

**JUDGE'S STANDING ORDER NO. 3**  
**CALCULATION AND AWARD OF JAIL CREDIT**

On this date, the Court entered the following **ORDER** with respect to jail credit:

**A. CALCULATION OF JAIL CREDIT**

A Defendant who has served time in jail pursuant to TEX. CODE CRIM. PRO. art. 42.03 shall receive jail credit. The credit shall be applied to the amount of the fine and costs at the rate provided by state law. TEX. CODE CRIM. PRO. art. 45.041, art. 45.048.

**B. AWARD OF JAIL CREDIT**

The following requirements apply to award of jail credit:

1. *Who applies credit.* A Defendant who has served time in jail will be awarded jail credit as described above. If the Defendant is seen by the Judge while in custody, the Judge may award some or all the credit that has accrued; if such award is made, it will be reflected on the judgment, on the arraignment paperwork or in a docket entry.
2. *Credit to be applied before capias.* If the Defendant fails to appear as ordered, the capias balance due will be that amount remaining after all jail credit to which the Defendant is entitled has been applied.
3. *Dispute as to award of credit.* If the Defendant disputes the amount of credit awarded, he or she must see the Judge to have the credit reviewed.

**C. REQUEST CREDIT FOR TIME IN JAIL**

1. A Defendant may request time credit for any time the defendant was confined in jail or prison while *servng* a sentence for another offense if that confinement occurred after the commission of an offense which is on this court's docket.
2. A Defendant shall file a Motion for Time Served Credit with the Court Clerk.
3. The Motion for Time Served Credit shall include the following:
  - a. The Defendant's full name and date of birth;
  - b. The name of the facility in which the Defendant was incarcerated;
  - c. The telephone number and address of the facility in which Defendant was incarcerated;
  - d. The Defendant's dates of incarceration;
  - e. The Defendant's inmate identification number or TDCJ-ID number;
  - f. Any alias (if known) that the defendant may have been booked under including maiden or married names.
4. The Defendant has a continuing obligation to timely supplement the defendant's Motion for Time Served Credit if additional information is required by the court which may assist the court with verifying the jail credit. The Defendant's failure to provide the court with the requested information may result in the denial of jail credit and the imposition of the original judgment.


**D. SEVERABILITY**

1. If any provision of this standing order or the application thereof to any person or circumstance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or application of this order, which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this standing order are severable.
2. The standing order set forth herein is applicable to criminal proceedings heard in the Amarillo Municipal Court.

**E. AVAILABILITY**

A copy of this local rule shall be available in the courtroom of the Amarillo Municipal Court and on the City of Amarillo Municipal Court website, which may be accessed at <https://www.amarillo.gov/court>.

**IT IS SO ORDERED.** Signed and entered this 21 day of March, 2022.

  
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Laura Hamilton  
Presiding Judge