

## COUNTY COURT NO. 5

### Court 5 Reset Guidelines

February 1, 2016

ANN → PTO: Court staff in chambers or email to [CC5reset@traviscountytx.gov](mailto:CC5reset@traviscountytx.gov) before **noon on the setting date**. However, we would prefer that defense attorneys email in advance of the setting date.

PTO → PTO: First 2 with court staff in chambers, 3rd PTO and thereafter Judge Hohengarten. Court policy is to allow multiple PTO settings for good cause to avoid needless contested settings. There is no limit per se, but defendants must appear on 3rd PTO and all settings thereafter unless excused by the court in advance. Please stop by court before the setting if you would like to excuse your client.

PTO → TBCW: Judge Hohengarten, but only if “Jury Waiver for Bench Trial” form is signed by all parties. Cases may not be set on this docket unless discovery is complete, the parties have negotiated and a “Jury Waiver for Bench Trial” has been signed by all parties. **Defense Attorneys should announce ready to the Judge AND the prosecutor by 10:00a.m.** The Prosecution will promptly notify the police liaison. Bench Trials will be conducted in the afternoon beginning at 2p.m. therefore Defendants shall appear at 2p.m. (they are not required to appear in the morning).

PTO → PTWW: Judge Hohengarten. Cases should not be set upon this docket unless discovery is complete and Motions for Suppress or In Limine. **Please** don't use PTWW as a settlement docket, use PTO for that purpose or sign up for a settlement week. There will be no automatic continuances; continuances will be granted for good cause. The Assistant County Attorneys will subpoena police witnesses. **Defense Attorneys should announce ready to the Judge AND the prosecutor by 10:00a.m.** The

Prosecution will promptly notify the police liaison. Pretrial hearings will be conducted in the afternoon beginning at 2p.m. therefore **Defendants shall appear at 2p.m. (they are not required to appear in the morning)**

PTO → JURY: Parties and Client/Defendant must approach Judge Hohengarten. Cases should not be set on this docket unless discovery is complete, the parties have negotiated, and pretrial admissibility and suppression hearings have been held and are ready to proceed to a jury trial. Jury cases will be set in the morning and voir dire will begin at 1:30p.m. There will be no prior jury docket call. The Court decides the order of cases for trial NOT the prosecution. If a case is not reached it will be reset and a continuance is not necessary. **Defense attorneys should announce ready to the Judge AND Prosecution (or request a continuance) by 10:00 a.m. Client/Defendants must be present the morning of jury settings.**

PLEA → PLEA: Judge Hohengarten. Resets will depend on the circumstances.

MTRP/APR: All resets with Judge Hohengarten. Please talk to court probation officer first.

JDC: Resets with Court Bailiff Walter Poston at [walter.poston@traviscountytexas.gov](mailto:walter.poston@traviscountytexas.gov)

Please notify Deputy Poston when jail defendants are ready to plead and have completed necessary paperwork and he will notify transportation to bring the defendant to court. If you want your client brought without complete paperwork see the Judge.

ICD or MHD: See Judge Hohengarten for resets.

JRD → Court 5 docket: See County Courts JRD Procedures.

ANY DOCKET → PLEA: Court Staff or Judge Hohengarten only if “Jury Waiver and Plea Agreement” form signed by all parties. The only exception is DWLS or DWLI cases.