December of even numbered years. The term shall begin on January 1st of the following year. The length of term shall be for two (2) years.

6.2 No Presiding Criminal District Judge shall serve for more than three (3) consecutive terms. If the Presiding Criminal District Judge shall for some reason be unable to complete a term, the judges shall convene as soon as possible and elect a new Presiding Criminal District Judge to complete the remainder of the term.

6.3 Election of the Presiding Criminal District Judge shall be by a majority of the judges.

6.4 A nomination is required to be considered for Presiding Criminal District Judge. Voting shall be done with paper ballots which shall be collected and counted by the Chief Staff Attorney. After the votes are counted, the results will be delivered to the Judges.

7.0 ADOPTION OF OTHER RULES

7.1 Each Court may adopt such other rules not in conflict with these rules as may be deemed necessary by the Judge of the Court for the efficient administration of justice.

These rules shall be effective immediately upon their approval as required by law.

Adopted on this the 12 day of January, 2012.



PRESIDING JUDGE



**DALLAS COUNTY
CRIMINAL DISTRICT COURTS
AND
DISTRICT COURTS GIVING PREFERENCE TO CRIMINAL CASES**

**AMENDMENT TO THE RULES OF ADMINISTRATION FOR THE
CRIMINAL DISTRICT COURTS AND DISTRICT COURTS GIVING
PREFERENCE TO CRIMINAL CASES**

At the regularly scheduled meeting of the judges of the criminal district courts of Dallas County and the judges of the district courts giving preference to criminal cases of Dallas County held June 7, 2018, the judges in attendance voted by a majority to amend Rule 2.2 13 regarding the transfer of murder and capital murder cases. The amended rule is to read as follows:

13. All capital murder and murder cases shall be transferred by the Local Administrative Judge or his designee to the criminal district courts in a random order to ensure an equal distribution of cases. All companion cases involving co-defendants shall be assigned to the same court. Assignment of multiple murder or capital murder cases to a court due to co-defendants will not cause that court to be skipped for any future assignments. The determination as to which court is to be assigned the case shall be by the drawing of lottery type balls. The selection mechanism containing the lottery balls shall rotate among the criminal district courts and district courts giving preference to criminal cases in a sequential order beginning with Criminal District Court No. 1. Each court shall possess the selection mechanism until all 17 courts have received an assignment at which point the selection mechanism will be passed to the next court in order. This transfer policy shall overrule all other transfer policies. Any related cases or probation cases pending in another court at the time of the assignment of the capital murder or murder case shall be transferred to the court receiving the capital murder or murder case.

This amendment became effective on the 14th day of June, 2018.

SIGNED this 11th day of March, 2020.



**JUDGE TAMMY KEMP,
PRESIDING JUDGE FOR THE
CRIMINAL DISTRICT COURTS OF
DALLAS COUNTY, TEXAS**