JUDGE'S STANDING ORDER NO. 2
COURT SETTINGS

On this date, the Court entered the following **ORDER** with respect to court settings:

A. DOCKET SETTINGS

The following requirements apply to docket settings:

1. *Initial setting.* A Defendant, or his/her attorney, who makes an initial appearance in person or by mail, email or fax any time prior to a warrant being issued on the case may obtain an appearance docket setting without the requirement of posting an appearance bond if there has not been a prior bond forfeiture. The Court in its discretion may require a bond in the case even if the Defendant or attorney has appeared timely.

2. *When bond required.* A Defendant who has been booked in jail must post bond before release. Upon bond being posted the Defendant may receive a docket setting. A Defendant not in jail whose case has an outstanding warrant must post bond before the case will be set on a pro se appearance docket or an attorney docket.

3. *Docket setting, order not required.* A Defendant, or his/her attorney, who makes an initial appearance in person or by mail, email or fax prior to a warrant being issued on the case may obtain an appearance docket setting from the Court Clerk without presenting the request to the Court for an order.

4. *Attorney jury setting, order not required.* A Defendant who is represented by an attorney may receive a jury trial setting from the Clerk without presenting the request to the Court for an order.

5. *Out-of-town Defendant.* A pro se Defendant who lives outside of Potter or Randall Counties and requests a trial setting by mail may receive a trial setting without first being set on a pro se appearance docket. The Docket Clerk will send the Defendant a special trial setting notice containing specific requirements with which the Defendant must comply in order to confirm the trial date.

6. *Failure to appear, new setting.* If a Defendant fails to appear for a properly noticed court setting, he/she must post an appearance bond (cash or surety) to obtain another court setting, unless expressly approved by the Court. If a Judgment *Nisi* has been entered against the Defendant on that case, any subsequent appearance bond shall be posted in cash, unless expressly approved by the Court.

B. CONTINUANCES

The following requirements apply to continuances of docket settings:

1. *Form; time deadline.* A motion for continuance must be in writing and filed with the Court three (3) business days prior to the setting in order to continue a case on the Court's docket. Any deviations from this procedure must be approved by the Court.

2. *When order required.* If a motion for continuance from an appearance docket is timely filed, and the opposing party is properly notified of the filing, a party may obtain one (1) continuance without agreement of the opposing party and without presenting the motion to the Court for an order, provided that the case has never been at warrant. Additional continuances must be approved by the Court. The length of continuance to a new appearance docket will be no more than 45 days; a motion for continuance to a docket more than 45 days away must be presented to the Court. A motion for continuance on a case that has been at warrant or that is set on a trial docket must be presented to the Court. If a motion to withdraw has ever been filed in the case, any motion for continuance must be presented to the Court.

3. *Attorney appearance after pro se trial setting.* If an attorney appears on a case after the Defendant has set it for trial pro se, the case may be continued if requested by the attorney, but the case will be reset on the next available attorney jury trial date and not on an attorney docket.

IT IS SO ORDERED. Signed and Entered this 25 day of February, 2016.

Sonya Letson
Presiding Judge