



Justice Court of Clay County

214 N. Main Street
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STANDING ORDER REGARDING TAKING PLEAS AT THE JAIL

Non-Juvenile Defendants

1. *Code of Criminal Procedure Arts. 2.09, 4.11.* – The Justice of the peace has two separate roles in the criminal justice system. A justice of the peace may perform duties associated with their status as a magistrate, and a justice of the peace may also perform duties associated with their role as the judge of a trial court. Both roles are involved in the process of accepting a guilty plea from a criminal defendant confined in a county jail, although they are often played by a single justice of the peace.
2. A magistrate only has authority to accept a plea in their role as a magistrate on fine-only misdemeanor warrants issued by an out-of-county judge and may never accept a plea on a jailable offense. *Code of Criminal Procedure Art. 15.18.* Any other plea taken **must** be in the justice of the peace's capacity of trial judge.
3. This Justice Court will not generally accept pleas of guilty or no contest at a county jail (except in the case of a warrant on an out-of-county offense punishable by fine only as provided by Art. 15.18 of the Code of Criminal Procedure).

Signed this the 17th day of April 2023.

A handwritten signature in blue ink that reads "Lanny Reans".

Judge, Justice Court of Clay County

