

Here is information copied from the MoCo Criminal Defense Lawyers Association FB page. This is the email from the Lieutenant Richards at the jail. Remember that you still have to work with the court to have an inmate set to plea or for a bond hearing. They are requesting a days notice in order to get a clerk, court reporter and judge there. This will be a process so as you go out there and run into obstacles and successes please share so we can all improve.

Jail Plea Operations

The jail has a video phone set up in both the DSW Courtroom and the Arraignment Room. A third will be operational as soon as a network cable can be run by IT/Maintenance.

For pleas to be heard via video conference either after PC Court or on a separate docket the inmates on the docket will be moved to the DSW by 0800 hours so their counsel can meet with them. We will utilize the visitation area of Pod 6 which is currently empty. This will allow us to keep the attorneys and the inmates separated by the window. The paper port will be open to allow signatures and fingerprints. Our staff have been advised to assist with this process if requested.

All recording of visitation phones have been stopped. Sgt. Kurtz worked with the telephone provider all day to accomplish this. We have tested the phones, and there is no recording; there is no record of the call at all. We could not disable the need for inmates to enter their PINs to activate the phone. In an effort to maximize our staff, inmates will be secured somewhere in DSW and escorted to the visitation area once their attorneys arrive.

The jail will continue to transport inmates to the courthouse if directed to do so by the court.

We very much appreciate the cooperation and understanding from all involved during this trying time. Our goal is to keep everyone as safe as possible while we all perform our duties. Please feel free to contact me if there is anything we can do to assist you.

Jeremiah Richards, Lieutenant Jail Division – Inmate Processing Unit
Montgomery County Sheriff's Office 1 Criminal Justice Dr. Conroe, TX 77301
Office – 936.538.3484 Cell – 936.230.6201

FROM MELISA MILLER, DISTRICT CLERK

March 18, 2020 for immediate release: Effective immediately, the District Clerk's Office will be operating on a reduced staff. While our office will still be open to the

public, we strongly urge everyone to call (936-539-7855) instead of coming in person. If you must come in person, please utilize the hand sanitizer at the door, and we request that no children under the age of 18 be brought in. Non-essential functions such as Passport service have been suspended until further notice. Essential functions such as the Grand Jury Assembly on Tuesday, March 24, 2020 at 1:30 P.M. is still required (see webpage for additional information and location). As always, we encourage everyone to practice good hygiene and stay home if you are sick. The District Clerk's Office will continue to monitor the situation closely and adhere to any decisions made by County Judge Mark Keough. We will post updates to our website and facebook page.

As of yesterday morning, President JoAnn Linzer has gathered the following information regarding how we, the defense bar, should proceed over the next few weeks. Some of the information is redundant, but I am including it because I ran into lawyers today in court who were unsure of what they were supposed to do with cases right now.

- The DA's office has requested that we contact the Chief of the court if you want to discuss your case. The Chief should have the authority to handle your issue, and if not, will get back to you with an answer. At this time they are doing their best to handle in-custody defendants with deals that help alleviate the jail population.
- If you have someone in custody and they have not already been granted a PR bond, evaluate their charge and criminal history. If the Court Chief can agree to a bond reduction, they will. If you decide you need a hearing to reduce a bond, contact the courts individually on how to handle that setting.
- If you have a client who is to serve time as a Condition of Probation, that may have already been waived. If it has not, contact probation or the court to see if your client's time as a condition of probation may be waived.
- If you have a client who is serving time on weekends as punishment and that client has a concern about going into the jail, contact the court coordinator to request that the judge amend the order to change the dates which he/she has to serve.
- As of now, it appears there will be limited transports from the jail this week and none next week.
- The jail is currently working with the 221st to work out a way to take pleas and to have a bond hearing at the court. They are talking about doing it at PC court or doing it remotely. Either way it still requires us to go to the jail. As we get more information, I will let you know.
- The plan now is to have no felony courts next week. It sounds like the same for misdemeanor other than jail docket. All the coordinators are available by phone and email. Just because the court is dark, they want you to know you can still contact them if needed.

- Because most courts are closing for the next two weeks at least it is YOUR responsibility to get an OFF DOCKET RESET for YOUR CLIENT. I ran into attorneys today that didn't know this. Please contact the court, get the reset and if required, have your client sign and return it.
- The DAs office has requested that we all continue to work on cases during this time. Request evidence needed, negotiate, and try to work things out so that when the courts are up and running we are prepared.

LATEST UPDATES FROM DISTRICT COURTS

UPDATES INFORMATION FROM THE 435TH DISTRICT COURT

435th District Court Montgomery County, Texas Covid-19 Court Protocol

All 435th District Court criminal jury trials are continued until May 18th or later depending on future CDC recommendations. Montgomery County residents who have a 435th District Court jury summons for any date before May 18th please disregard it.

All cases (criminal, civil, and SVP) pending in the 435th District Court will be continued until the two weeks beginning May 4th. Please contact christopher.rivera@mctx.org to arrange off docket resets. If you have a case that can be resolved by plea or a matter that needs to be heard by the court (bond hearings, discovery issues, etc.), please contact the court (936 538 8103 or email above) and we will arrange for the matter to be heard at the earliest opportunity. We will handle most issues by phone or video conferencing. My staff and I understand the challenges we all face trying to protect public safety while respecting the needs of the litigants to have their criminal matters heard promptly. Obviously this reality requires the majority of case negotiations and work to be handled outside the courtroom. We stand ready to assist as needed, and are willing to be as creative as circumstances dictate. Thank you for your patience during this challenging time.

FROM THE 9th DISTRICT COURT

Effective immediately, all cases pending in the 9th District Court will be continued until the two weeks beginning May 4th. Our staff will be in touch with you about your new dates. If you have a case that can be resolved by plea or a matter that needs to be heard by the court (bond hearings, discovery issues, etc.), please contact the court and we will arrange for that to be heard at the earliest available opportunity. We will handle most issues by phone or video conferencing. My staff and I understand the challenges we face trying to protect public safety while respecting the needs of the State and Defendants to be heard promptly on

criminal matters. Obviously this reality requires the majority of case negotiations and work to be handled outside the courtroom. We stand ready to assist as needed and are willing to be as creative as circumstances dictate. Thank you for your patience during this challenging time.

All jury trials are continued until May 4th or later. Montgomery County residents who have a 9th District Court jury summons for any date before then may disregard it.

FROM THE 359th DISTRICT COURT

In light of the attached Emergency Order and the CDC's recommendation to limit gatherings to 50 people, we are making the following changes to the 359th docket procedures.

1. We will not transport inmates from the jail. We are in the process of making arrangements to either handle the inmates remotely via video conferencing or holding the docket at the jail. If you have a defendant in custody with a bond request or plea scheduled this week, please contact the court.
2. As long as a bonded defendant is in compliance and you have no motions or pleas before the court, we will allow an off docket reset. Courtney Matheny will send the court a list of those with issues one to two days before the docket. We will email the docket to the attorney of record and you will then be allowed to request a reset for the date we choose. This will most likely be May 26th – May 29th. Please note that we will continue to have our dockets as scheduled unless we are mandated to cancel them. We will do our best to keep everyone updated and informed of any changes. Sincerely, Susan Mitchell Court Administrator 359th District Court 936-539-7900

FROM THE 221st DISTRICT COURT

In light of President Trump's request we will not be transporting Inmates over for docket in order to keep our group to less than 10 people. If you have a defendant that needs to plead guilty or have a bond hearing then please notify the court and we will make arrangements to have your defendant transported over in groups of 5. Please contact the court if your defendant can be easily reset and taken off the docket. Sorry for all the confusion. As always if you have any questions or concerns please do not hesitate to give me a call. - Tonnie Whitney

MISDEMEANOR COURT Please contact each coordinator directly.

Because they are operating in disaster mode each elected official has the authority to operate at their own discretion.