



Crandall Municipal Court Standing Orders

Judge Robert Beasley

Revised January 3, 2023



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 1**

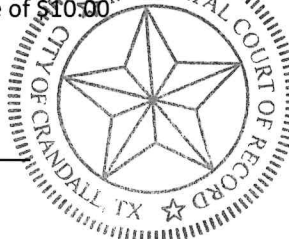
COMPLIANCE DISMISSALS WITH ADMINISTRATIVE FEE

The Clerks are authorized to process the dismissal of the following offenses, upon the payment of the specified administrative fee, if the evidence, set forth below, is presented. The Clerk must obtain and record a copy of the evidence presented to the case in order for the dismissal to be processed.

- 1. Expired Registration/License Plate (Transportation Code, §502.407(b))**
 - a. If a defendant presents satisfactory evidence that he/she remedied the defect within 15 working days of the date of the offense or before the defendant's appearance date listed on their citation (whichever is later); and
 - b. If defendant presents evidence of payment of late fee for registration with the appropriate tax office; and
 - c. The defendant pays the administrative fee of \$20.00
- 2. Expired Driver's License (Transportation Code, §521.026)**
 - a. If a defendant presents satisfactory evidence that he/she renewed his/her driver's license within 25 days of the date of the offense or before the defendant's appearance date listed on their citation (whichever is later); and
 - b. The defendant pays the administrative fee of \$20.00
- 3. Fail to Display Driver's License (Transportation Code §521.025)**
 - a. Upon presentation of a Texas Driver's License that was
 - i. Issued to that person;
 - ii. Appropriate for the type of vehicle operated; and
 - iii. Valid at the time of the arrest for the offense; and
 - b. The defendant pays the administrative fee of \$10.00
- 4. Change of Name or Address (Transportation Code, §502.409)**
 - a. If defendant presents satisfactory evidence that he/she remedied the defect before the appearance date listed on the citation, and
 - b. The defendant pays the administrative fee \$20.00
- 5. License Endorsements (Transportation Code, §521.221)**
 - a. If defendant presents satisfactory evidence that the driver's license endorsement was imposed because of a physical condition that was surgically or otherwise medically corrected before the date of offense, or was in error;
 - b. The Department of Public Safety (DPS) removes the restriction or endorsement before the appearance date listed on the citation; and
 - c. The defendant pays an administrative fee of \$10.00
- 6. Expired Handicap Parking Placard (Transportation Code, §682.012)**
 - a. If the placard has been renewed on or before the appearance date listed on the citation;
 - b. The defendant pays an administrative fee of \$10.00

Signed and entered this 11 day of January, 2023


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 2**

DISMISSALS WITHOUT FEE

IT IS ORDERED that any time prior to the date of hearing for a citation of "Fail to Maintain Financial Responsibility" a clerk may accept proof of financial responsibility for dismissal, after verification, if it complies with the following requirements of acceptable proof.

Any typewritten, company generated proof of insurance coverage the day the citation was issued as long as the proof contains the following information:

1. the name and address of the insurer;
2. the name and address of the insured;
3. the insurance policy number;
4. the policy period;
5. the make and model of the covered vehicle; and
6. a statement that the insurance coverage meets the minimum standards for liability coverage as required by Texas State law.

Acceptable proof of financial responsibility, which contains the effective date and time, shall be compared to the citation to determine if the effective date **and** time establish financial responsibility. If the proof contains only an effective date, the Clerk shall verify with the agency the time in which the policy was instated if the date of the citation and the date of policy are the same.

If the Defendant presents an operator's policy or presents evidence of financial responsibility for any vehicle driven by the Defendant, the Clerk may accept the documents presented for dismissal, after verification.

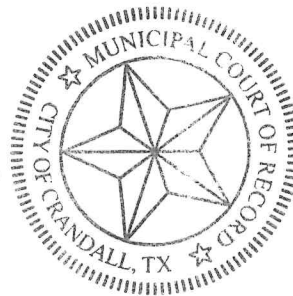
Premium notices, payments receipts and/or handwritten documents are not "acceptable proof" of financial responsibility. Fleet notices may be accepted by the Clerk for dismissal, after verification, if the defendant presents valid proof consistent with the criteria with the criteria above and indicia of authorization to drive the covered vehicle.

IT IS FURTHER ORDERED If a defendant presents acceptable proof for a case for which a warrant has been issued, the Clerk shall attempt immediately to verify the proof. If insurance is verified, the court clerk shall dismiss the citation and recall said warrant.

Signed and entered this 11 day of January, 2023



Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 3**

COURT SETTINGS

DOCKET SETTINGS

IT IS ORDERED that a defendant or his attorney, who appears at the Court Clerk's Window any time prior to the issuance of a warrant, may without requirement of posting a bond, obtain a setting on the Court's "Pre-Trial" docket.

IT IS ORDERED that if a defendant fails to appear for a properly noticed court date, a failure to appear charge may be issued by the prosecutor. A personal, surety, or cash bond may be required to ensure appearance for court to be determined by the Judge upon completion of bond request form submitted to the court.

CONTINUANCES

IT IS ORDERED that a motion for continuance must be in writing and filed with the Court 24 hours prior to the Court setting in order to continue a case on the Court's docket. Any deviation from this procedure must be approved by the Judge.

Any party may obtain one (1) continuance without the agreement of the opposing party and without the requirement of posting a bond. Any Motion for Continuance requested at the Court Clerk's window must be made within that time period. Any additional resets must be approved by the Judge.

IT IS ORDERED that for all Jury and Bench Trials, a motion for continuance must be in writing and filed with the Court seven (7) business days prior to the court setting in order to continue a case on the Court's docket. Deviations from this procedure must be approved by the Judge.

Motions to Withdraw. Any attorney who makes an appearance on behalf of the defendant or represents to the court that he or she is the attorney of record, shall remain the attorney of record until a motion to withdraw as counsel or substitute other counsel is granted.

Without a Hearing. A motion to withdraw as attorney of record will be granted without a hearing only if the moving attorney:

- A. Files a certificate stating the last known mailing address of the Defendant and;
- B. Files a written consent to the withdrawal signed by the client,
- C. Or includes in the motion a specific statement:
 - 1) of the circumstances that prevent the moving attorney from obtaining the client's written consent and
 - 2) that the client has been notified of the attorney's intent to withdraw by forwarding a copy of the motion to said client and notice of any current settings.

Signed and entered this 11 day of January, 2023



Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 4**

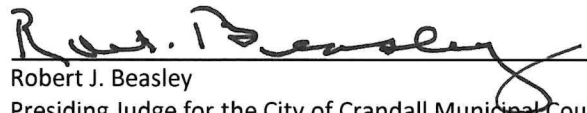
PRE-TRIAL CONFERENCES

Any Defendant requesting a bench trial or jury trial, or as otherwise specified herein, may be set for a pre-trial conference with the prosecutor.

Any Defendant who requests a bench trial or jury trial must be advised that failure to appear on the day of the trial will cause the assessment against the defendant of the costs of impaneling the jury, unless good cause is shown to the Court, pursuant to Article 45.251 of the Texas Code of Criminal Procedure.

A pretrial with the prosecutor may be reset once without the agreement of the prosecutor. Therefore reset will only be granted upon agreement of the prosecution, or for good cause shown to the Court.

Signed and entered this 11 day of January, 2023.


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 5**

ACCEPTING A PLEA

IT IS ORDERED that the Clerk may accept, a plea of "guilty", "no contest" or "not guilty" at the Clerks window, via US Postal mail, or via email by the Defendant or his/her attorney. The Clerk shall file the plea in both the case jacket and case management software.

On all "not guilty" pleas, the Clerk shall request all evidence from the Crandall Police Department, place the Defendant on the next available Pre-Trial hearing and shall send notice to the Defendant.

The Clerk shall direct all Juveniles to plea in open court with the mandatory accompaniment of a parent or legal guardian.

The Clerk shall direct a Minor to plea in open court if charged with the following violations:

1. Minor in Possession of Tobacco or Tobacco product
2. Minor is Possession/Consumption of an E-Cigarette
3. Minor in Possession/Consumption of Alcohol
4. Driving Under the Influence
5. Purchase of Alcohol by a Minor

Signed and entered this 11 day of January, 2023.



Robert J. Beasley

Presiding Judge for the City of Crandall Municipal Court



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 6**

PAYMENTS OF FINES AT WINDOW

IT IS ORDERED that a Clerk may accept a payment of a fine and/or fee at the Clerk's Window. However, if the case has not been adjudicated (plea entered of guilt/innocence determined by the Court), a Clerk may accept payment of fine and/or fee from the Defendant or attorney only. The Clerk shall verify the identity of the person paying the fine and/or fee before acceptance. The Clerk may accept a plea pursuant to Standing Order No 5.

Signed and entered this 11 day of January, 2023 .


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court



CITY OF CRANDALL MUNICIPAL COURT

STANDING ORDER NO. 7

DEFERRED DISPOSITION

IT IS ORDERED that the Court Clerk may process for Deferred Disposition ("Deferred") from a Defendant, or his attorney, at the Court Clerk's window and may complete paperwork for the Judge's signature if the defendant meets the eligibility requirements set forth below. Defendants not meeting said eligibility requirements may present their request for Deferred to the Court by setting the case on the Court's "Pre-Trial" docket.

MOVING VIOLATIONS:

A Defendant is eligible for Deferred Disposition "at the Court Clerk's window" for a moving violation if:

1. The Defendant shows proof of a valid Texas Driver's License
2. The Defendant pays total amount of citation, as determined by the Court's fee scheduled at the time the deferred disposition is requested.
3. The Defendant is at least 25 years of age; or
4. If the Defendant, under the age of 25, is charged with a moving traffic offense, the court shall require DSC;
5. The Defendant has not been granted Deferred within the State of Texas within twelve (12) months of the date of the request;
6. The Defendant is not currently on Deferred within the State of Texas.

IT IS ORDERED that final disposition shall be deferred for 90 days.

A Defendant is **not** eligible for Deferred Disposition "at the Court Clerk's window" for a moving violation if:

1. The driver is a holder of a Commercial Driver's license (CDL)
2. The offense occurred in a construction or maintenance work zone when workers were present;
3. The Defendant was involved in an accident resulting in property damage or personal injury;
4. The offense involves passing a school bus;
5. The offense involves failing to obey a school crossing guard; or
6. The offense involves speeding in excess of **24 mph or more over** the posted speed limit; or in excess of **95 mph**.

NON-MOVING VIOLATIONS:

A Defendant is eligible for Deferred Disposition "at the Court Clerk's window" for a non-moving violation if:

1. The Defendant shows proof of a valid Texas Driver's License
2. The Defendant pays total amount of citation, as determined by the Court's fee scheduled at the time the deferred disposition is requested.
3. The Defendant has not been granted Deferred within the State of Texas within twelve (12) months of the date of the request;
4. The Defendant is not currently on Deferred within the State of Texas.

IT IS ORDERED that final disposition shall be deferred for thirty (90) days.

A Defendant is not eligible for Deferred Disposition "at the Court Clerk's window" for non-moving violations if:

1. The offense is a status offense involving a violation of the Alcohol Beverage Code;
2. The offense is for Driving Under the Influence pursuant to §106.041 of the Alcohol Beverage Code;
3. The offense is a status offense involving a violation of Chapter 161 of the Health and Safety Code (Tobacco); or the offense is a status offense involving a violation of Chapter 481 of the Health and Safety Code (Drug Paraphernalia); or
4. The offense involves personal complaints.
5. The case is in Warrant Status



IT IS FURTHER ORDERED that upon verification of successful completion of the deferral terms, the Clerk shall present the case to the Judge for dismissal. If the Defendant fails to adhere to the deferral terms, the Defendant shall be summoned to court to show good cause as to why the terms were violated. If the Defendant fails to appear, a final judgment shall be prepared for the Judge's signature without unnecessary delay. A time payment fee shall not be assessed until after the 31st day after final judgment has been entered by the Court.

Signed and entered this 11th day of January, 2023 .


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 8**

DRIVING SAFETY COURSE

IT IS ORDERED that the Clerk may accept a request for the Driving Safety Course (DSC) option at the Clerk's window or via US Postal mail, or via email, if the following requirements are met:

1. The Defendant requests DSC no later than the "appearance date" stated on the citation or by the Court's written notice;
2. The Defendant files with the Court a signed affidavit complying with all eligibility requirements for DSC as set forth in Section 45.0511(c)(3) of the Texas Code of Criminal Procedure;
3. The Defendant provides proof of financial responsibility, pursuant to the Texas Transportation Code, valid and in force as of the date the Defendant "signs up" for DSC with the court. Proof must contain the Defendant as an active driver on said policy.
4. The Defendant presents a valid Texas Driver's License, permit, or Active Duty Military Identification along with a valid "out of state" driver's license;
5. The Defendant pays the DSC fee plus administrative fee at the time of request.

IT IS ORDERED that a Court Clerk may accept proof of completion of a DSC for dismissal of the case at the Clerk's Window, by US Postal mail, or by email under the follow circumstances:

1. The Defendant presents a certificate indicating the completion date, within the ordered time given, for the submission of the DSC certificate of completion and a type 3A driving record certified by the State of Texas Department of Public Safety (DPS) issued after signing up for the Driving Safety Course.
2. The type 3A driving record presented by the Defendant indicates the Defendant has NOT completed DSC for the purpose of dismissing a moving violation citation within twelve (12) months preceding the date of citation;
3. The DSC certificate of completion indicates "Court Copy", is signed by the defendant and contains no alterations modifications and/or erasures.

IT IS ORDERED that upon presentation and verification of completion, the Clerks shall present the case to the Judge for dismissal.

If the Defendant fails to provide evidence of successful completion of the DSC within the time period allowed, the Clerk shall summon the Defendant to Court to show cause why such evidence was not submitted timely. If the Defendant fails to appear at the ordered show cause hearing, a final judgment shall be prepared for the Judge's signature.

Signed and entered this 11th day of January, 2023


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 9**

TIME PAYMENT PLANS

IT IS ORDERED that the Clerk may process a request for a subsequent time payment plan from a person who appears at the Clerk's window, via US Postal mail, or by email, claiming inability to pay their fine in full under the following guidelines.

1. The Defendant is not currently in default of any pre-existing time payment plans;
2. The first payment must be at least \$50.00;
3. The remaining payments must be at least \$50.00 a month;
4. The Clerk shall verify Defendant's current address and telephone number (home or cell);
5. The Clerk shall apply the State Time Payment fee of \$15.00 for each case that is not paid in full within 30 days of judgment.

Default on Payment Plan

If the defendant fails to comply with an installment on their payment plan, the clerk shall issue a notice to appear and show cause for non-payment at the next regularly scheduled court docket five (5) or more business days after a payment is not made when agreed upon.

Indigency Hearings

If the Defendant claims to be indigent or claims to be unable to pay the fine in accordance with their time payment plan, the Clerk shall set the defendant for an indigency hearing at the Court's next regularly scheduled docket at which the defendant was cited to appear.

Signed and entered this 11th day of January, 2023.


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court

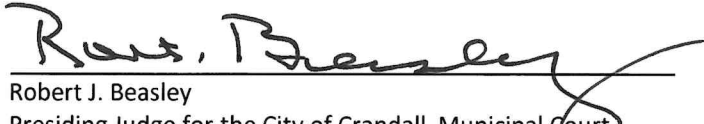


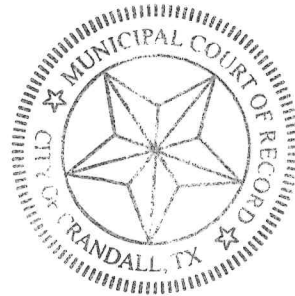
**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 10**

FAILURE TO APPEAR AT SHOW CAUSE HEARING

IT IS ORDERED that when a Defendant fails to comply with the terms of a Deferred Disposition, Driver Safety Course, Time Payment Plan, or any other Court agreement, they shall be placed on a Show Cause docket. If the Defendant fails to appear for said Show Cause hearing, their Deferred Disposition, Driver Safety Course, Time Payment Plan, or Court agreement shall be revoked and a final judgment shall be entered.

Signed and entered this 11th day of January, 2023.


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court

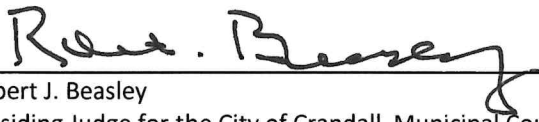


**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 11**

EXTENSIONS

IT IS ORDERED that a Defendant who appears at the Clerks window, via US Postal mail, or via email by the Defendant or his/her attorney may receive an extension to pay the fine of up to ten (10) days from the date of the required initial appearance date.

Signed and entered this 11th day of January, 2023.


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 12**

WARRANTS

IT IS ORDERED that a Defendant who appears at the Court Clerk's window for whom a warrants of arrest has been issued and enters a plea of "guilty" or "no contest", the Clerk may process the full payment and clear the warrant. The warrant shall immediately be recalled upon receipt of full payment of fine and court costs.

IT IS FURTHER ORDERED If a Defendant is requesting a court date, or a payment plan option, refer to Standing Order No. 13 for the process regarding voluntary surrender of defendants with arrest or capias pro fine warrants. The Judge may require a personal, cash, or surety bond to ensure appearance in court in accordance with Art. 45.016 CCP.

CAPIAS PRO FINE WARRANTS

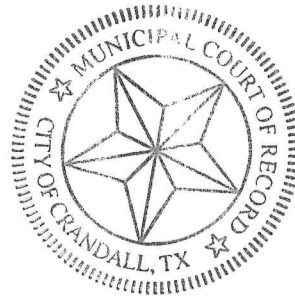
Upon Defendant's presentation of self at the Court Clerk's window, the Clerk may process the cases as follows:

1. Payment in full.
2. Turn them in to the jail for magistration.

IT IS ORDERED If a Defendant is requesting a court date, or a payment plan option, refer to Standing Order No. 13 for the process regarding voluntary surrender of defendants with arrest or capias pro fine warrants.

Signed and entered this 11th day of January, 2023.


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 13**

VOLUNTARY SURRENDER OF PERSONS WITH ARREST WARRANTS AND CAPIAS PRO FINE WARRANTS

In order to promote justice, ensure due process, and the equal treatment of all persons, some of whom may be indigent or facing financial hardships, and to help clear outstanding arrest warrants and capiases, this court will initiate a policy of not arresting or jailing any persons who voluntarily surrender themselves to the Crandall Municipal Court.

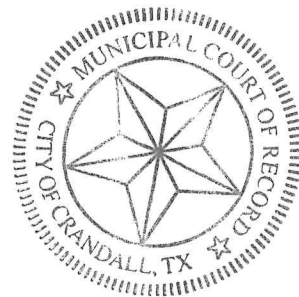
THEREFORE, IT IS ORDERED that any Defendant who voluntarily appears in open Court before the Judge will not be arrested or jailed and will be able to:

Appear before the Judge without the requirement of posting a cash bail or surety bond by setting their case for a court date to discuss legal options available to them regarding their case. Defendants who have already been convicted and who have outstanding Capias Pro Fines are not eligible for trial. Upon appearance in court, the Judge may recall any pending warrants or capiases.

IT IS ORDERED that all Court personnel and Court Clerks shall instruct all voluntary surrender defendants of the option listed above and schedule them for the next available hearing before the Court. The Defendant will be informed that the warrant will remain outstanding until the appearance is made in court.

Signed and entered this 11th day of January, 2023.


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 14**

COMMUNITY SERVICE PROGRAM

On this date, the Court entered the following **ORDER** with respect to community service.

AWARD OF COMMUNITY SERVICE CREDIT

The following requirements apply to award community service credit:

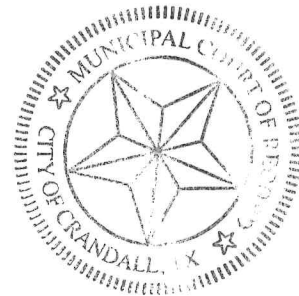
1. *Verification:* Once a Defendant turns in a log showing community service hours worked, the Clerk will verify the hours with the agency at which the community service was performed.
2. *How applied:* Once community service hours are verified, credit will be applied. As soon as sufficient credit has been applied to satisfy a judgment, that case may be closed by the Clerk without further order by the Judge. If credit is insufficient to satisfy a judgment, then the remaining balance on the case will be adjusted by the Clerk.
3. *If credit is disputed:* If the Defendant disputes the amount of credit awarded and cannot resolve that dispute through discussions with the Clerk, he or she must see the Judge to have the community service reviewed.

COMMUNITY SERVICE AGENCIES

The Clerk shall maintain a list of approved community service agencies. The Defendant must perform the community service at an approved location that meets the requirements per the statute guidelines. Community service work may be performed for a governmental entity, nonprofit, or religious organization that provides services to the general public that enhances social welfare and the general well-being of the community or it will not count. All hours are subject to verification by the Clerk.

Signed and entered this 11th day of January, 2023 .


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court



**CITY OF CRANDALL MUNICIPAL COURT
STANDING ORDER NO. 15**

PHOTOGRAPHY, VIDEOGRAPHY AND SOUND RECORDINGS

On this date, the Court entered the following **ORDER** with respect to photography, videography, and sound recordings:

IT IS ORDERED that there is no photographing, recording, broadcasting, or televising of any person, object, or proceeding inside the Municipal Court of Crandall, Texas unless previously authorized by the Judge. Authorization may be requested in writing or in person. The Court Security Officers and Court Bailiffs shall be extra vigilant in ensuring that cellular devices, laptop computers, tablet computers and any other electronic recording device or photographic equipment are not used to photograph, record, broadcast, or televise any person, object or proceeding in the Municipal Court of Crandall, Texas.

IT IS FURTHER ORDERED that any individual who violates this Order may be subject to being removed from the Municipal Court of Crandall, Texas, having their electronic device (cellular device, laptop computer, tablet computer, and any other electronic recording device or photographic equipment) confiscated by the Court Security Officers and/or Bailiff, and/or being found in Contempt of Court. Should any device be confiscated, it will be returned to the owner upon exit of the building.

Signed and entered this 11th day of January, 2023.


Robert J. Beasley
Presiding Judge for the City of Crandall Municipal Court

