

## Court Costs and Administrative Issues

Presented by  
Margaret Robbins,  
Program Director, TMCEC

---

---

---

---

---

---

---

---

### HB 1267

- **New Court Cost - \$2**
  - Section 133.107, L.G.C.
  - Effective on offenses committed on or after January 1, 2008
  - Except parking and pedestrian offenses
  - For the indigent defense fund

---

---

---

---

---

---

---

---

### HB 1380

- **Amends Building Security Fund**
  - But, no change in the amount or purpose
- **Includes Buildings housing**
  - District & county court judges,
  - Justices of the peace (not in courthouse),
  - Associate judges, masters,
  - Magistrates, referees,
  - Hearing officers,
  - Criminal law magistrate court judges, and
  - Masters in chancery

---

---

---

---

---

---

---

---

## HB 1623

- **Operating a motor vehicle without license plates or with one license plate**
  - Remedy before 1<sup>st</sup> court appearance
  - Pay fee not to exceed \$10; effective January 1, 2008
  - Registration current at the time of the offense
  - Registration insignia attached to vehicle before first court appearance
  - Judge may dismiss

---

---

---

---

---

---

---

---

## HB 1623

- **Expired motor vehicle registration**
  - Remedy within 20 working days after the offense or before 1<sup>st</sup> court appearance, whichever is later
  - May assess a fee not to exceed \$20; effective January 1, 2008
  - Late fee to the tax assessor/collector is still due
  - Judge may dismiss

---

---

---

---

---

---

---

---

## HB 1623

- **Display an altered, unclean, or obscured license plate/registration insignia**
  - Remedy before 1<sup>st</sup> court appearance
  - May assess a fee not to exceed \$10; effective January 1, 2008
  - Judge may dismiss

---

---

---

---

---

---

---

---

**HB 1623**

- **Failure to Display Driver's License**
  - Defendant presents a valid DL
  - Prosecutor makes a motion to dismiss
  - Judge shall dismiss
  - Judge may assess \$10 fee; effective January 1, 2008

---

---

---

---

---

---

---

---

**HB 1623**

- **Expired Driver's License**
  - Remedy within 20 working days after the offense or before 1<sup>st</sup> court appearance, whichever is later
  - Fee not to exceed \$20 may be assessed; effective January 1, 2008
  - Judge may dismiss

---

---

---

---

---

---

---

---

**HB 1623**

- **Failure to Report Change of Address or Name Within 30 Days**
  - Remedy within 20 working days after the date of offense
  - Fee not to exceed \$20 required (judge may waive in the interest of justice); effective January 1, 2008
  - Judge may dismiss

---

---

---

---

---

---

---

---

## HB 1623

- **Violate Driver's License Restriction or Endorsement**
  - **Remedy before 1<sup>st</sup> court appearance**
    - Endorsement imposed because of a physical condition that was corrected before the offense or was imposed in error; and
    - Have DPS remove the endorsement before 1<sup>st</sup> court appearance
  - **Fee not to exceed \$10 required; effective January 1, 2008**
  - **Judge may dismiss**

---

---

---

---

---

---

---

---

## HB 1623

- **Operate Vehicle with Defective Required Equipment (or in unsafe condition)**
  - **Remedy before 1<sup>st</sup> court appearance**
  - **Does not apply to CMV**
  - **Fee not to exceed \$10 required; effective January 1, 2008**
  - **Judge may dismiss**

---

---

---

---

---

---

---

---

## HB 1623

- **Expired Inspection Less than 60 days**
  - **Remedy within 20 working days after offense or before 1<sup>st</sup> court appearance, whichever is later**
  - **Fee not to exceed \$20 required; effective January 1, 2008**
  - **Judge shall dismiss**

---

---

---

---

---

---

---

---

## HB 1623

- Expired Inspection More than 60 days
  - Remedy within 20 working days after offense or before 1<sup>st</sup> court appearance, whichever is later
  - No fee allowed
  - Judge may dismiss

---

---

---

---

---

---

---

---

## HB 1623

- Expired certificate of number (vessel) expired less than 60 days
  - Remedy within 10 working days after offense
  - Fee not to exceed \$10 required; effective January 1, 2008
  - Judge may dismiss

---

---

---

---

---

---

---

---

## HB 1623

- DWLI
  - Class C misdemeanor if the suspension was not the result of a DWI conviction
  - Class B misdemeanor if the suspension was from a DWI conviction
  - Class A misdemeanor if previously convicted of DWLI

---

---

---

---

---

---

---

---

## HB 1623

- **Red light cameras**
  - Max penalty \$75 (civil penalty)
  - Max late penalty \$25 (civil penalty)
  - 50% of revenue goes to state
    - After deducting cost of purchase or leasing of equipment, installation, operation, and maintenance
    - State Comptroller can audit

---

---

---

---

---

---

---

---

## HB 1801

- **Clerk who does not provide Internet access to case records**
  - Must post in designated public place in the courthouse
  - Criminal docket
  - Not less than 48 hours before docket setting

---

---

---

---

---

---

---

---

## HB 2061

- **Social Security Numbers under PIA**
  - Under Section 552.147(a) of the G.C., a SSN is not confidential
  - Not misconduct for district and/or county clerk to disclose a SSN
  - Abstract judgment – must contain last four digits of the SSN

---

---

---

---

---

---

---

---

## **HB 2949**

- Teen courts
- By Texas-Louisiana border only
  - Two \$20 fees instead of two \$10 fees
  - Effective January 1, 2008

---

---

---

---

---

---

---

---

## **HB 335**

- Official court reporter
  - Must furnish transcript to person
  - Not later than the 120<sup>th</sup> day after date application for transcript received by reporter, and
  - Transcript fee is paid or indigence is established by person

---

---

---

---

---

---

---

---

## **HB 368**

- OCA may award grants
  - To courts
  - For programs approved by JCIT
  - That provide technological support for judiciary

---

---

---

---

---

---

---

---

## HB 530

- Drug court programs
  - Cities have authority to create
  - Funded by grants and costs assessed to participants
  - Judges of drug courts may order occupational licenses be issued
  - A.B.C. offenses, public intoxication, offenses in which alcohol or controlled substance contributed to commission of offenses

---

---

---

---

---

---

---

---

## HB 587

- "Docket" = "record" for courts of record
- Does not apply to municipal courts of record

---

---

---

---

---

---

---

---

## SB 168

- \$65 annual legal services fee for attorneys
- Exceptions:
  - 70 years or older
  - Inactive status
  - Sitting judge
  - Employee of state or federal gov't
  - Employee of city, county or district attorney & not in private practice for more than 50% of time
  - Employed by 501(c)(3) nonprofit corp. & prohibited from outside practice of law
  - Exempt from MCLE requirements because non-practicing
  - Resides out of state and does not practice in Texas

---

---

---

---

---

---

---

---



**SB 244**

- District Attorney may request to seal a PC affidavit of a search warrant
  - Order – 31 days after execution
  - Order may not affect the right of a defendant to discover contents of affidavit
  - When the order expires, the affidavit must be unsealed

---

---

---

---

---

---

---

---

**SB 397**

- Oaths
  - Municipal judges and clerks may administer any oath

---

---

---

---

---

---

---

---

**SB 496**

- Judicial Court and Personnel Training Fund
  - Funds TMCEC
  - Effective Sept. 1, 2007, it will also fund innocence training programs for law enforcement officers, law students, and other participants

---

---

---

---

---

---

---

---

**SB 548**

- Theft by check
  - Notice to issuer by
    - 1<sup>st</sup> class mail evidenced by an affidavit of service, or
    - Registered mail
  - Issuer liable for costs of registered mail

---

---

---

---

---

---

---

---

**SB 560**

- Juror payments
  - City may determine the rate and provide reimbursement
  - Council approves in budget

---

---

---

---

---

---

---

---

**SB 600**

- Judicial Supplement Fund
  - Increased by \$2
  - Effective January 1, 2008
  - City's portion is still 60 cents

---

---

---

---

---

---

---

---

## **SB 1083**

- **DSC driving record**
  - Court may request the record
  - Using TexasOnline
  - Defendant pays a \$12 fee; effective January 1, 2008
  - Fee paid to the State quarterly (no proration)

---

---

---

---

---

---

---

---

## **HR 973**

- **Municipal Courts Week**
  - November 5-9, 2007
  - November 3-7, 2008

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

### HB 2267 - Deferred Disposition

- Court cost on Deferred
- New Law (Art. 45.051 (a-1) CCP)  
“Notwithstanding any other provision of law...”
  - Installments
  - Community Service
  - Combination

---

---

---

---

---

---

---

---

### HB 2267 - Deferred Disposition

- Show Cause Hearing Now Required
  - Art. 45.051(c-1) – No Different than Existing DSC Requirement
    - Notice in Writing
    - Mailed to Address on File or on Citation
    - Stating Time and Date of Show Cause
      - Show What? Show why Order should not be Revoked!
- “Additional Period” (Article 45.051(c-2))
  - Unclear
  - Presumably no longer than another 180 Days

---

---

---

---

---

---

---

---

- Applies to Courts issuing *Capias Pro Fines* (Post-Judgment)
- Amends 45.045(a)
  - REQUIRES that Defendants be brought before the issuing court NO LATER than the business day following the defendant’s arrest
- Not the Same as Art. 15.17 (Presentation before the Magistrate) – performance is by court not magistrate

---

---

---

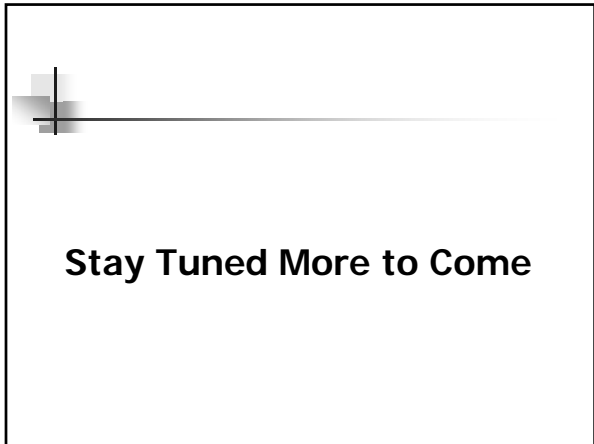
---

---

---

---

---



---

---

---

---

---

---

---

---