

Judge Lela Lawrence Mays
283rd Court Processes in light of COVID 19*

(Last revised on 8.30.20)

Bond Review Hearings for Defendants in Custody

Please email the assigned prosecutor and see what agreements can be made. If a hearing is necessary, include opposing counsel and cc Judge Lawrence Mays making the request for a setting or advise me of the agreement. If a hearing is needed, a remote hearing will be scheduled through a Zoom or Teams video conference by emailing Judge directly with opposing counsel included.

All email correspondence should include the name and all case numbers on the subject line of the email.

Questions needed to be included in your email to schedule the hearing are:

- Will the defendant need to be present?
- Are you requesting a record?
- How long do you anticipate the hearing to last?
- Will any witnesses appear in-person in the courtroom?
- How soon are you ready to proceed?

In an effort to limit your potential exposure, your client's appearance can be waived. In the event that you want your client to be present in the courtroom, please email my court coordinator, Tina Cooper, at Tina.Cooper@dallascounty.org. Include the **book-in number** and request the defendant on the jail chain. The bailiffs will make the courtroom tablet available for your client to appear on the video conference.

A pre-indictment bond review hearing is also available to your client via filing a writ with the writ desk. This hearing can take place as soon as the paperwork is filed.

A bond review hearing is recommended for every defendant remaining in custody, once the case is indicted. If one is not scheduled, please email the coordinator that the bond review hearing is being waived. The waiver form is attached in your first setting email from Ms. Cooper.

Passes

Jail cases may be passed for **two weeks at a time**.

Bond cases may be passed for **four weeks at a time**.

Defendants with new cases on non-aggravated charges are allowed 4 post indictment passes before being required to set for disposition. This applies to defendants with probation violation cases with a new charge.

Defendants with new cases on aggravated charges are allowed 6 passes once the case is indicted to set for disposition. This also applies to defendants with probation violation cases with a new charge.

Defendants with probation violation cases with no new case(s) associated with them are allowed 2 passes before the case must be set for disposition. Please contact the 283rd probation officers once you've been appointed or retained for further information on your client.

- Do not ask the defendant to come to the courthouse until the case disposition is scheduled or otherwise requested by the court.
- The bonding agency and the attorney has the responsibility of notifying the client of the first setting.
- It is the responsibility of the defense attorney to maintain contact with the client throughout the pendency of the case.
- All defendants will be required to make themselves available by video, if a video conference is requested at any time. If no internet or video is available to the client they will be required to appear in-person in court.

Digital Pass Slips

- The digital pass slip requires the signature of the prosecutor and defense attorney. At the court's discretion, the defendant's signature can be required for specific cases.
- The cases that require the defendant to sign pass slips are all homicide cases. All others will be determined on a case by case basis.

- Pass slip must be signed by all necessary parties by 11am of the due date and accepted as early as 5 working days prior to the due date.
- The attorney must check one of the boxes verifying contact of the defendant.
- If the attorney checks the box that they have been “unable to locate” the defendant, the attorney will receive a hearing date to appear with the defendant. The attorney and defendant will be able to present themselves at that setting to prevent a bond forfeiture.
- Either party can initiate communication in order to complete the pass slip.
- There must be a plea bargain offer listed by the 2nd setting after the indictment has been returned. If not, an explanation of why an offer has not yet been given by the State is required. Please make that note in the “memo line”.
- The digital pass slips are designed to automatically go from the prosecutor, to the defense attorney then to the court coordinator.
- When a defendant signature is required please provide the DA with an email address of the defendant. That email can be any email designated by the defense attorney as long as the defendant signs the pass slip. If no email is designated, the defense attorney email will be used until one is provided.
- When things are done digitally, we need extra communication. Please document as much as possible on the pass slip or through email.

ATRS

The 283rd requires many defendants to submit to an ATRS evaluation. This evaluation explores the defendant history related to many issues, including drugs, alcohol, mental health and domestic violence. I ask the defense attorneys to please advise your clients that someone from the assessment unit from the probation department will be coming to discuss their history

with them. This will allow all parties to determine the most appropriate probation conditions and requirements necessary for success. Please order the ATRS soon than later, so there are no delays in resolving the case.

Hearings

All hearing will be remote on Zoom or Teams. The only person required in person in the courtroom on a dispositive matter is the defendant. To schedule a hearing, please email the DA and Judge Lawrence Mays. Include the following:

- Specify the type of hearing being requested
- Whether the defendant is in jail or on bond
- The length of time anticipated for the hearing
- Whether the defendant is currently on probation or is eligible for probation
- How many felony charges does this defendant have to be resolved
- Will the defense counsel proceed by video conference or in person (If in person, please bring your own device)
- Is an interpreter needed? If so, what language.
- How soon will all parties be prepared to proceed?

Evidence

All evidence to be admitted should be emailed to all attorneys and the court reporter. Please communicate with the court reporter, Vearneas Faggett at Vearneas.Faggett@dallascounty.org to ask any questions regarding getting evidence to her for admission. Please discuss the logistics of admitting any evidence that cannot be provided digitally with Ms. Faggett, at least one week prior to the hearing or trial.

Pleas

Adobe Sign Process

We are using Adobe Sign to complete our remote pleas. Once a plea agreement has been reached, one of the attorney's will need to send an

email to Judge Lela Lawrence Mays (Lela.Mays@dallascounty.org) to schedule the plea. The following questions must be answered in the email to schedule the remote plea.

1. Is the defendant in jail or on bond?
2. Is the defendant receiving probation or should the court probation officer be involved in any way and need to be present?
3. How many charges will be plead?
4. Have all matters been resolved or are there questions remaining?
5. If there are questions, how much additional time is needed to resolve the issue?
6. How soon will both parties be ready to proceed?

Then, once the email is received Judge Mays will respond with a setting. **You will receive two settings.** One is a private setting for the defense attorney to meet with their client and sign paperwork on the courtroom touchscreen tablet.

*****PLEASE conference with your client, explain all plea papers and answer any questions. The time in the courtroom with the tablet is strictly to explain what they are signing and NOT for general attorney-client discussion.*****

The second setting is the time for the agreed plea. The timing of either setting depends on the number of cases you will plead and how many cases are ahead of you.

All defense attorneys are asked to review and explain the paperwork with their client prior to coming to court to minimize the time needed on the courtroom tablet.

It's the responsibility of the defense attorney:

1. To request their client on the jail chain (you must include the book-in number and ALL cause numbers); and
2. To request an interpreter (specify the language).

Both requests must be made by emailing the court coordinator, Tina Cooper, at Tina.Cooper@dallascounty.org.

Feel free to take any agreed pleas to Mag Court if you choose to. Notify the DA, so they won't do the Adobe Sign paperwork. The Magistrates are

not yet handing remote pleas. You must appear in person if you decided to use a Magistrate.

Non-Adobe Sign Paperwork Process

Defense attorney completes and signs the plea paperwork then emails it to the assigned DA. The DA signs it and returns the plea papers to the defense attorney for their client's signature. The defense attorney obtains the defendants signature on the plea papers. The paperwork is given to the 283rd District Clerk to be scanned in to Judge or scanned in by the defense attorney and sent directly to Judge Lela Lawrence Mays.

Pay sheets

Please email your pay sheet directly to Judge Lela Lawrence Mays at Lela.Mays@dallascounty.org. Do not leave them in the 283rd. If you have not received email notice that the pay sheet has been signed within 48 hours, please feel free to send a reminder email directly to the Judge.

General Information

All remote settings are scheduled at specific times on the courtroom tablet. That time is specific to you and your client. All parties must appear at your specific scheduled time. Please advise your client that a missed remote setting can lead to a client's bond forfeiture.

If your client is currently on probation, this is a plea for probation or a hearing or trial where probation is a possibility, you must communicate with one of the 283rd probation officers prior to setting the case for disposition.

If you prefer to come to the courtroom to meet with your client for any hearing, trial or plea, please feel free to do so.

It is required that everyone that enters the courtroom wear a face covering. The face covering must cover their nose and mouth at all times.

Additionally, defense attorneys appearing in person for hearings and pleas will need to bring their own device to access Zoom or Teams.

The Court has secured a “hotspot” specifically for attorneys to connect to wifi. Please request the password from the bailiffs.

We will practice social distancing, so the attorney will be seated at the DA table, while the defendant is seated at the defense table using the courtroom tablet.

You must give the court advance notice of any witness that will appear in-person so arrangements can be made for their testimony.

These processes are subject to change. The current processes will be posted on the 283rd page through the Dallas County website at www.DallasCounty.org.

I know that times are extremely chaotic and difficult to navigate, it is my hope that the procedures I have in place will alleviate some of the headache. We will get through this together, and please know that I appreciate all that you do and the risks you take to protect the rights of your clients. I am glad to have you working in the 283rd and I hope that you continue to do so. I look forward to being able to see you in person again, but until such time, please accept my best wishes and most importantly please stay safe.

Sincerely,

Lela Lawrence Mays

Presiding Judge

283rd District Court

Dallas County, Texas

283rd District Court Contact Info.

Judge – Lela Lawrence Mays at Lela.Mays@dallascounty.org

Court Coordinator – Tina Cooper at Tina.Cooper@dallascounty.org

Court Reporter – Vearneas Faggett at Vearneas.Faggett@dallascounty.org

283rd ADA's

Chief – Summer Elmazi at Verime.Elmazi@dallascounty.org

Idris Akinpelu at Idris.Akinpelu@dallascounty.org

Deborah Bankhead at Deborah.Bankhead@dallascounty.org

Child Abuse – Jacob Zachariah at Jacob.Zachariah@dallascounty.org

Family Violence – Alicia Patterson at Alicia.Patterson@dallascounty.org

Drug Court – Amy Lockhart at Amy.Lockhart@dallascounty.org

Probation Officers

Brennan Farley and Laurie Baker

Email the probation officers at 283rdProbation@dallascounty.org

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