

FILED

97-000289

MAR 14 11 23 AM '97

**IN THE DISTRICT, COUNTY COURTS AT LAW
AND THE JUSTICE OF THE PEACE COURTS
OF LUBBOCK COUNTY, TEXAS**

James L. ...
DISTRICT CLERK LUBBOCK CO.
BY *[Signature]* DEPUTY

RESOLUTION

The Judges of the District Courts, County Courts at Law and the Justice of the Peace Courts of Lubbock County, Texas, acting in their capacities as magistrates of Lubbock County, Texas, having determined that there exists a need for a more efficient and effective system for the arraignment of those persons arrested for misdemeanor charges, setting of bail, establishing conditions of release from jail, filing and tracking of misdemeanor cases and, having determined that the following Resolution will promote more effective law enforcement, provide greater protection for victims of crime and the public in general, protect the rights of the accused and promote the more efficient disposition of misdemeanor cases, it is therefore RESOLVED:

THAT effective on the 24th day of March, 1997, any person who is subject to an on-sight arrest for the commission of a misdemeanor offense shall be taken before and arraigned by a magistrate as soon as possible, if a magistrate is available at the Lubbock County Jail or the Lubbock County Courthouse.

THAT effective on the 24th day of March, 1997, all persons arrested on a misdemeanor charge shall be afforded the opportunity to call an attorney of their choice. Personnel at the Lubbock County Jail shall release any person who has been arrested on any misdemeanor charge, subject to the provisions herein, upon the accused's signing and executing a personal recognizance bond upon the following conditions: (1) the accused is represented by an attorney and the attorney, or a representative from the attorney's office, is present at the time of the release of the accused, (2) the attorney, or representative, signs a form stating that they will ensure the appearance of the accused at the accused's Initial Appearance and (3) the accused pays into the registry of the court cash money in an amount equal to ten per-cent (10%) of the face amount of the bond applicable to the charge for which the accused has been arrested, as hereinafter set forth in this Resolution. However, no person shall be released on a personal recognizance bond, as here above stated, if that person (1) is a convicted felon, (2) is accused of any crime of family violence until the accused has been held for twenty-four hours, (3) is accused with violations of protective orders or harassment, (4) is accused of driving while intoxicated involving a collision in which property damage has occurred and/or any injury to anyone has occurred.

At the Initial Appearance, the terms of any personal recognizance bond may be amended and modified to include any reasonable conditions applicable to the charge that the magistrate deems appropriate.

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THAT effective on the 24th day of March, 1997, any person arrested on a misdemeanor charge subject to the jurisdiction of the County Courts at Law of Lubbock County, Texas (Class A and Class B misdemeanors), after having been arraigned and not having been released on a personal recognizance bond, as hereinabove set forth, shall be released upon the posting of a surety or cash bond in the amount set by the arraigning magistrate (unless otherwise noted on the capias or other order of the Court). The arraigning magistrate shall use the following bond amounts as guidelines:

Class A misdemeanors: \$1,000.00
Class B misdemeanors: \$ 750.00
DWI's: \$1,000.00

THAT effective on the 24th day of March, 1997, any person arrested on a misdemeanor charge subject to the jurisdiction of the Justice of the Peace Courts of Lubbock County, Texas, after having been arraigned and not having been released on a personal recognizance bond, as hereinabove set forth, shall be released upon the posting of a surety or cash bond in the amount set by the arraigning magistrate (unless otherwise noted on the capias or other order of the Court). The arraigning magistrate shall use the following bond amounts as guidelines:

Traffic law cases: \$100.00
Penal Code cases: \$300.00

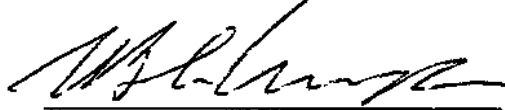
THAT the above referenced bond amounts for those accused with the commission of misdemeanor offenses under the laws of the State of Texas are the recommended amounts for bonds and nothing herein shall in any way prohibit or in any way interfere with the authority of any magistrate to set bond on any particular case in an amount the said magistrate deems and rules is appropriate for such case.

THAT nothing herein shall in any way prohibit or in any way interfere with the authority of any magistrate to alter the amount of or to add to or amend the conditions of the bond of any accused at the time of the accused's Initial Appearance or any subsequent court appearance date.

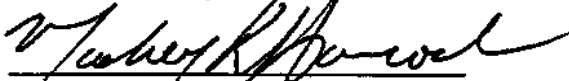
THAT effective on the 24th day of March, 1997, all persons arrested on any misdemeanor charge that are not arraigned by a magistrate shall be released upon the posting of a surety bond or a cash bond in the above recommended amounts. It is, however, further RESOLVED that prior to any such release from the jail that jail personnel shall deliver to each accused notices which contain the above options available to them to obtain their release from the jail as well as when they must appear before the court for their Initial Appearance. The notices shall be signed and dated by the accused and by the jail personnel delivering same prior to the accused being released from the jail. For those released from jail on a cash bond or personal recognizance bond, the Initial Appearance shall be initially set for two working days after the date of release from jail of the accused. However, should formal charges not have been filed by the Criminal District Attorney's Office by that date, the date of the accused's Initial Appearance will be reset. A copy of said notices are attached to this Resolution as Exhibits "A", "B" and "C" and incorporated by this reference the same as if fully set forth herein at length.

IT IS SO RESOLVED.

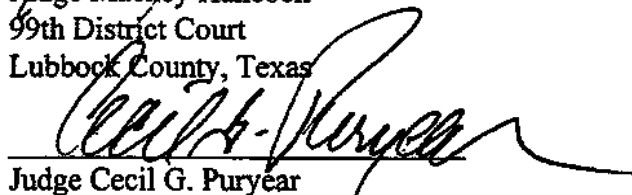
SIGNED this the 27 day of December, 1996.



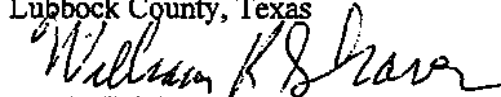
Judge J. Blair Cherry, Jr.
72nd District Court
Lubbock County, Texas



Judge Mackey Hancock
99th District Court
Lubbock County, Texas



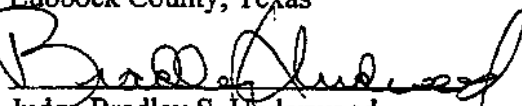
Judge Cecil G. Puryear
137th District Court
Lubbock County, Texas



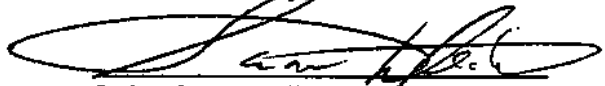
Judge William R. Shaver
140th District Court
Lubbock County, Texas



Judge John R. McFall
237th District Court
Lubbock County, Texas



Judge Bradley S. Underwood
364th District Court
Lubbock County, Texas



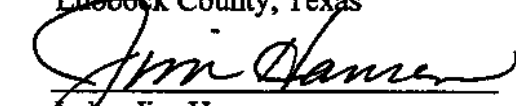
Judge Sam Medina
County Court at Law No.1
Lubbock County, Texas



Judge G. Thomas Cannon
County Court at Law No.2
Lubbock County, Texas



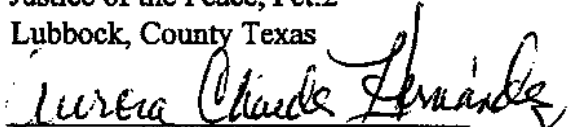
Judge Paula Lanehart
County Court at Law No.3
Lubbock County, Texas



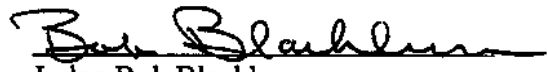
Judge Jim Hansen
Justice of the Peace, Pct.1
Lubbock County, Texas



Judge Thomas Head
Justice of the Peace, Pct.2
Lubbock County, Texas

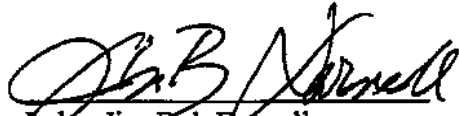


Judge Aurora Chaides-Hernandez
Justice of the Peace, Pct 3
Lubbock County, Texas



Judge Bob Blackburn
Justice of the Peace, Pct.4
Lubbock County, Texas

SIGNED this the 10th day of March, 1997.

A handwritten signature in black ink, appearing to read "J. B. Darnell". The signature is written in a cursive, flowing style with a large initial "J" and "B".

Judge Jim Bob Darnell
140th District Court
Lubbock County, Texas

NOTICE

TO ALL PERSONS IN JAIL ON MISDEMEANOR CHARGES

You have been arrested and jailed for alleged violations of the misdemeanor laws of the State of Texas. You may secure your release from jail in one of the following ways:

(1) You may call an attorney of your choice who may arrange for you to be released by signing and executing a personal recognizance bond upon these conditions:

- A. You have hired the attorney securing your release;
- B. You promise to appear before the Court for your Initial Appearance; and
- C. You pay into the Court's registry cash money in an amount equal to ten per-cent (10%) of the face amount of the bond applicable to the charge for which you have been arrested.
- D. Additional conditions may be set at the time of your Initial Appearance.

(2) You may post a cash bond in the full amount of the bond applicable to the charge for which you have been arrested.

(3) You may contact a licensed bail bond company which may post a surety bond on your behalf in the amount of the bond applicable to the charge for which you have been arrested.

Unless otherwise ordered by the Court, bonds will be recommended in the following amounts:

County Court at Law cases:	Justice of the Peace cases:
Class A misdemeanors: \$1,000.00	Traffic law cases: \$100.00
Class B misdemeanors: \$ 750.00	Penal Code cases: \$300.00
DWI's: \$1,000.00	

Signed this _____ day of _____, _____ at _____ o'clock _____ .m.

ACCUSED:

(Signature of Accused)

Magistrate

(Printed name of Accused)

P.I.D. # _____

EXHIBIT "A"

AVISO

A TODAS LAS PERSONAS ENCARCELADAS POR CARGOS DE DELITO MENOR

Usted ha sido arrestado(a) y encarcelado(a) por presuntas faltas contra las leyes que rigen los delitos menores en el Estado de Texas. Usted puede salir de la cárcel bajo libertad provisional bajo fianza de cualquiera de las siguientes maneras:

(1) Usted puede llamar a un abogado de su elección que puede tramitar su libertad provisional mediante la firma y ejecución de un contrato de libertad provisional bajo palabra, de acuerdo con las siguientes condiciones:

- A. Usted ha contratado al abogado que ha tramitado su libertad provisional;
- B. Usted promete comparecer en la Corte a fin de realizar su Comparecencia Inicial; y
- C. Usted paga en el registro de la Corte una cantidad de dinero en efectivo, igual al diez por ciento (10%) de la cantidad nominal del contrato de fianza aplicable a los cargos por los cuales usted ha sido arrestado.
- D. En el momento de su Comparecencia Inicial se pueden imponer condiciones adicionales.

(2) Usted puede depositar una fianza en efectivo por la cantidad total del contrato de fianza aplicable a los cargos por los cuales usted ha sido arrestado.

(3) Usted puede ponerse en contacto con una compañía fiadora autorizada que puede depositar una fianza con garantía en su nombre, por la cantidad del contrato de fianza aplicable a los cargos por los cuales usted ha sido arrestado.

A menos que la Corte disponga lo contrario, se recomendarán contratos de fianza por las siguientes cantidades:

Casos en la Corte del condado:	Casos en la Corte de un Juez de paz:
Delitos menores, Clase A: \$1,000.00	Casos de infracciones de tráfico: \$100.00
Delitos menores, Clase B: \$ 750.00	Casos del Código Penal: \$300.00
DWI (manejar tomado): \$1,000.00	

Firmado este día _____ de _____ de _____, a las _____ horas ____m.

ACUSADO:

(Firma del acusado)

Magistrado

(Nombre del acusado en letra de molde)

No. P.I.D. _____

NOTICE

**TO ALL PERSONS BEING RELEASED FROM JAIL
ON CASH OR PERSONAL RECOGNIZANCE BONDS
FOR MISDEMEANOR CHARGES**

YOU HAVE BEEN ARRESTED AND JAILED FOR ALLEGED VIOLATIONS OF THE MISDEMEANOR LAWS OF THE STATE OF TEXAS. YOU ARE BEING RELEASED ON A CASH BOND OR A PERSONAL RECOGNIZANCE BOND. YOU MUST APPEAR AT THE COURT COORDINATOR'S OFFICE ON THE FIRST FLOOR OF THE LUBBOCK COUNTY JAIL FOR PURPOSES OF YOUR INITIAL APPEARANCE AT

8:30 A.M. ON THE _____ DAY OF _____, _____.

YOU MAY CONTACT THE ARRAIGNMENT COORDINATOR WITH ANY QUESTIONS YOU MAY HAVE AT 767-1502.

FAILURE TO FOLLOW THESE INSTRUCTIONS WILL RESULT IN YOUR BOND BEING FORFEITED AND A WARRANT BEING ISSUED FOR YOUR ARREST.

SIGNED THIS _____ DAY OF _____, _____ AT _____ O'CLOCK ____ .M.

ACCUSED:

LUBBOCK COUNTY JAIL:

(Signature of Accused)

by _____

(Printed name of Accused)

Attorney for Accused

P.I.D. # _____

SBN # _____

EXHIBIT "B"

AVISO

**A TODAS LAS PERSONAS QUE SALEN DE LA CÁRCEL EN LIBERTAD PROVISIONAL
BAJO FIANZA EN EFECTIVO O BAJO PALABRA
POR CARGOS DE DELITO MENOR**

USTED HA SIDO ARRESTADO(A) Y ENCARCELADO(A) POR PRESUNTAS FALTAS CONTRA LAS LEYES QUE RIGEN LOS DELITOS MENORES EN EL ESTADO DE TEXAS. USTED SALE EN LIBERTAD PROVISIONAL BAJO CONTRATO DE FIANZA EN EFECTIVO O BAJO PALABRA. USTED DEBE COMPARECER EN LA OFICINA DEL COORDINADOR DE LA CORTE, UBICADA EN EL PRIMER PISO DE LA CARCEL DEL CONDADO DE LUBBOCK, A FIN DE REALIZAR SU COMPARECENCIA INICIAL A LAS

8:30 DE LA MAÑANA DEL DÍA _____ DE _____ DE _____.

SI TIENE USTED PREGUNTAS, PUEDE PONERSE EN CONTACTO CON EL COORDINADOR DE LECTURA DE CARGOS LLAMANDO AL TELÉFONO 767-1502.

SI NO SIGUE ESTAS INSTRUCCIONES, USTED PERDERÁ SU FIANZA Y SE EMITIRÁ UNA ORDEN DE ARRESTO CONTRA USTED.

FIRMADO ESTE DÍA ____ DE _____ DE ____, A LAS ____ HORAS ____ M.

ACUSADO:

CÁRCEL DEL CONDADO DE LUBBOCK:

_____ por _____
(Firma del acusado)

_____ Abogado del acusado
(Nombre del acusado en letra de molde)

No. P.I.D. _____ No. del Colegio Estatal de Abogados:
(SNB) _____

NOTICE

**TO ALL PERSONS BEING RELEASED FROM JAIL
ON SURETY BONDS
FOR MISDEMEANOR CHARGES**

YOU HAVE BEEN ARRESTED AND JAILED FOR ALLEGED VIOLATIONS OF THE MISDEMEANOR LAWS OF THE STATE OF TEXAS. YOU ARE BEING RELEASED ON A SURETY BOND. YOU MUST APPEAR AT THE COURT COORDINATOR'S OFFICE ON THE FIRST FLOOR OF THE LUBBOCK COUNTY JAIL FOR YOUR INITIAL APPEARANCE AT

8:30 A.M. ON THE _____ DAY OF _____, _____.

YOU MAY CONTACT THE ARRAIGNMENT COORDINATOR WITH ANY QUESTIONS YOU MAY HAVE AT 767-1502.

FAILURE TO FOLLOW THESE INSTRUCTIONS WILL RESULT IN YOUR BOND BEING FORFEITED AND A WARRANT BEING ISSUED FOR YOUR ARREST.

SIGNED THIS _____ DAY OF _____, _____ AT _____ O'CLOCK _____ M.

ACCUSED:

LUBBOCK COUNTY JAIL:

(Signature of Accused)

by _____

(Printed name of Accused)

P.I.D.# _____

EXHIBIT "C"

Handwritten signature

AVISO

**A TODAS LAS PERSONAS PUESTAS EN LIBERTAD PROVISIONAL
BAJO CONTRATO DE FIANZA GARANTIZADO
POR CARGOS DE DELITO MENOR**

USTED HA SIDO ARRESTADO(A) Y ENCARCELADO(A) POR PRESUNTAS FALTAS CONTRA LAS LEYES QUE RIGEN LOS DELITOS MENORES EN EL ESTADO DE TEXAS. USTED SALE EN LIBERTAD PROVISIONAL BAJO CONTRATO DE FIANZA GARANTIZADO. USTED DEBE COMPARECER EN LA OFICINA DEL COORDINADOR DE LA CORTE, UBICADA EN EL PRIMER PISO DE LA CARCEL DEL CONDADO DE LUBBOCK, A FIN DE REALIZAR SU COMPARECENCIA INICIAL A LAS

8:30 DE LA MAÑANA DEL DÍA _____ DE _____ DE _____.

SI TIENE USTED PREGUNTAS, PUEDE PONERSE EN CONTACTO CON EL COORDINADOR DE LECTURA DE CARGOS LLAMANDO AL TELÉFONO 767-1502.

SI NO SIGUE ESTAS INSTRUCCIONES, USTED PERDERÁ SU FIANZA Y SE EMITIRÁ UNA ORDEN DE ARRESTO CONTRA USTED.

FIRMADO ESTE DÍA _____ DE _____ DE _____, A LAS _____ HORAS _____ M.

ACUSADO:

CÁRCEL DEL CONDADO DE LUBBOCK:

(Firma del acusado)

por _____

(Nombre del acusado en letra de molde)

No. P.I.D. _____