

**STANDING ORDER FOR DISCOVERY, DISCLOSURE AND PROTECTION OF  
CRIMINAL HISTORY RECORD INFORMATION, MEDICAL RECORDS COVERED  
BY HIPPA & THE DISCLOSURE & DISSEMINATION OF PRESENTENCE  
INVESTIGATION REPORTS IN CRIMINAL CASES**

The judges of the District Courts in Madison County, Texas enter the following orders to facilitate the exchange and disclosure of discoverable information in the possession of the Madison County District Attorney's Office pursuant to Article 39.14 of the Texas Code of Criminal Procedure. These orders apply only to felony criminal cases filed in Madison County, Texas.

**STANDING ORDER: CRIMINAL HISTORY RECORD INFORMATION**

In order to comply with Article 39.14 of the Texas Code of Criminal Procedure, the Madison County District Courts hereby authorize the Madison County District Attorney's Office to disclose to the attorney of record for the defendant in a felony case, the criminal history record information of the defendant and any potential witnesses which are contained in the District Attorney's file. Such disclosure of criminal history record information by court order is specifically authorized under Section 411.084(2)(D) of the Texas Government Code. The Madison County District Courts further order the defense attorneys receiving the criminal history record information by this order shall comply with provisions of Chapter 411 of the Texas Government Code and Article 39.14 relating to the use and dissemination of criminal history record information. Nothing in this order requires the Madison County District Attorney to conduct further investigation or inquiry into criminal history record information unless further ordered by the above referenced courts or otherwise required by law.

**STANDING ORDER: PROTECTED HEALTH INFORMATION COVERED BY HIPPA**

In order to comply with Article 39.14 of the Texas Code of Criminal Procedure, the Health Insurance Portability and Accountability Act (hereinafter referred to as "HIPPA") and the related privacy regulations found in the Code of Federal Regulations, the above referenced District Courts hereby authorize the Madison County District Attorney's Office to disclose to the attorney of record for the defendant in a felony case, any medical records, including protected health information, which are contained in the District Attorney's file and are related and material to the felony criminal case. The Madison County District Courts further order that defense attorneys receiving information obtained by this order shall comply with the provisions of HIPPA, the related privacy rules, the Texas Medical Privacy Act, and Article 39.14, regarding the use and dissemination of protected health information. Nothing in this order requires the District Attorney to conduct further investigation or inquiry into protected health information unless further ordered by the above referenced courts or otherwise required by law.



## **STANDNG ORDER: THE DISCLOSURE & DISSEMINATION OF PRESENTENCE INVESTIGATION REPORTS IN CRIMINAL CASES**

In general, Presentence Investigation Reports are not public records, Article 42A.256 Texas Code of Criminal Procedure. As set out in Article 42A.255 of the Texas Code of Criminal Procedure, each Presentence Investigation Report for a criminal case filed in the Madison County District Courts shall be made available to the attorneys for State and for the defendant at least 48 hours before sentencing. The Madison County District Courts further order that attorneys for the State and the defendant shall be permitted to print a copy of the Presentence Investigation Report for their file. The attorney for the defendant shall review the Presentence Investigation Report with the defendant in a timely manner, but shall not provide a copy of the Presentence Investigation Report to the defendant or any other individual. The Madison County District Courts further order that defense attorneys receiving a Presentence Investigation Report by this order shall comply with the provisions Article 39.14 regarding the use and dissemination of the information contained in the Presentence Investigation Report. The conclusion of the criminal proceeding shall not relieve the defendant, the attorney for the defendant, or any other person or party provided access to the Presentence Investigation Report of his or her obligations under this order.

## **STANDING ORDER: MADISON COUNTY COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT CASE RECORDS**

The Madison County Community Supervision and Corrections Department (the "Department") supervises offenders for the 12<sup>th</sup> and 278<sup>th</sup> Judicial District Courts of Madison County, Texas. The Department maintains case file records for those offenders receiving supervision by the Department as required by Texas Administrative Code 163.67 (a). Texas Administrative Code 163.67 (b) provides that these case records are confidential and shall only be released under circumstances authorized by law or as directed by the Courts.

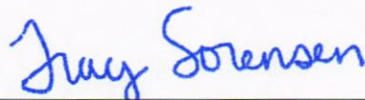
The Madison County District Courts hereby direct that case records maintained and produced by the Department may be released to the Office of the Madison County District Attorney for investigation and prosecution of Motions to Revoke and Motions to Adjudicate the community supervision, as well as to the attorney representing the offender on a Motion to Revoke or Adjudicate Community Supervision. These records may be released electronically by the Department.

The Madison County District Courts further order that attorneys receiving the Department's case file records by this order shall comply with the provisions Article 39.14 regarding the use and dissemination of this information and are to ensure that these confidential records are properly safeguarded and not released to any unauthorized person.

IT IS FURTHER ORDERED that the above orders are effective February March 6, 2025.



David W. Moorman, Presiding Judge, 12<sup>th</sup> District Court



Tracy Sorensen, Presiding Judge, 278<sup>th</sup> District Court