

*** GUIDELINES FOR THE WICHITA MUNICIPAL COURT *
ATTORNEY WALK IN DOCKET (AWID)**

- This docket begins at 1:00 pm and ends at 1:50 pm. Only cases set on the AWID will be taken up during this time period.
- Files from this docket are not to be removed from the Video Courtroom without the express permission of the Video Courtroom Judge.
- To set a case on the docket, the attorney must call the clerk's office at the AWID hotline number, 268-4354 between 8:30 am and noon.

ATTORNEYS WHO MAY REQUEST FILES

- The attorney making the request must be the attorney of record or wanting to enter on the case.
- If another attorney is entered on the case, the new attorney must get the old attorney to sign a joint motion withdrawing the old attorney and entering the new before the court can take any action on the case, unless the case is past sentencing and the current attorney of record entered before the plea or sentence.
- Attorneys in the same firm may appear for each other.

FILES AVAILABLE

- No cases are pulled for the AWID 48 hours before a previously scheduled court date.

TRAFFIC TICKETS

- Traffic tickets that are pulled for the AWID will be put on a disposition sheet and a docket fee will be added to any fine and court costs.

MOTIONS TO WITHDRAW

- Motions to withdraw will be set for the next scheduled court hearing UNLESS:
 - ✓ The defendant is present with the attorney. This allows the Court to get a waiver of counsel from the defendant and to ensure the defendant knows the attorney is withdrawing and what the next Court date is.
 - ✓ The attorney has a motion to withdraw coupled with an entry of appearance by a new attorney. These motions will be signed by the Judge at the AWID.

ACTIONS ALLOWED AND PROCEDURES

- An attorney cannot get a warrant withdrawn without entering on the case.
- If an attorney has had a bench warrant (BW) withdrawn on the AWID before and the defendant then missed the court date that was set, the defendant **must be present** at the AWID before the warrant will be considered for withdrawal.
- If the warrant is withdrawn, the defendant will need to be brought into the courtroom to be advised by the judge of the new date. The defendant will also be told if they miss their court date again they will have to post a professional surety bond before another date will be set.
- The defendant may also be **taken into custody and/or a professional surety bond** may be required if the Judge determines that is the appropriate action.
- **REMEMBER---A DEFENDANT MUST BE BOOKED THROUGH THE JAIL WHEN A PROFESSIONAL SURETY BOND IS REQUIRED.**
- If the attorney advises the Court that the bench warrant was issued due to attorney neglect of the case and the attorney has been warned about this by the Court, the defendant must be present if the attorney is requesting that the warrant be withdrawn.
- **NO O/R BONDS WILL BE ALLOWED AFTER A DEFENDANT IS RECOMMITTED BY THEIR BONDSMAN AS A BOND RECALL.**

FINGERPRINTS REQUIRED

- On cases where the defendant must be **fingerprinted upon conviction**, the defendant must be present for the warrant to be lifted and the plea and fine entered unless they were booked upon arrest on this specific case.

UNSERVED WARRANTS

- On cases where there is an **UNSERVED WARRANT**, no warrants will be withdrawn and no request **“to book through the warrant office”** will be considered unless the defendant is present at the AWID to be processed that day.

DEFENDANTS-PSI DATE MISSED

- If a PSI interview date was missed, the warrant will not be withdrawn without the defendant being present at the docket. The defendant will be taken down to Probation that day by the bailiff **to set up a new PSI**. If the defendant is going to be detained, an expedited PSI will be done. Probation will go to the jail for these interviews.

DEFENDANT'S ON PROFESSIONAL SURETY BOND

- Defendant's on professional surety bond who have missed a court date:
 - ✓ If within 10 days of bench warrant-Court will withdraw warrant 1 time
 - ✓ If more than 10 days after bench warrant ordered, defendant must be present at the docket with the attorney for a request to be made.
 - ✓ If the attorney has requested the withdrawal of a bench warrant in the past, the defendant must be present for any further requests.
 - ✓ If the bond is almost due, (it is close to 45 days since the bench warrant was issued) the warrant MAY NOT be withdrawn if the defendant has had a bench warrant previously. A request to withdraw the warrant will not be considered unless the defendant is present. YOUR CLIENT MAY BE TAKEN INTO CUSTODY IF THE COURT DEEMS THIS THE MOST APPROPRIATE ACTION TO TAKE.

BONDS THAT ARE DUE

- Bondsmen cannot surrender a defendant at the AWID when the Court has advised them that the bond is due. They must surrender the defendant into custody at the jail.

CASE SETTINGS FROM THE AWID

- IF AN ATTORNEY ENTERS ON A CASE AND WANTS THE WARRANT WITHDRAWN, ALL SHOW CAUSES WILL BE SET WITHIN TWO WEEKS FOR HEARING.
- IF AN ATTORNEY ENTERS AND WANTS THE WARRANT WITHDRAWN, ALL TRIALS AND APPEARANCES WILL BE SET WITHIN 30 DAYS.
- IF THE LAST BW WAS FOR A TRIAL, THE ONLY SETTING ALLOWED WILL BE FOR TRIAL OR DISPOSITION . CASES WILL ONLY BE SET FOR DISPOSITION IF THE CLIENT IS PRESENT AND WAIVES THEIR RIGHT TO A TRIAL OR IF THE ATTORNEY HAS A WRITTEN WAIVER OF TRIAL.
- IF THE CASE IS MORE THAN 3 MONTHS OLD THE WARRANT WILL NOT BE LIFTED WITHOUT THE CASE BEING SET DIRECTLY TO THE TRIAL DOCKET OR FOR DISPOSITION.