

**IN RE:  
IN THE DISTRICT AND  
COUNTY COURTS AT LAW OF  
FORT BEND COUNTY, TEXAS**

**SECOND AMENDED GENERAL ORDER REGARDING PROCEDURES FOR  
BAIL HEARINGS AND PRE-TRIAL RELEASE**

The Fort Bend County Judges hereby Order the following post-arrest policies to be applied to all persons arrested for a criminal offense except defendants who are subject to: (1) formal holds preventing their release from detention; (2) pending mental-health evaluations to determine competency; (3) pre-trial preventative detention orders for violating a condition of release for a crime of family violence; or (4) an arrestee whose bond has previously been set pursuant to a lawful warrant of arrest.

This Order is intended:

- to ensure no arrestee is held in custody prior to trial solely because the arrestee cannot afford to post bail;
- to ensure fairness;
- to eliminate unjustifiable delay in the administration of justice;
- to facilitate the just determination of every criminal proceeding;
- to preserve the public welfare;
- to ensure the future safety of a victim of an alleged offense, law enforcement, and the community; and
- to secure fundamental human rights of individuals accused of committing criminal acts.

This Order is further intended comply with Texas statutory law as well as the constitutional due process and equal protection rights of criminal defendants.

In hearings to determine pretrial detention, Due Process requires:

1. An inquiry into the arrestee's ability to pay, including notice of the importance of this issue and the ability to be heard on this issue;
2. Consideration of alternative conditions of release, including findings on the record and explaining why an arrestee does not qualify for alternative conditions of release; and

3. Representation by counsel.

In hearings to determine pretrial detention, the Texas Code of Criminal Procedure Article 17.15 requires the amount of bail to be required in any case is to be regulated by the Judicial Officer taking the bail who is to be governed in the exercise of this discretion by the Constitution and by the following rules:

1. The bail and any conditions of bail shall be *sufficiently high to give reasonable assurance that the undertaking will be complied with.*
2. The power to require bail is *not to be so used as to make it an instrument of oppression.*
3. The *nature of the offense and the circumstances under which the offense was committed* are to be considered, including whether the offense:
  - i. Is an offense involving violence as defined by Article 17.03; or
  - ii. Involves violence directed against a peace officer.
4. The *ability to make bail* shall be considered, and proof may be taken upon this point.
5. The *future safety of a victim of the alleged offense, law enforcement, and the community* shall be considered.
6. The *criminal history record information for the defendant*, including information obtained through the statewide telecommunications system maintained by the Department of Public Safety and through the public safety report system developed under Article 17.021, shall be considered, *including any acts of family violence, other pending criminal charges, and any instances in which the defendant failed to appear in court following release on bail.*
7. The *citizenship status of the defendant* shall be considered.

#### **OVERVIEW OF REQUIRED COURT PERSONNEL AND PROCEDURES**

In addition to the Judicial Officer and the Bailiffs, it shall be required that counsel from the Fort Bend County Public Defender's Office, counsel from the Fort Bend County District Attorney's Office, and a representative from the Indigent Defense Coordinator's Office be present at all bail and pretrial release hearings.

### **Indigent Defense Coordinator (IDC)**

The role of the IDC is to determine whether the arrestee is financially able to retain counsel and to determine the maximum amount of money the arrestee would be able to pay as bond within 24 hours of arrest. The IDC interviews each arrestee regarding the arrestee's income, assets, and debts. Then the IDC fills out and has the arrestee sign an affidavit swearing that the arrestee has been advised of their right to counsel, and indicating whether the arrestee already has or is requesting a court-appointed attorney. This affidavit is included in the court file.

Additionally, in every case, the IDC must provide notice to the arrestee that financial information will be collected through an affidavit and must explain to the arrestee the nature and significance of the financial information to be collected.<sup>1</sup> The language required is as follows:

"I am [First Name] from Fort Bend County Pretrial Services. I am here to interview you and report your answers to the Court. What you tell me will be used to make decisions about your release from jail. I will ask you to provide financial information which will be used to decide whether a lawyer will be appointed in your defense. Also, you will need to state the amount of money that you can afford to pay for a bond within 24 hours of your arrest. I will then also ask you to sign a paper with the financial information that you provided. Your answers must be truthful under penalty of law. False answers may be used against you. The information will be shared with the Court, the District Attorney and possibly other agencies. You may refuse to complete the interview, provide me with the financial information, or both. You will be allowed to talk to an attorney before your bail hearing. You may decide to participate in an interview after speaking with your lawyer. Do you agree to go forward with both the interview and providing financial information?"

In every case, the IDC must determine the arrestee's ability to pay money bail using an affidavit. The affidavit shall: (1) be provided to the arrestee after arrest and prior to the individualized hearing, and (2) the affidavit shall ask the arrestee to state, under penalty of perjury, the amount of money he or she can afford to pay from any lawful source within

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<sup>1</sup> The purpose of the explanation is to provide the notice due process requires: that the arrestee's federal constitutional rights to pretrial liberty and against wealth-based detention are at stake in the proceedings, and to comply with the requirements of Texas Code of Criminal Procedure Article 17.028(f). The affidavit must give the arrestee an opportunity to declare under penalty of perjury the maximum amount of money she would be able to pay up front within 24 hours of arrest. The question is neither the arrestee's immediate ability to pay with cash on hand, nor what assets the arrestee could eventually produce after a period of pretrial detention. The question is what amount the arrestee could reasonably pay within 24 hours of his or her arrest.

24 hours of arrest. The affidavit shall comport with the requirements of Article 17.028 (f) of the Texas Code of Criminal Procedure.

It is essential that the IDC be provided the funding and staffing necessary to adequately gather and present financial information relevant to the bail decision to the Court and to gather financial information necessary to determine whether someone qualifies for a court appointed attorney.

### **District Attorney's Office**

The role of the counsel from the District Attorney's Office is to review the probable cause affidavits to ensure that each arrest was made based upon sufficient probable cause, to communicate with law enforcement agencies when additional information is necessary, to make charge change recommendations when appropriate, to make bond and bond condition recommendations, and to represent the State of Texas in any and all bail and pretrial release hearings. It is essential that the District Attorney's Office be provided the funding and staffing necessary to fully prepare all documents relevant to the bail hearings and adequately represent the State of Texas at bail hearings.

### **Public Defender's Office**

The role of the counsel from the Public Defender's Office is to represent the arrestee throughout the bail and pre-trial release hearing, unless the arrestee already has retained counsel and that counsel is present at the hearing.

The arrestee shall be notified in writing that upon receiving written consent the Public Defender's Office will represent him or her solely for the purposes of the initial bail hearing. Unless otherwise stipulated, the Public Defender shall interview the arrestee about factors that might serve to mitigate the bail amount, such as level of employment, ties to the community, number of children, psychological and mental needs, etc.

These factors are then presented to the judicial officer during the arrestee's bail and pre-trial release hearing by the Public Defender. It is essential that the Public Defender's Office be provided the funding and staffing necessary to adequately represent arrestees at bail hearings, as well as early and effective support staff to assist in gathering and presenting information relevant to the bail decision.

## GENERAL PROVISIONS

1. A Judicial Officer (Magistrate) shall review probable cause affidavits for all arrestees and make a finding of whether probable cause exists to believe the arrestee committed the offense(s) in the time frame provided by Article 17.033 of the Texas Code of Criminal Procedure.
  - a. Pursuant to Article 17.033 of the Texas Code of Criminal Procedure:
    - i. Except as provided by Subsection (c), a person who is arrested without a warrant and who is detained in jail must be released on bond, in an amount not to exceed \$5,000, not later than the 24th hour after the person's arrest if the person was arrested for a misdemeanor and a magistrate has not determined whether probable cause exists to believe that the person committed the offense. If the person is unable to obtain a surety for the bond or unable to deposit money in the amount of the bond, the person must be released on personal bond.
    - ii. Except as provided by Subsection (c) below, a person who is arrested without a warrant and who is detained in jail must be released on bond, in an amount not to exceed \$10,000, not later than the 48th hour after the person's arrest if the person was arrested for a felony and a magistrate has not determined whether probable cause exists to believe that the person committed the offense. If the person is unable to obtain a surety for the bond or unable to deposit money in the amount of the bond, the person must be released on personal bond.
    - iii. On the filing of an application by the attorney representing the state, a magistrate may postpone the release of a person under Subsection (a) or (b) for not more than 72 hours after the person's arrest. An application filed under this subsection must state the reason a magistrate has not determined whether probable cause exists to believe that the person committed the offense for which the person was arrested.
    - iv. The time limits imposed by Subsections (a) and (b) above do not apply to a person arrested without a warrant who is taken to a hospital, clinic, or other medical facility before being taken before a magistrate under Article 15.17. For a person described by this subsection, the time limits imposed by Subsections (a) and (b) begin to run at the time, as documented

in the records of the hospital, clinic, or other medical facility, that a physician or other medical professional releases the person from the hospital, clinic, or other medical facility.

- b. If a Judicial Officer (Magistrate) determines that no probable cause exists to believe that a person committed the offense for which the person was arrested, the Judicial Officer (Magistrate) shall make oral or written findings of fact and conclusions of law on the record to support that finding not later than 24 hours after making the No Probable Cause determination.
2. All arrestees shall be entitled to an individualized initial pre-trial release and bail hearing as soon as practical (generally within 24 hours) but no later than 48 hours after arrest. During this individualized hearing, the Judicial Officer (Magistrate) shall provide the arrestee all of the admonishments pertaining to the arrestees constitutional and statutory rights contained within Texas Code of Criminal Procedure Article 15.17.
  - a. The Fort Bend County Sheriff's Office shall ensure that arrestees are placed on the magistration docket as soon as possible.
  - b. The Fort Bend County Sheriff's Office will add arrestees onto a magistration docket to ensure the statutory time guidelines listed in Texas Code of Criminal Procedure Article 15.17 are met.
  - c. In accordance with Texas Code of Criminal Procedure Article 17.022, the Fort Bend County Sheriff's Office shall prepare a Public Safety Report for each arrestee on the magistration docket prior to the individualized initial pre-trial release and bail hearing. The Judicial Officer (Magistrate) shall review the Public Safety Report prepared for each arrestee prior to making a bail decision.
3. The individualized initial pre-trial release and bail hearing shall be presided over by a Judicial Officer (Magistrate) pursuant to Texas Code of Criminal Procedure Article 2.09 and Article 17.027(a-2).
  - a. Pursuant to Tex. Code of Criminal Procedure Article 17.027(a-2), a magistrate appointed under Chapter 54, Texas Government Code, may not release on bail a defendant who is charged with committing an offense punishable as a felony if the defendant:
    - i. was released on bail, parole, or community supervision for an offense punishable as a felony at the time of instant offense;
    - ii. has previously been finally convicted of two or more offenses punishable as a felony and for which the defendant was imprisoned in the Texas Department of Criminal Justice;

- iii. is subject to an immigration detainer issued by United States Immigration and Customs Enforcement; or
  - b. is charged with committing murder, capital murder, aggravated kidnapping, or aggravated sexual assault.
4. Pursuant to Art. 17.092, only a district court judge may reduce the amount or conditions of bond set by another district court judge, including the judge of a district court in another county.
5. All Associate Judges must include, on an order granting bail, the names of each individual who appointed the Associate Judge and state that the Associate Judge was appointed by those individuals.
6. A record of the initial pre-trial release and bail hearing shall be made by electronic audio or audio-visual recording and the findings and rulings of the judicial officer shall be reduced to writing and placed in the Court's file. All written findings and rulings of the Judicial Officer (Magistrate) shall be forwarded to the Fort Bend County Clerk in the case of a misdemeanor offense and the Fort Bend District Clerk in the case of a felony offense.
7. The record of the initial pre-trial release and bail hearing shall be stored to ensure it is preserved. The record shall be preserved in accordance with Texas Code of Criminal Procedure Article 15.17. A detailed and legible log of the proceedings shall be kept, indexed by date and identifiers of arrestee.
8. The Court shall provide interpreters for deaf or Limited English Proficient arrestees in accordance with Texas Code of Criminal Procedure Articles 38.30 and 38.31.
9. Counsel from the Public Defender's Office who are staffing the individualized initial probable cause and individualized bail hearings must provide representation to all arrestees at the hearing to determine conditions of release, unless the arrestee executes a knowing and voluntary waiver of representation. Arrestees may retain an attorney of their choosing to represent them at the hearing.
10. Prior to the initial bail hearing and at such other times as the Judicial Officer may direct, the IDC shall request information from the arrestee regarding the arrestee's ability to post monetary bond. All information gathered by IDC from the arrestee regarding the ability to pay shall be provided to the Court, the District Attorney's Office, and the Public Defender's Office.

## SETTING BAIL & CONDITIONS

11. At the individualized hearing, the Judicial Officer may consider the full range of available conditions of release, including: secured money bail, unsecured money bail, non-financial conditions subject to the provisions relating to personal bond contained in Texas Code of Criminal Procedure Articles 17.03 and 17.032, as well as all other applicable restrictions required under law.
12. The Judicial Officer (Magistrate) who grants bail in accordance with this section shall: (1) set bail and impose conditions of release necessary only to reasonably (A) prevent the person's willful nonappearance in court and (B) ensure the safety of the community, law enforcement, or the victim of the alleged offense; and (2) prepare a written order that includes findings of fact and a statement explaining the Judicial Officer's (Magistrate's) bail decisions and the determinations required by this section.
13. The Judicial Officer (Magistrate), before releasing an arrestee on a Class B Misdemeanor offense or higher, shall ensure that the arrestee has appeared before the Judicial Officer (Magistrate), and the Judicial Officer (Magistrate) must have considered the Public Safety Report for the arrestee as required by Texas Code of Criminal Procedure 17.022.
14. In hearings to determine pretrial detention, the Texas Code of Criminal Procedure Article 17.15 requires the amount of bail to be required in any case be regulated by the Judicial Officer taking the bail who is to be governed in the exercise of this discretion by the Constitution and by the following rules:
  - a. The bail and any conditions of bail shall be *sufficiently high to give reasonable assurance that the undertaking will be complied with.*
  - b. The power to require bail is *not to be so used as to make it an instrument of oppression.*
  - c. The *nature of the offense and the circumstances under which the offense was committed* are to be considered, including whether the offense:
    - i. Is an offense involving violence as defined by Article 17.03; or
    - ii. Involves violence directed against a peace officer.
  - d. The *ability to make bail* shall be considered, and proof may be taken upon this point.
  - e. The *future safety of a victim of the alleged offense, law enforcement, and the*

*community* shall be considered.

- f. The *criminal history record information for the defendant*, including information obtained through the statewide telecommunications system maintained by the Department of Public Safety and through the public safety report system developed under Article 17.021, shall be considered, *including any acts of family violence, other pending criminal charges, and any instances in which the defendant failed to appear in court following release on bail.*
- g. The *citizenship status of the defendant* shall be considered.

15. In hearings to determine pretrial detention, the Judicial Officer (Magistrate) shall consider whether to deny bail in accordance with the Texas Constitution, Article I, Sections 11a- 11d.

- a. Article I, Section 11(d) of the Texas Constitution applies to a person accused of committing one or more of the following offenses:

- i. Murder;
- ii. Capital murder;
- iii. Aggravated assault if the person:
  - (1) caused serious bodily injury, as that term is defined by general law, to another; or
  - (2) used a firearm, club, knife, or explosive weapon, as those terms are defined by general law, during the commission of the assault;
- iv. Aggravated kidnapping;
- v. Aggravated robbery;
- vi. Aggravated sexual assault;
- vii. Indecency with a child;
- viii. Trafficking of persons; or
- ix. Continuous trafficking of persons

- b. A person to whom Article I, Section 11d of the Texas Constitution applies shall be denied bail pending trial if the attorney representing the state demonstrates (1) by a preponderance of the evidence after a hearing that the granting of bail is insufficient to reasonably prevent the person's willful nonappearance in court; or (2) by clear and convincing evidence after a hearing that the

granting of bail is insufficient to reasonably ensure the safety of the community, law enforcement, and the victim of the alleged offense:

16. An arrestee may not be released on personal bond if the arrestee is charged with:
  - i. An offense involving violence;
  - ii. Murder as a result of manufacture or delivery of a controlled substance in Penalty Group 1-B;
  - iii. Terroristic threat if the offense is punishable as a Class A higher category;
  - iv. Violations of court orders or bond conditions in family violence, child abuse or neglect, sexual assault or abuse, indecent assault, stalking or trafficking;
  - v. Unlawful possession of firearm; or
  - vi. While released on bail, parole, or community supervision for an offense involving violence, arrestee is charged with:
    - (1) Any offense punishable as a felony; or
    - (2) Assault, deadly conduct, or disorderly conduct involving a firearm.
17. Only the Judge before whom the case is pending may release on personal bond an arrestee who:
  - a. is charged with an offense under the following sections of the Penal Code:
    - i. Section 30.02 (Burglary); or
    - ii. Section 71.02 (Engaging in Organized Criminal Activity);
  - b. is charged with a felony under Chapter 481, Health and Safety Code, or Section 485.033, Health and Safety Code, punishable by imprisonment for a minimum term or by a maximum fine that is more than a minimum term or maximum fine for a first degree felony; or
  - c. does not submit to testing for the presence of a controlled substance in the defendant's body as requested by the court or magistrate under Subsection (c) of this article or submits to testing and the test shows evidence of the presence of a controlled substance in the defendant's body.
18. Secured money bail must not be required as a condition of pre-trial release prior to an individualized determination of ability to pay. Further, if the person cannot pay:
  - a. A consideration of alternatives must be made, and

- b. A finding that detention is necessary to prevent the person's willful nonappearance in court and ensure the safety of the community, law enforcement, or the victim of the alleged offense must be made.
  - c. In determining whether to release arrestees on a personal bond the following factors should be considered by the Judicial Officer (Magistrate);
    - (1) Whether the arrestee has previously failed to appear;
    - (2) Whether the arrestee has previously violated the terms and conditions of prior bonds;
    - (3) Whether the arrestee has been charged with additional crimes after having been released on a personal bond; and
    - (4) Whether the arrestee has any federal or out of state detainers or warrants; or any warrants out of another county in the State of Texas;
  - d. Absent a compelling government interest in either preventing the person's willful nonappearance in court or ensuring the safety of the community, law enforcement, or the victim of the alleged offense, misdemeanor arrestees whose money bail amount is "unaffordable" are presumptively entitled to a personal bond absent a finding on the record of either extraordinary circumstances, conduct described in subsection (c) above, or an Article of the Texas Code of Criminal Procedure prohibiting a personal bond. Such personal bond shall be without conditions other than conditions that are reasonably related to preventing the person's willful nonappearance in court and ensuring the safety of the community, law enforcement, or the victim of the alleged offense, the conditions set forth below, and conditions required by statute.
19. Before a Judicial Officer may require secured money bail as a condition of release at an individualized hearing, the IDC must provide the arrestee an affidavit regarding financial information to complete that is sworn to under penalty of law. The IDC must provide the completed affidavit to the Court for the Court to consider in the individualized hearing. Additionally, following procedures must be followed and the following findings must be made:
- a. The arrestee must be given an opportunity to be heard concerning both their ability to afford money bail and what non-financial conditions of release, if any, are necessary. Additionally, the arrestee

must have an opportunity at the hearing to present evidence, make arguments concerning those issues and to contest any evidence or arguments offered by the government concerning those issues.

- b. If the Judicial Officer decides to require money bail as a condition of release, the order to pay money bail must be accompanied by substantive findings, on the record and reviewable by a higher court. Those on the record findings must state either:
  - (1) The arrestee has the ability to pay the amount required within 24 hours of arrest, or
  - (2) Alternative conditions of release were considered, that no less-restrictive condition or combination of conditions could reasonably assure the arrestee's appearance in court or ensure the safety of the community, law enforcement, and the victim of the alleged offense, and that imposition of unaffordable<sup>2</sup> money bail is necessary to prevent the person's willful nonappearance in court and/or ensure the safety of the community, law enforcement, or the victim of the alleged offense.
- c. If an arrestee earns income equal to or less than 125% of the federal poverty line, he or she may not be assessed any fee associated with a personal bond or an unsecured bond, or the cost of a non-financial condition of release, including but not limited to, a supervision fee, a fee for electronic monitoring, or the cost of an interlock device. The Fort Bend County Community Supervision and Corrections Department shall monitor an arrestee's ability to pay fees on an ongoing basis and report findings to the trial court.
- d. No arrestee may be kept in jail due to his or her inability to pay a fee or cost associated with a condition of release.<sup>3</sup> The findings and procedures required in (2) of Paragraph (b) must be made if the Judicial Officer imposes an order of pre-trial detention, either through an unattainable financial condition or directly through an order of pretrial detention.
- e. Arrestees who do not appear competent to execute an affidavit may be evaluated under the procedures set out in the Texas Code of Criminal Procedure, Article 16.22. If competence

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<sup>2</sup> A money bail amount is "unaffordable" if the arrestee cannot pay the amount within 24 hours of arrest.

<sup>3</sup> An arrestee lacks the ability to pay for a non-financial condition of release if payment would constitute a substantial hardship. Substantial hardship includes, but is not limited to, when an arrestee's income is at or below 125% of the federal poverty line.

is found, the arrestee is covered by the relief the Judicial Officer orders, with the exception that the 48-hour period begins to run from the finding of competency rather than from the time of arrest. As under Article 16.22, nothing in this order prevents the misdemeanor arrestee from being released on secured bail or unsecured personal bond pending the evaluation.

- f. Nothing in provision 17 (a)-(f) is intended to conflict with any requirement of Texas law.
20. In an arrestee's individualized hearing, and in accordance with Article 17.15, the Judicial Officer (Magistrate) shall consider what conditions of bail to set. The Judicial Officer (Magistrate) shall consider arguments from the attorney representing the State and the attorney representing the arrestee. Conditions of bail must be pertinent to the facts alleged in the probable cause affidavit, as well as any additional addenda provided by the State and must adhere to the rules outlined in Texas Code of Criminal Procedure Article 17.15. Pre-trial bond conditions are meant to secure the accused's presence at Court and/or ensure the safety of the community, law enforcement, or the victim of the alleged offense. Thus, a condition must meet three standards:

(1) It must be "reasonable,"

(2) It must be intended to "secure a defendant's attendance at trial," and/or

(3) It must be related to the safety of the community, law enforcement, or the victim of the alleged offense.

21. If the Judicial Officer imposes conditions of release at that individualized hearing, the Judicial Officer must provide findings on the record as to why the conditions imposed are the least restrictive necessary to prevent the person's willful nonappearance in court and/or ensure the safety of the community, law enforcement, or the victim of the alleged offense.

## **22. Statutory Mandatory Bond Condition Provisions**

- a. Mandatory bond conditions are required by law to be imposed on various offenses. These include, but are not limited to:

i. CCP 17.152(f) - mandatory hearing on violation of protective order cases;

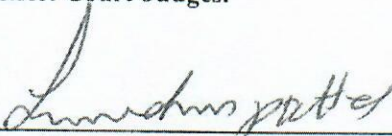
- ii. CCP 17.41 mandatory bond conditions where there is a child victim;
  - iii. CCP 17.441 - mandatory bond conditions requiring ignition interlock devices for various intoxication offenses;
  - iv. CCP 17.465- mandatory bond conditions for defendants charged with certain trafficking or prostitution related offenses;
  - v. CCP 17.47(b)-mandatory provision of DNA samples.
  - vi. All driving while intoxicated charges greater than a misdemeanor B will require mandatory random urinalysis and mandatory installation of an interlock device conditions.
23. In an arrestee's individualized hearing, the Judicial Officer (Magistrate) shall consider all requests for Magistrates' Orders for Emergency Protection presented to the Judicial Officer (Magistrate) by the attorney representing the state on behalf of the victim of the alleged offense, law enforcement, or the attorney representing the state. The Judicial Officer (Magistrate) shall follow the provisions set forth in Article 17.292 when determining whether to issue a Magistrate's Order for Emergency Protection.
24. After setting bail, the Judicial Officer (Magistrate), or the Judicial Officer (Magistrate's) designee, shall complete the bail form described by Section 72.038 Government Code, and promptly, but not later than 48 hours after the time bail is set, submit the bail form electronically to the Office of Court Administration through the Public Safety Report System.
25. Any arrestee who remains in jail after the individualized hearing must be provided with the opportunity for an adversarial bail review hearing before a District Court Judge, County Court at Law Judge or Associate Judge upon a properly filed or e-filed defense motion served upon the State. The adversarial bail review hearing will be held no earlier than 72 hours after the attorney for the State has been served with the motion and given requisite notice of the date and time of the hearing.
26. If a risk-assessment tool is approved by the Fort Bend County Judges at a future date, the Fort Bend County Community Supervision and Corrections Department (FBC CSCD) Pretrial Division shall utilize that approved risk-assessment tool to assist the Judicial Officer (Magistrate) in establishing reasonable bail for an arrestee. The Judicial Officer (Magistrate)


shall consider the data provided by the risk-assessment tool as part of the totality of the circumstances, and in accordance with the statutes set forth in the Texas Code of Criminal Procedure, when setting bail and conditions of bail.

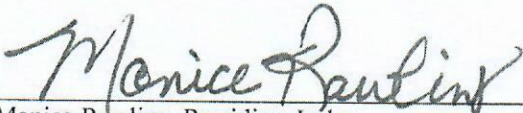
16. The above stated policies shall be utilized in conjunction with well-established Constitutional Law as well as the applicable statutory law including but not limited to the Texas Penal Code and Texas Code of Criminal Procedure.
17. The policies and procedure set forth in this Order shall be implemented as soon as practical in coordination with Fort Bend County officials.

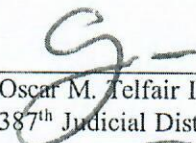
Approved by a vote of the Fort Bend County Judges this 8 day of April, 2026.


**District Court Judges:**

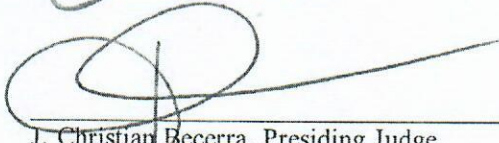
  
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Surendran K. Pattel, Presiding Judge  
240<sup>th</sup> Judicial District Court

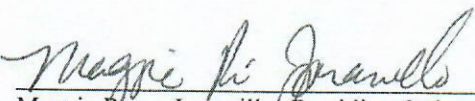
  
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Steve Rogers, Presiding Judge  
268<sup>th</sup> Judicial District Court


  
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Monica Rawlins, Presiding Judge  
328<sup>th</sup> Judicial District Court


  
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Oscar M. Telfair III, Presiding Judge  
387<sup>th</sup> Judicial District Court

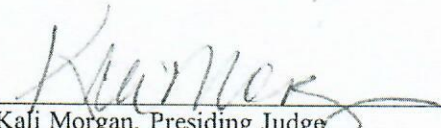
  
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Edward M. Krenk, Presiding Judge  
400<sup>th</sup> Judicial District Court

  
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J. Christian Becerra, Presiding Judge  
434<sup>th</sup> Judicial District Court  
Local Administrative Judge

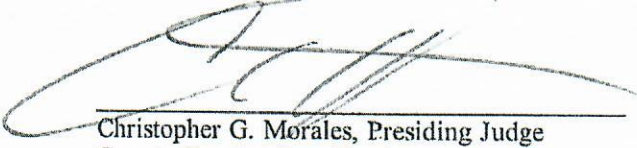
  
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Maggie Perez-Jaramillo, Presiding Judge  
458<sup>th</sup> Judicial District Court

  
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Richard T. Bell, Presiding Judge  
501<sup>st</sup> Judicial District Court

  
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Mark H. Hanna, Presiding Judge  
502<sup>nd</sup> Judicial District Court

  
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Kali Morgan, Presiding Judge  
505<sup>th</sup> Judicial District Court

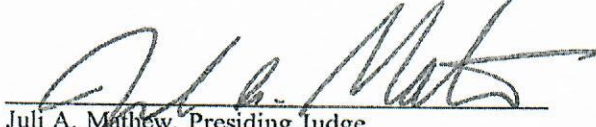
County Court at Law Judges:



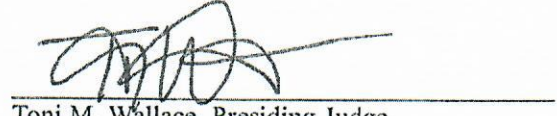
Christopher G. Morales, Presiding Judge  
County Court at Law No. 1



Tyra J. McCollum, Presiding Judge  
County Court at Law No. 2



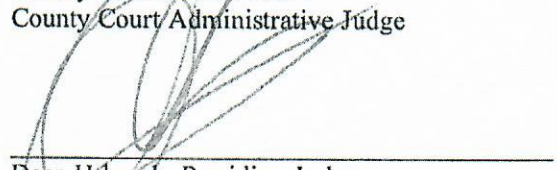
Juli A. Mathew, Presiding Judge  
County Court at Law No. 3



Toni M. Wallace, Presiding Judge  
County Court at Law No. 4  
County Court Administrative Judge



Teana V. Watson, Presiding Judge  
County Court at Law No. 5



Dean Hrbacek, Presiding Judge  
County Court at Law No. 6

**FILED**

APR 21 2026

AT 11:46 A.M.

*Brenda McLean Walsh*  
CLERK DISTRICT COURT, FORT BEND CO., TX

**COPY**

ORIGINAL filed on 4/21/26  
in the misc New records.

Copies NOT compared.

LAURA RICHARD, County Clerk

By RL