

PART FIVE
CRIMINAL CASES

RULE 5.01 FILINGS; RETURN OF INDICTMENTS; ASSIGNMENT OF CASES AFTER INDICTMENT:

CRIMINAL CASES SHALL BE ASSIGNED IN ACCORDANCE WITH THE ORDER OF THE COUNCIL OF JUDGES.

RULE 5.02 APPOINTMENT OF COUNSEL:

APPOINTMENT OF COUNSEL SHALL BE AS PROVIDED UNDER THE EL PASO AGREEMENT AS APPROVED BY THE EL PASO COUNCIL OF JUDGES, THE EL PASO COUNTY COMMISSIONER'S COURT, AND THE EL PASO COUNTY BAR ASSOCIATION.

RULE 5.03 WITHDRAWAL OR SUBSTITUTION OF COUNSEL:

WITHDRAWAL OR SUBSTITUTION OF COUNSEL SHALL BE BY COURT APPROVAL FOLLOWING THE PROVISIONS OF RULE 10, TEXAS RULES OF CIVIL PROCEDURE.

NO ATTORNEY SHALL TAKE ANY ACTION ON BEHALF OF A DEFENDANT WHO IS ALREADY BEING REPRESENTED BY APPOINTED OR RETAINED COUNSEL, UNTIL THE ATTORNEY HAS FILED A WRITTEN APPEARANCE AS CO-COUNSEL OR HAS BEEN SUBSTITUTED AS ATTORNEY OF RECORD AS REQUIRED BY THIS RULE.

ONCE AN ATTORNEY HAS MADE AN APPEARANCE IN A CASE, THAT ATTORNEY SHALL REPRESENT THE DEFENDANT IN ALL MATTERS RELATING TO THE CASE UNTIL THE CASE IS FINALIZED OR THE ATTORNEY IS PERMITTED TO WITHDRAW BY THE COURT.

RULE 5.04 CONTINUANCE, RESETTING, POSTPONEMENTS:

THE DEFENDANT MUST BE NOTIFIED IN WRITING OF ANY MOTION FOR CONTINUANCE FILED BY DEFENDANT'S ATTORNEY OF RECORD.

RULE 5.05 PRETRIAL HEARINGS—CRIMINAL CASES:

IN CRIMINAL CASES THE DISTRICT OR COUNTY ATTORNEY'S OFFICE OR COUNSEL FOR DEFENDANT MAY REQUEST SETTING FOR PRETRIAL HEARINGS.

RULE 5.06 INTERPRETERS—CRIMINAL CASES:

IN CRIMINAL CASES, IF AN ATTORNEY DESIRES TO REQUEST A COURT APPOINTED INTERPRETER FOR HIS CLIENT OR WITNESS, REQUESTS THEREFORE SHALL BE MADE AT THE PRETRIAL HEARING OR EARLIER.

PART SIX
JURY MANAGEMENT

RULE 6.01 EMPANELING JURIES:

- (A) THE LOCAL ADMINISTRATIVE JUDGE OF THE COUNTY, OR A JUDGE DESIGNATED BY THE COUNCIL OF JUDGES SHALL PRESIDE OVER THE QUALIFICATIONS OF PETIT JURORS AND THE ASSIGNMENT OF JURY PANELS TO THE VARIOUS COURTS.
- (B) A PLAN GOVERNING THE SELECTION, MANAGEMENT, ASSIGNMENT, AND TIME OF JURY SERVICE HAS BEEN FILED WITH THE DISTRICT CLERK, WHICH MAY BE MODIFIED AT THE DISCRETION OF THE COUNCIL OF JUDGES, IN COMPLIANCE WITH SECTION 62.011, TEXAS GOVERNMENT CODE.

PART SEVEN
JUDICIAL VACATION; JUDICIAL EDUCATION

RULE 7.01 JUDICIAL VACATION:

- (A) JUDICIAL VACATIONS AND EDUCATIONAL EVENTS WILL BE SCHEDULED IN ADVANCE BY EACH JUDGE, SUBJECT TO CHANGE IN CONDITIONS, AND NOTICE THEREOF IS TO BE FILED WITH THE LOCAL ADMINISTRATIVE JUDGE.
- (B) THE JUDGES OF STATUTORY COUNTY COURTS AT LAW AND EACH DISTRICT COURT MAY TAKE PERSONAL VACATIONS AT ANY TIME DURING THE YEAR.
- (C) SUCH VACATIONS SHALL BE COORDINATED WITH THE LOCAL ADMINISTRATIVE JUDGE SO THAT THERE ARE A SUFFICIENT NUMBER OF DISTRICT AND COUNTY COURT AT LAW JUDGES IN THE COUNTY AT ALL TIMES TO HANDLE ITS JUDICIAL BUSINESS.
- (D) JUDGES MAY TAKE SUCH SICK LEAVE AS IS ESSENTIAL FOR THEIR HEALTH AND WELL-BEING.
- (E) ATTENDANCE AT JUDICIAL CONFERENCES AND EDUCATIONAL PROGRAMS IS CONSIDERED AN OFFICIAL DUTY AND AS COURT TIME.
- (F) EXTENDED ABSENCES FOR OTHER REASONS SHOULD LIKEWISE BE COORDINATED WITH THE LOCAL ADMINISTRATIVE JUDGE.

RULE 7.02 MASTERS, ASSOCIATE JUDGES, JAIL MAGISTRATES, AND REFEREES:

VACATION AND SICK LEAVE OF MASTERS, ASSOCIATE JUDGES, JAIL MAGISTRATES, AND REFEREES SHALL BE DETERMINED BY ORDER OF THE COUNCIL OF JUDGES.

PART EIGHT
NON-JUDICIAL PERSONNEL

RULE 8.01 NON-JUDICIAL PERSONNEL:

- (A) THE LOCAL ADMINISTRATIVE JUDGE OF THE COUNTY SHALL SUPERVISE THE OFFICE OF COURT ADMINISTRATION AND SHALL BE RESPONSIBLE FOR ALL ADMINISTRATIVE MATTERS PECULIAR TO THE COURTS AS DISTINGUISHED FROM JUDICIAL MATTERS.
- (B) THE LOCAL ADMINISTRATIVE JUDGE SHALL PERIODICALLY REVIEW THE CASE FLOW