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Clerk, U. S. District Court
Western District of Texas
By AD
Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

THE HONORABLE FRANK MONTALVO § ALL CRIMINAL CASES
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STANDING ORDER CONCERNING APPEARANCES IN CRIMINAL CASES

WHEREAS some counsel of record have repeatedly failed to appear in court as required and have asked attorneys to “stand for” them without so much as giving that lawyer the slightest overview of the status of the case in which they are appearing;

WHEREAS this Court’s attempts to call the attorneys’ attention to these repeated occurrences have not achieved full compliance;

WHEREAS certain attorneys who have substituted in cases have failed to appear for the monthly scheduled docket calls; and

WHEREAS some attorneys have failed to recognize the impropriety of personally contacting or approaching the Undersigned Judge with regard to pending matters, the Court finds it necessary to issue the following order.

EFFECTIVE IMMEDIATELY, IT IS ORDERED that Attorneys appearing in criminal cases shall:

First Appearance at Docket Call: Attorneys representing criminal defendants are required to personally appear at the Court’s first regularly monthly docket call following appointment or retention. An attorney who is scheduled to appear before the Court at such monthly docket call but fails to so appear shall be summoned before the Court on the following Monday (or next business day) to show cause for his or her absence.

Subsequent Appearance at Docket Call: Attorneys representing criminal defendants are required to personally appear at each of the Court’s regularly scheduled monthly docket call. When counsel of record asks another lawyer to appear on his behalf and announce “standing for ...”, the attorney making the appearance should be fully informed on the status of the case.

Procedure for Requesting Conferences with the Undersigned Judge: In the event an attorney wishes to arrange a status conference with the Undersigned Judge to discuss a pending matter, the attorney shall request such meeting through the Undersigned Judge's Courtroom Deputy, Ms. Adriana Quezada, who may be reached at (915) 534-6711. If the Court deems such a meeting appropriate, Ms. Quezada will contact the requesting attorney and opposing counsel to schedule the aforesaid conference.

Under no circumstances shall a lawyer approach the Undersigned Judge outside of the courtroom to request such a meeting or to otherwise discuss a pending matter. *If an emergency or unforeseen development requires contacting the Undersigned Judge such contact should take place through Ms. Quezada or Ms. Sandra Flores, Judicial Assistant to the Undersigned Judge, at (915) 534-6600.*

SIGNED and ENTERED this 1st day of June, 2007.



FRANK MONTALVO
UNITED STATES DISTRICT JUDGE