

1 **Rule 4-610. Appointment of justice court judges to preside at first**
2 **appearances, preliminary hearings and arraignments**~~in felony cases.~~

3 Intent:

4 To establish the criteria for the appointment of justice court judges to preside at first
5 appearances, preliminary hearings and arraignments ~~in felony cases.~~

6 Applicability:

7 This rule shall apply to the district and the justice courts.

8 Statement of the Rule:

9 (1) The presiding district court judge may appoint a justice court judge to preside at a
10 first appearance, preliminary hearing or arraignment if:

11 (A) the justice court judge consents to the appointment; and

12 (B) the justice court judge has either completed a course in the conducting of first
13 appearances, preliminary hearings and arraignments, or has presided over at least five
14 first appearances, preliminary hearings and arraignments prior to the effective date of
15 this rule.

16 (2) A justice court judge may only accept a plea of not guilty, or not guilty by reason
17 of insanity.

18 (3) The Justice Court Administrator shall maintain a list of those justice court judges
19 who meet the qualifications set forth in paragraph (1)(B) above.

20 (4) The administrative office shall offer courses in the conducting of first
21 appearances, preliminary hearings and arraignments, and shall pay the expenses of
22 justice court judges attending such courses not offered in conjunction with the annual
23 justice court judges conference.

24 (5) Hearings conducted pursuant to this rule shall be conducted on the record.

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