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**ADMINISTRATIVE ORDER ESTABLISHING PROCEDURE FOR BAIL REVIEW UNDER ARTICLE 17.029, CODE OF CRIMINAL PROCEDURE**

**1. Applicability**

Effective immediately, and pursuant to Article 17.029, Code of Criminal Procedure (added by SB 9, 89th Legislature), the following procedure is established in all district courts of Kaufman County for the review of bail decisions in felony cases when the initial bail decision was not made by a district judge any time a request to review a bail decision in a felony case is filed and the initial bail was set by a magistrate who is not a district judge (e.g., set by a magistrate at arrest, by a justice of the peace, county court at law judge acting as magistrate, etc.).

**2. Filing the Request**

The request for review must be presented in writing to the District Clerk. The preferred method is a written "Motion for Review of Bail" filed with the District Clerk, but no particular form or wording is required.

**3. Immediate Notification by District Clerk**

Upon receipt of any request for review, the District Clerk shall:

- a. Time-stamp the request;
- b. Assign the district judge that would have the case once it is filed by indictment according to the current felony case assignments. If that judge is unavailable, the motion may be presented to any available district judge to comply with requirements of Article 17.029;
- c. Immediately notify the assigned reviewing judge (and the judge's coordinator) by email and telephone that a bail-review request has been filed, providing:

Defendant's name, date and time the request was filed

Copy of the motion

Current bail amount and conditions

Whether the defendant is in custody or out of custody

The District Clerk shall maintain a log of all Article 17.029 requests showing date/time received, cause number, assigned judge, and date/time the assigned judge was notified.

FILED FOR RECORD  
KAUFMAN COUNTY  
TEXAS  
2025 DEC 18 AM 7:30  
RHONDA HUGHES  
DISTRICT CLERK  
BY  DEPUTY

#### **4. Assigning of Reviewing Judge**

The Local Administrative Judge shall maintain and publish a case assignment list for all felony cases in the county. Article 17.029 reviews will be assigned to a District Judge according to the current case assignment order.

#### **5. Deadline for Review**

The assigned reviewing judge shall conduct the review and issue a ruling as soon as practicable, but no later than the close of business on the next business day after the District Clerk received the request.

#### **6. Conduct of the Review**

The reviewing judge shall:

- a. Comply with Article 17.09, Code of Criminal Procedure, and all constitutional and statutory rules for fixing bail;
- b. Consider the facts and circumstances presented in the offense reports, affidavits, criminal history, and any evidence or argument presented;
- c. Conduct a hearing if the judge deems it necessary. If the defendant is in custody, the hearing may be conducted by video or in person. If the defendant is not in custody, reasonable notice shall be given.

#### **7. When Increasing Bail or Adding Conditions for Defendants Not in Custody**

If the reviewing judge decides to increase the bail amount or impose additional conditions on a defendant who is not in custody, the judge shall:

- a. First issue a summons ordering the defendant to appear at a specific date and time for a bail hearing, providing the defendant reasonable opportunity to appear and be heard; and
- b. Only issue a warrant for the defendant's arrest if the defendant fails to appear in response to the summons.

SIGNED this 17 day of December, 2025.



Hon. Casey Blair

Local Administrative District Judge Kaufman County