

Standing Order No. 2024-1

FILED
DENTON COUNTY, TEXAS

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DAVID TRANHAM
DISTRICT CLERK

BY [Signature] DEPUTY

JOINT STANDING ORDER)	IN THE DISTRICT COURTS AND
)	
AUTHORIZING AND APPOINTING)	COUNTY CRIMINAL COURTS
)	
PART-TIME MAGISTRATES)	
TO PERFORM ALL DUTIES AS)	
ASSIGNED OR NECESSARY)	FOR DENTON COUNTY, TEXAS

JOINT STANDING ORDER OF THE
DISTRICT AND COUNTY CRIMINAL COURT JUDGES OF DENTON COUNTY, TEXAS
APPOINTING PART-TIME COUNTY JAIL MAGISTRATES
PURSUANT TO TX. GOVT. CODE SUBCHAPTER SS, SEC. 54.2801-54.2819
(Effective January 1st, 2024)

The undersigned District and County Criminal Court Judges for Denton County, Texas, FIND that the interests of justice and the dynamic needs of Denton County and its criminal justice processes require that qualified and duly appointed magistrates are necessary to perform all duties of a magistrate as set forth in the Texas Code of Criminal Procedure and the United States and Texas Constitutions. Further, the District and County Courts with Criminal Jurisdiction FIND that a need exists for qualified magistrates every day of every year, including holidays and weekends in the absence of elected or appointed judges to perform magisterial functions in the Denton County Jail, particularly those duties found under Art. 14, 15, 16, 17 and 18, appropriately support law enforcement and the Denton County Jail; protect the rights of defendants; and help the secure the safety of the community as a whole.

This order specifically appoints and designates certain Part-Time County Jail Magistrates for Denton County (under contract) to perform magisterial duties for defendants in the custody of the Denton County Sheriff after a defendant has been presented or transferred to the custody of the Denton County Jail, or released from custody on bond as required by and pursuant to Texas Government Code Subchapter SS, Sections 54.2806.

Accordingly, the undersigned elected District and County Criminal Court Judges for Denton County, Texas, **HEREIN ISSUE THE FOLLOWING STANDING ORDER EFFECTIVE AND AFTER JANUARY 1st, 2024:**

1. **Qualifications of Designated Part-Time County Jail Magistrates.** All persons appointed or serving as designated Part-Time County Jail Magistrates for Denton County as provided by this Order shall at the time of appointment be: (1) an elected or appointed district, county, or municipal judge or justice of the peace in Denton County; (2) licensed to practice law in this state and a member in good standing with the State Bar of Texas for at least four years prior to appointment; (3) authorized to access criminal history records under state law; (4) have completed training necessary to serve as a magistrate in Denton County, as determined by the district judges and county criminal judges of Denton County; (5) a resident of Denton County, Texas, or an elected or appointed judge for a court at least partially located in Denton County for at least two years prior to appointment; and (6) have not been removed from office by impeachment, by a tribunal reviewing a recommendation of the State Commission on Judicial Conduct, or resigned from office after having received notice that formal proceedings by the State Commission on Judicial Conduct had been instituted before final disposition of the proceedings.
2. **Assignment of Dockets, Hours or Periods of Service:** All Designated Part-Time Criminal Magistrates will receive dates and times of service, docket assignments and work schedules within the discretion of the judges of the District and County Criminal Courts or the Title 54A Associate District and County

Criminal Court Judge. All designated Part-Time County Jail Magistrates shall have no set work hours, assigned dockets or duties other than as directed or assigned by a district or county criminal court judge, or the Title 54A Associate District and County Criminal Court Judge. All designated Part-Time County Jail Magistrates are given no assurances as to minimum hours work assignments or specific dockets and all such work assignments are subject to change to accommodate the needs of the Courts. All designated Part-Time County Jail Magistrates shall be available to perform and shall perform if directed, the duties of the position, subject only to reasonable notice.

3. **Ethical Requirements and Avoidance of Conflict:** All designated Part-Time County Jail Magistrates shall comply with applicable provisions of the Texas Disciplinary Rules of Professional Conduct Texas applicable to attorneys and Code of Judicial Conduct and Judicial Canons. Nothing in this appointment shall interfere with or restrict any magistrate serving herein from the private practice of law, or other legal endeavors, so long as such legal activities would not violate the Texas Code of Judicial Conduct as applicable to their appointment or election as municipal court judges. Violations of the Texas Rules of Judicial Conduct shall be grounds to terminate the Designated Part-Time Criminal Magistrate's appointment.
4. **Authorities and Powers:** A designated Part-Time County Jail Magistrate has the jurisdiction provided by the constitution and laws of this state for magistrates for criminal cases in which the defendant is in the custody of Denton County Jail but have not yet been charged with a criminal offense by complaint, information, or indictment.
5. **Authorities and Duties of Designated Part-Time County Magistrates:** A jail magistrate shall ensure timely compliance with Article 15.17, Code of Criminal Procedure, in all cases within the magistrate's jurisdiction, give preference to performing the duties of a magistrate under that article, and perform the following duties:
 - a) consider sworn complaints or affidavits establishing probable cause and entering orders of release or commitment;
 - b) conduct hearings under Article 15.17, Code of Criminal Procedure, provide warnings, and advise a defendant of the defendant's right to counsel;
 - c) *in criminal offenses that have not yet been filed by complaint, information or indictment*, review probable cause affidavits or warrants presented in support of the defendant's arrest; consider relevant information contained in the Texas Public Safety Reporting System (PSRS) as required by Art. 17.022 of the Texas Code of Criminal Procedure, as well as the defendant's criminal history, and all other factors to be considered and set forth by Art. 17.15; and set bail in an appropriate amount and form as allowed by law;
 - d) *in criminal matters that have been filed by complaint, information or indictment and are pending in a district or county criminal court of Denton County*, perform any duties required by Art. 15.17 of the Texas Code of Criminal Procedure, order appropriate conditions of bail, and, *with the specific and express authorization of the district or county criminal court judge of the court in which the matter has been filed*, set appropriate bail;
 - e) consider and order appropriate conditions of bond as provided under Chapter 17 of the Texas Code of Criminal Procedure (Art. 17.40 through 17.49) and provide defendants with notice of any conditions as required by Art. 17.51 f the Texas Code of Criminal Procedure in both filed and unfiled criminal matters;
 - f) inquire of, provide assistance to, and receive applications for appointed legal counsel from defendants claiming to be indigent based upon the defendant's financial needs or abilities;

- g) conduct examining trials when assigned and requested;
- h) issue search or arrest warrants and orders of commitment;
- i) issue magistrate's orders of emergency protection when appropriate;
- j) with the express authorization of a justice of the peace, exercise concurrent criminal jurisdiction with the justice of the peace to dispose as provided by law of cases filed in the precinct of the authorizing justice of the peace, except for a trial on the merits following a plea of not guilty; and,
- k) any additional magisterial duties assigned by an elected district or county criminal court judge of Denton County, Texas or the Criminal Law Magistrate Court Associate Criminal Judge appointed under Section 54.2805 of the Texas Government Code.

6. **Mental Health Processes:** A jail magistrate has the express authority and duty to order the release of a defendant due to an extraordinary medical condition; consider information and make inquiries regarding a defendant's mental health; issue orders or writs as necessary for the evaluation, treatment, and accommodation of a defendant's mental health issue; and communicate with the Denton County local mental health authority or another qualified mental health professional to provide continuing care to a defendant

7. **Assignment of Magisterial Dockets and Compensation:** When specifically assigned or by the District and County Criminal Courts or the Title 54A Associate Criminal Judge to perform magisterial duties in the Denton County Jail or other designated Part-Time County detention or holding facilities, any assigned designated Part-Time Jail Magistrate shall be assigned as herein provided and entitled to compensation for assigned dockets as follows:

WEEKEND AND HOLIDAY JAIL MAGISTRATIONS – When specifically assigned or designated Part-Time by the Administrative Law Judges of the District and County Criminal Courts or the Title 54A Associate Criminal Judge, to perform magisterial duties in the Denton County Jail or other designated Part-Time County detention or holding facility on either (a) officially designated Part-Time Denton County Holidays, or (b) on Weekends (being defined as Saturday and Sundays), the assigned Part-Time Criminal Magistrate shall be compensated at a *per diem* rate of **Four Hundred and Fifty Dollars (\$450.00) per day**. When assigned, the Jail Magistrate shall, on any assigned weekends and holidays, perform all judicial and magisterial functions necessary for the timely magistrations and processing of defendants in the custody of the Denton County Sheriff. Such magistrations shall be expected and performed once a day on Saturdays, Sundays or holidays as designated by Denton County.

DAILY MAGISTRATE PROCESS DURING SCHEDULED COUNTY WORK DAYS – When specifically assigned by the Administrative Law Judges of the District and County Criminal Courts or the Title 54A Associate Criminal Judge to perform magisterial duties in the Denton County Jail or other designated Part-Time County detention or holding facility on a normally scheduled County work day during the week any assigned Designated Part-Time Criminal Magistrate shall be compensated at a rate of **Three Hundred Dollars (\$300.00)** for each “magistrate hearing docket” or half-day session in which the assigned magistrate performs such duties. Unless the Title 54A Associate District and County Criminal Court Judge finds good cause to the contrary, on all days other than Saturdays, Sundays and designated County holidays, general magistrate processes and Art. 15.17 magistrate hearing dockets shall be performed twice each day, with the first magistrations occurring before 12:00 p.m. and the second

magistrations occurring not later than 8:00 p.m. The same magistrate may be assigned to perform one or both dockets within the same day.

8. **Appointment of Designated Part-Time County Magistrates.** The duly elected Judges of the District and County Criminal Courts of Denton County herein approve, appoint and authorize the following qualified persons to serve as designated Part-Time **COUNTY JAIL MAGISTRATES FOR DENTON COUNTY, TEXAS:**

**The Honorable Judge Richard Anderson
Presiding Judge, City of The Colony, Texas**

**The Honorable Judge Tyler Atkinson
Presiding Judge, City of Denton, Texas**

**The Honorable Judge Christopher Able
Associate Judge, City of Denton, Texas**

**The Honorable Judge Greg Bertrand
Presiding Judge for the City of Roanoke, Argyle, and Double Oak, Texas**

**The Honorable Judge Cynthia Burkett
Associate Judge, City of Denton, Texas**

**The Honorable Judge Holly Fox
Associate Judge for the City of Lewisville and Little Elm, Texas**

**The Honorable Judge Caprice Garcia
Associate Judge, City of Argyle, Texas**

**The Honorable Judge Brian Holman
Presiding Judge for the City of Lewisville, Texas**

**The Honorable Judge Alissa Janke
Associate Judge, City of The Colony and Flower Mound, Texas**

**The Honorable Judge Kimberly Lafferty
Associate Judge for the Cities of Lewisville and Coppell, Texas**

**The Honorable Judge Meredith Lyons
Presiding Judge, City of Carrollton, Texas
The Honorable Judge Art Maldonado
Presiding Judge, City of Frisco, Texas**

**The Honorable Judge Ann Poston
Associate Judge for the City of Denton, Texas**

**The Honorable Jeff Tasker
Presiding Judge, Town of Flower Mound, Texas**

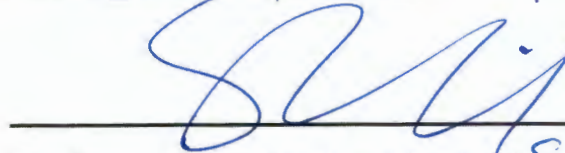
THEREFORE, the elected Judges of the District and County Criminal Courts of Denton County, Texas, do hereby indicate their approval to the entry of this Standing Order and appoint the above

qualified persons to serve as County Jail Magistrates for Denton County, Texas, as acknowledged by their signatures appear below.

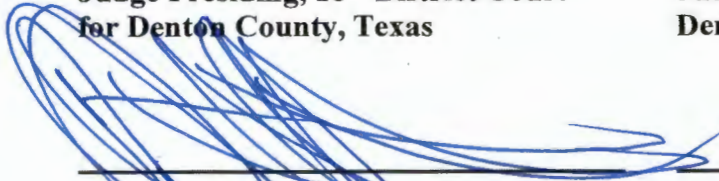
SIGNED and ENTERED on the 16 day of Jan., 2024



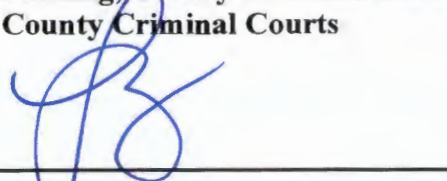
The Honorable Judge Sherry Shipman
Judge Presiding, 16th District Court
for Denton County, Texas



The Honorable Judge ~~Lauri Ragland~~ *Susan Piel*
Judge Presiding, County Criminal Court No. 2
Denton County Criminal Courts



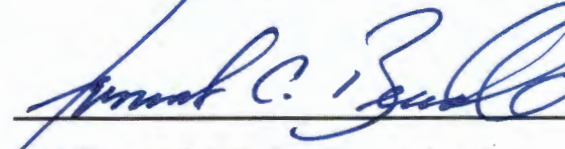
The Honorable Judge Steve Burgess
Judge Presiding, 158th District Court
For Denton County, Texas



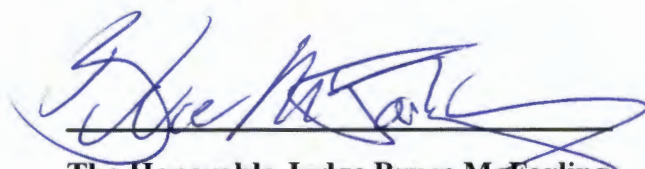
The Honorable Judge ~~Susan Piel~~ *Lauri Ragland*
Judge Presiding, County Criminal Court No. 2
Denton County Criminal Courts



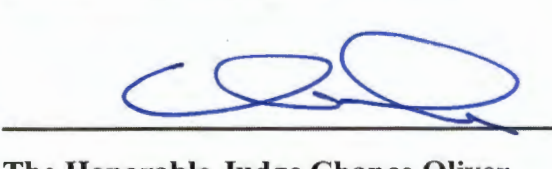
The Honorable Judge Brody Shanklin
Judge Presiding, 211th District Court
For Denton County, Texas



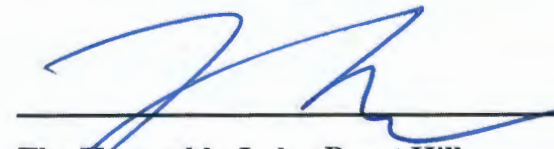
The Honorable Judge Forest Beadle
Judge Presiding, County Criminal Court No. 3
Denton County Criminal Courts



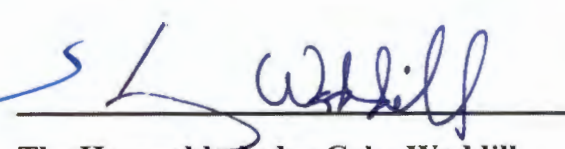
The Honorable Judge Bruce McFarling
Judge Presiding, 362nd District Court
For Denton County, Texas



The Honorable Judge Chance Oliver
Judge Presiding, County Criminal Court No. 4
Denton County Criminal Courts

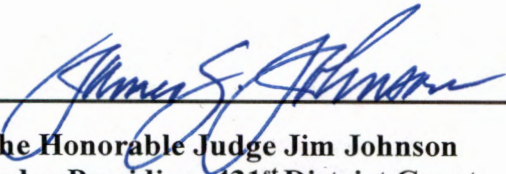


The Honorable Judge Brent Hill
Judge Presiding, 367th District Court
For Denton County, Texas

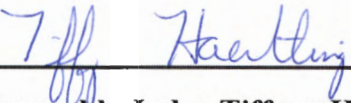


The Honorable Judge Coby Waddill
Judge Presiding, County Criminal Court No. 5
Denton County Criminal Courts

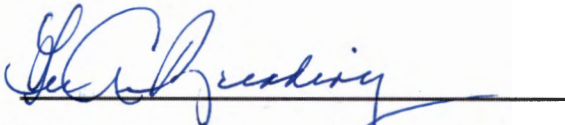
Judge Presiding, 393rd District Court
For Denton County, Texas



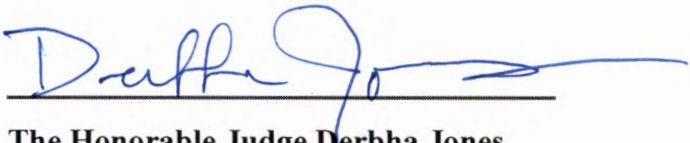
**The Honorable Judge Jim Johnson
Judge Presiding, 431st District Court
For Denton County, Texas**



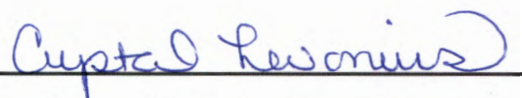
**The Honorable Judge Tiffany Haertling
Judge Presiding, 442nd District Court
For Denton County, Texas**



**The Honorable Judge Lee Ann Breeding
Judge Presiding, 462nd District Court
For Denton County, Texas**



**The Honorable Judge Derbha Jones
Judge Presiding, 467th District Court
For Denton County, Texas**



**The Honorable Judge Crystal Levonius
Judge Presiding, 481st District Court
For Denton County, Texas**