



Justice Court of Clay County

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STANDING ORDER REGARDING CREDIT FOR TIME SERVED

Non-Juvenile Defendants

Jail Credit for Current Offense

1. *Code of Criminal Procedure Art. 42.03, Section 2*– A defendant earns credit toward the fine and costs assessed for any time spent in jail **for the offense charged**, whether before or after final conviction.
2. *Code of Criminal Procedure Art. 45.048* - The judge determines the dollar amount of credit the defendant gets, as well as how often the defendant earns the credit. The minimum dollar amount that may be awarded is \$150, and the credit must be given at least every 24 hours, but no more often than every eight hours.
3. The Courts standard procedure will be to allow \$300 credit for every 12 hours of time in jail related to the current offense.

Jail Credit for Other Offenses

1. A court **must** credit a defendant for any time spent confined in jail as a sentence for another offense if the confinement occurred **after** the commission of the misdemeanor currently pending in the justice court and the conviction in justice court occurred on or after September 1, 2021.
2. Credit for this confinement is given per day, rather than per unit of time as described above, and the rate may not be less than \$150 per day.
3. The Courts standard procedure will be to allow \$450 credit for every 24 hours of time in jail related to offenses other than the offense which credit is being applied.

Signed this the 17th day of April 2023.

A handwritten signature in blue ink that reads "Lanny Robins".

Judge, Justice Court of Clay County