

JUVENILE DOCKET PROCEDURES

Appearing and Entering a Plea

Texas law requires that persons under the age of 17 years of age (at the time of the alleged offense) must appear in open court with a parent or guardian to enter a plea. **You may not enter your plea or pay your fine by mail.**

When To Appear in Court

If you are a juvenile (under 17 years at the time of the alleged offense) and you have received a citation, the Court will send you and your parents a letter telling you when your court appearance is scheduled. If you cannot appear at that time, you must contact the court to reschedule. All requests to reset or reschedule a hearing must be made in writing, in person, or through email. Your case will not be rescheduled final until your request has been approved by the Judge.

Notification of Address Changes

All court notices will be sent to the address on file. Texas law requires juveniles with a pending Municipal Court case, and their parents to notify the court of their current address. If there is a change of address, **the Court must be notified within 7 days of the change.** Failure to do so, is a Class C misdemeanor offense.

Language/Sign Language Interpreters

If a language or sign language interpreter is needed for the juvenile or parent, contact the court and request the appropriate interpreter. The case will be scheduled for a day when an interpreter will be present.

Failure to Appear

If you fail to appear for a hearing, a warrant may be issued for your arrest. The State may also file an additional charge of Failure to Appear. The Failure to Appear process may cause other charges to be assessed, including a warrant fee, collection fees, and fees related to your case being reported DPS (Omnibase fees).

Trials

Juveniles have the same right to trial as adults. After entering your plea of not guilty, you may request a Bench trial (trial before a judge) or a Jury trial. You will be given a date and time to appear in the Municipal Court for your trial

Attorneys

Juveniles have the same right as adults to be represented by an attorney. The Court will not appoint an attorney, but you may retain an attorney for any hearing. If you choose to represent yourself, you will be required to follow all laws and court procedures. Parents may not represent unless the parent is an attorney.

Penalties

If you have entered a plea of guilty or nolo contendere (No Contest), or if you have been found guilty by a judge or jury, a penalty will be assessed. All Municipal Court cases have a fine attached to them. The Court may set the fine at any amount up to the maximum for your case. You may discuss payment options with the court. In some circumstances the court may allow you 30 days to make your payment. You may be placed on a payment plan in which you make monthly payments to the court until your fine and costs are paid in full. If you qualify, you may be allowed to do community service hours to

pay off your fine and costs. The court will give you instructions regarding the community service program. You may also request a deferred disposition (probation) from the court. The rules of your deferral may include such things as a case management program, classes, counseling, school attendance, drug testing, and other programs or condition set by the Court. If your request is granted, you will be given rules, including payment of court costs, to follow for a period of time up to 180 days. If you do everything required and appear for your compliance hearing, your case may be dismissed.

Parents may also be ordered to attend programs or follow certain orders of the court.

Contempt of Court

A juvenile who fails to follow a court order may be held in contempt of court and charged an additional fine of up to \$500.00. The court may also (in addition to the fine) revoke or deny the juveniles' driver's license until the juvenile fully complies with the court order. The court may also choose to refer the contempt case to the Juvenile Justice Center (juvenile detention). Regardless of the contempt penalty, the original order of the court still stands and must still be complied with in order for the case to be closed.

Juveniles Now Adults

If you are now over 17 years of age and received a citation for an offense which is alleged to have occurred when you were under 17 years old, you are still subject to the juvenile law for that particular case. If you have questions about how to handle your case, please contact the Municipal Court. If you do not resolve your old juvenile cases, you are subject to additional adult charges and penalties, including a warrant for your arrest.

Provisional License Holders and Defensive Driving

Persons under the age of 18 years old who hold a provisional license and request a driving safety course (defensive driving) for a moving violation, are also required by State law to take a driving examination with the Department of Public Safety in order to have their case dismissed. There is an \$11 fee at the D.P.S. for the examination.

Expunction of Records

A conviction for a juvenile case in Municipal Court is a permanent record. This record does not disappear at any age. The only way to have a record erased is to have the record expunged. There are several laws regarding expunction of juvenile cases in Municipal Court. The age at which an application may be made varies depending upon the type of violation. All expunction laws require that the person have only one conviction. An application for expunction may be filed in the Municipal Court. There is a \$30 fee for filing the application. A court hearing will be set at which time the judge will decide whether the applicant's case is eligible for expunction.