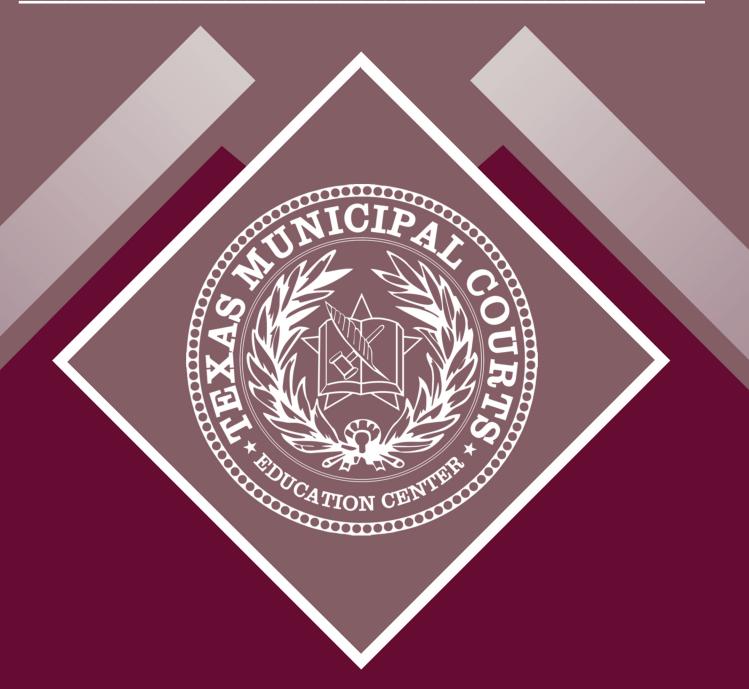
# Texas Municipal Courts Education Center

# 2022 FORMS BOOK



Funded by a grant from the Texas Court of Criminal Appeals

### **PREFACE**

This is the Texas Municipal Courts Education Center's 2022 Forms Book, Fifteenth Edition, with changes incorporated from the 87th Legislature. Several forms have changed due to statutory amendments, and multiple new forms have been created to ensure that municipal courts have most, if not all, of the forms necessary to efficiently and effectively process cases and serve the ends of justice. Look for the icon on each chapter's table of contents to indicate forms that have been added and the right icon to indicate forms that have changed since the last edition. Some of the new forms include: Defendant's Ability to Make Bail Affidavit, Bail Condition Where Adult Is Alleged Victim, and an Allen Charge. Many forms have also been updated to include legislative amendments, including most forms relating to jail credit and Magistrate forms related to bail.

One major theme of the 87th Legislative Session was the reimagining of bail. These changes are a result of S.B. 6 (the Damon Allen Act), which addresses release practices surrounding habitual and violent offenders. The bill seeks to better protect the safety of victims, law enforcement officers, and communities. S.B. 6 allows defendants to receive individual assessments and increases data reporting to create a more transparent, accountable system.

Take a few moments to review each new form and determine whether it might be of benefit to your court. Note that the top of each form includes a heading containing our title for the form and its statutory basis. Editor's notes are located on some forms to highlight important changes or resources for further guidance. Your court may delete all this information for practical use. Italicized language is intended to direct and assist in filling in the form and may also be deleted. Remember that all papers issued out of the court (except for subpoenas) and all documents of the court that need authenticating should bear the municipal court's seal. Feel free to modify these forms to accommodate the needs of your court.

We are constantly revising the forms within this publication, and we greatly appreciate suggestions and examples from municipal courts across the state to help make this book as useful and accurate as possible. This book will be revised as needed and again in 2023 to reflect any changes made by the 88th Legislature and Texas courts. Always check the online version of the Forms Book for the most current forms.

Elizabeth Rozacky Program Attorney December 2021

### **CAVEAT**

This book is intended to serve only as a guide and to provide accurate and current information. However, it is published with the intention that TMCEC is not engaged in rendering legal or other professional advice. All users must be responsible for their own legal drafting. Legal drafting should be accompanied by legal advice and direction from the city attorney.

TMCEC and its employees do not warrant, either expressly or implicitly, that the forms and information in this volume have not been subject to change, amendment, reversal, or revision. To the contrary, these forms are as they appeared on the date of publication. Always check online for the most current forms at <a href="https://www.tmcec.com/resources/books/forms\_book/">www.tmcec.com/resources/books/forms\_book/</a>.

### **ACKNOWLEDGEMENTS**

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### TABLE OF CONTENTS

I. OAT	HS	
A.	Anti-Bribery Oath of Appointed Officer	. 1
B.	Anti-Bribery Oath of Elected Officer	
C.	Oath of Office	
D.	Oath for Language Interpreter	. 4
E.	Oath for Interpreter for Deaf or Hard of Hearing Juror, Defendant, or Witness	. 5
II. CO	MPLAINTS	
A.	Model Complaint for State Law Violations	
В.	Model Complaint for City Ordinance Violations	
C.	Model Application for Citizen Complaint	. 8
III. SU	BPOENAS & SUMMONSES	
A.	Summons for Defendant	. 11
В.	Parental Summons	
C.	Corporate Summons	
D.	Subpoena for Witness	
E.	Subpoena for Child Witness	
F.	Subpoena Duces Tecum	
G.	Writ of Attachment for Witness Disobeying Subpoena	
H.	Witness Excuse Letter	. 18
IV. WA	ARRANTS & CAPIASES	
A.	Warrant of Arrest: Judge	. 19
В.	Warrant of Arrest: Magistrate	. 20
C.	Affidavit for Probable Cause for Arrest Warrant (Under Chapter 45, C.C.P.)	. 21
D.	Affidavit for Probable Cause for Arrest Warrant (Under Chapter 15, C.C.P.)	. 22
E.	Affidavit for Probable Cause for Failure to Appear	. 23
F.	Affidavit for Probable Cause for Failure to Appear or Violation of Promise to Appear when	
	Original Charge Filed by Citation	
Updated G.	Notice – Initial Court Setting	
H.	Search Warrant	
I.	Affidavit for Search Warrant	
J.	Affidavit for Search Warrant Submitted by Telephone or Other Electronic Means	
K.	Search and Arrest Warrant	
L.	Affidavit for Combined Search and Arrest Warrant	
M.	Blood Search Warrant	
N.	Affidavit for Blood Search Warrant	
0.	Affidavit for Blood Search Warrant Submitted by Telephone or Other Electronic Means	
Р.	Search Warrant for Fire, Health, and Code Inspections	
Q.	Affidavit for Search Warrant for Fire, Health, and Code Inspections	
R.	Capias (Chapter 23, C.C.P.)	
S.	Capias (Chapter 43, C.C.P.)	. 38
V. MA	GISTRATE DUTIES	
A	Presentation Before the Magistrate	
Updated	1. Magistate 5 Walling	
Updated	8	
	3. Application for Further Detention	
	4. Release: With Order to Appear	
	5. Release: Magistrate's Determination of No Probable Cause	
	6. Release: Personal Bond After No Timely Demand	
	7. Out-of-County Magistrate's Bench Judgment	
	8. Bail with Ignition Interlock Condition	
_W1_	9. Bail Condition Where Child Is Alleged Victim	
NEW/S	<ul><li>10. Bail Condition Where Adult Is Alleged Victim</li><li>11. Defendant's Ability to Make Bail Affidavit</li></ul>	
ENEWIK	11. Defendant & Authry to Make Dan Athuavit	. 50

В.	Juveniles	
	1. Statutory Warning of a Child	51
	2. Written Statement of a Child	52
	3. Magistrate's Certification of Child's Written Statement	53
	4. Magistrate's Determination of Voluntariness – Recorded Statement of Child	55
C.	Domestic Violence	
	1. Magistrate's Order of Emergency Protection	57
	2. Magistrate's Record of Service of Order of Emergency Protection	
	3. Clerk's Letter: Copy of Magistrate's Order of Emergency Protection	
	4. Motion to Modify Magistrate's Order of Emergency Protection	
	5. Order Modifying Magistrate's Order of Emergency Protection	
	Protection.	
D.	Mental Health Issues	
	1. Application for Emergency Detention	66
	2. Order for Issuance of Mental Health Warrant	
	3. Mental Health Warrant for Emergency Detention	
	4. Sheriff's or Municipal Jailer's Notification – Person in Custody with Possible Mental	00
	Illness/Intellectual Disability	69
Updated	5. Magistrate's Order for Mental Illness/Intellectual Disability Assessment	
	6. Mental Illness Assessment Notification	
	7. Order into Custody for Mental Illness/Intellectual Disability Exam	
	8. Warrant for Mental Health/Intellectual Disability Exam – Person Failing to Submit	12
	Voluntarily	73
	9. Release: Personal Bond – Certain Mentally III Defendants	
F.	·	/4
г.	Property Hearings / Other  1. Schedule of Seized Property	75
	1 7	
	3. Order Restoring Stolen Property when No Trial Is Pending	
	4. Order Restoring Stolen Property on Trial	
	5. Order Restoring Stolen Property upon an Examining Trial	
	6. Inventory of Property Taken under a Search Warrant	
Updated		
	8. Order for Impoundment of Out-of-State Motor Vehicle	82
*** ***	ALL ADDEAD ANGE DON'DG	
	IAL APPEARANCE BONDS	0.2
A.	Cash Bond: Posted by the Defendant	
B.	Cash Bond: Posted by a Third Party	
C.	Personal Bond	
D.	Surety Bond	
E.	Oath of Surety	
F.	Motion and Order to Revoke Personal Bond	88
	OND FORFEITURE	
A.	Affidavit of Intention to Surrender Principal	
В.	Capias: After Forfeiture or upon Surrender of Principal	
C.	Warrant of Arrest: Surrender of Principal	
E.	Bailiff's/Clerk's Affidavit of Defendant's Failure to Appear	
F.	Judgment Nisi Declaring Forfeiture: Cash or Personal Recognizance Bond	
G.	Judgment Nisi Declaring Forfeiture: Surety Bond	
H.	Scire Facias Docket	95
I.	Citation	96
J.	Dismissal and Reinstatement of Bond	97
K.	Motion and Order of Dismissal with Costs	
L	Motion and Order of Dismissal Without Costs	
M.	Final Judgment: Cash or Personal Recognizance Bond – Finding for State	
N.	Final Judgment: Surety Bond – Finding for State	
0		102

VIII. P A.	Plea Form: By Mail or Delivery to Court	103
В.	Notice to Defendant Following Plea by Mail	
C.	Plea Form: In Person	
IV DE	FERRED PROCEEDINGS	
A.	Deferred Disposition	
Updated		106
Updated	2. Deferred Disposition Order: Defendant Under Age 25 – Moving Violation	
	3. Deferred Disposition: Notice to Defendant to Show Cause	
	4. Deferred Disposition: Extension of Deferral Period	
	5. Judgment: Final Disposition of Deferred Disposition	
В.	Driving Safety Course	112
D.	1. DSC Warning Sign	113
	Request for a Driving Safety Course	
	3. Affidavit for a Driving Safety Course	
	4. Judgment: Driving Safety Course Granted	
	5. Driving Safety Course: Notice to Defendant to Show Cause	
	6. Driving Safety Course: Extension of Time to Present Evidence of Completion	
	7. Judgment: Final Disposition of Driving Safety Course	
C.	Teen Court	119
C.	1. Teen Court Request/Agreement	120
	Teen Court Request/Agreement.     Teen Court Order	
	3. Teen Court Jury Instructions.	
D	4. Teen Court Community Service Referral	
D.	Chemically Dependent reison order	123
X. TRI	AL SETTINGS	
A.	Non-Jury Trial Setting Form: Defendant Appears by Mail	126
В.	Non-Jury Trial Setting Form: Defendant Appears in Person	
C.	Jury Trial Setting Form: Defendant Appears by Mail	
D.	Jury Trial Setting Form: Defendant Appears in Person	
E.	Election for Jury to Assess Punishment	
F.	Pre-Trial Setting	
G.	Trial Date Reset Notice	
Н.	Order to Summon Venire	
I.	Jury Service Cover Letter	
J.	Juror Information Sheet.	
K.	Official Model Jury Summons and Questionnaire	
L.	Jury Panel List (Venire Panel)	
	Other Jurors Summoned ("Pick Up Jury")	
M. N.	· • • • • • • • • • • • • • • • • • • •	
	Jury List	
O.	Evidence Log Form	
P.	Allen Charge	
Q.	Verdict: Election for Jury Punishment	
R.	Verdict: Jury Sentence & Bench Punishment	
S.	Juror/Witness/Defendant Excuse Letter	
T.	Certificate of Appreciation for Jury Service	148
XI. JU	DGMENTS & ORDERS	
ated A.	Judgment: Jury Waived – Guilty	149
B.	Judgment: Jury Waived – Guilty (Juvenile)	
ated C.	Judgment: After Jury Verdict	
D.	Judgment: After Jury Verdict (Juvenile)	
Б. Е.	Judgment: Forfeiture of Cash Bond in Satisfaction of Fine	
F.	Judgment: Not Guilty (Adult and Juvenile)	
г. G.	Order to Refund Cash Bond	
_		13/
H.	Dismissal by the Court: Compliance Dismissal	150
т	(Offenses Committed Before March 1, 2015)	138
I.	Judgment: Driving or Operating Watercraft Under the Influence of Alcohol by Minor –	

		Guilty	160
	J.	Judgment: Possession, Purchase, Consumption, or Receipt of Cigarettes, E-Cigarettes, or	
		Tobacco Products by Minor – Guilty	161
	K.	Judgment: Purchase of Alcohol by Minor, Attempt to Purchase Alcohol by Minor,	
		Consumption by Minor, Minor in Possession of Alcohol, Misrepresentation of Age by	
		Minor – Guilty	163
	L.	Judgment: Electronic Transmission of Certain Visual Material Depicting Minor by 17 Year	
		Old Defendant - Guilty	165
	M.	Order of Driver's License Suspension for Failure to Complete Alcohol, Drug, or	
		E-Cigarette and Tobacco Awareness Program and/or Community Service	166
	N.	Optional Orders Applicable to Juveniles	
	O.	Community Service Addendum - Juveniles	
,	P.	Tutoring or Community Service Addendum - Juveniles	
Updated	O.	Judgment/Jail Credit Addendum (For Persons Age 17 and Older)	
	R.	Order for Impoundment of In-State Motor Vehicle	
	S.	Order of Release for Impounded Motor Vehicle	
	д. Т.	Admonishment for Expunction on Acquittal	
	U.	Order of Expunction	
	V.	Order Denying Expunction	
	W.	Notice of Expunction Hearing	
	X.	Certification of Destruction of Records Subject to Expunction	
	Λ.	Certification of Destruction of Records Subject to Expunction	1/5
VII	A D	PEALS	
	. <b>А</b> 1	Cash Appeal Bond	190
	B.	Personal Appeal Bond	
	C.	Surety Appeal Bond	
	D.	Certified Transcript of Proceedings (Court of Non-Record)	
	E.	Checklist for Record on Appeal (Court of Record)	185
VII	T TN	IDICENCE COMMUNITY SEDVICE DAVMENT DI ANS & IAII CDEDIT	
		NDIGENCE, COMMUNITY SERVICE, PAYMENT PLANS, & JAIL CREDIT	104
	A.	Admonishment as to Financial Changes	
	B.	Application for Time Payment, Extension, Community Service, or Waiver	
	C.	Installment Agreement Order	
	D.	Schedule of Payments for Installment Agreement	
	E.	Community Service Order	
	F.	Community Service Time Sheet	
	G.	Order Declining Reconsideration of Fine or Costs	195
	H.	Waiver of Payment of Fine and Costs for Indigent Defendants and Children	196
	I.	Finding of Indigence for Purposes of Section 706.006, T.C. (OmniBase Administrative Fee)	
Updated	J.	Jail Credit Response Letter	
•	K.	Defendant's Motion to Lay Out Fine in Jail	
	L.	Defendant's Refusal to Discharge Fine or Costs by Performing Community Service	200
XIV	V. El	NFORCEMENT	
	A.	Capias Pro Fine	
		1. Clerk's Affidavit for Capias Pro Fine	201
		2. Show Cause Notice Prior to Issuing a Capias Pro Fine	202
		3. Capias Pro Fine	203
		4. Order of Commitment	
	B.	Contempt	
		Show Cause Notice: Adult Defendant Contempt	205
		2. Show Cause Notice: Adult Contempt (Not a Defendant)	
		Show Cause Notice: Juror Contempt	
		4. Show Cause Notice: Peace Officer Contempt	
		5. Show Cause Notice: Witness Contempt	
		6. Contempt: Adult Plea	
		7. Judgment of Direct Contempt: Adult	
		8. Judgment of Indirect Contempt: Adult	
		9. Judgment of Contempt: Failure to Appear for Jury Service	
		7. Judgment of Contempt. Partite to Appeal for July Scivice	413

	10. Judgment of Contempt: Peace Officer Failure to Serve Process	
	11. Judgment of Contempt: Witness Refusal to Obey Subpoena	215
C.	Civil Collection	
	1. Abstract of Judgment	216
	2. Writ of Execution	217
XV II	JVENILES	
A V. 3 (		
71.	Alcoholic Beverage Code Offenses	
	a. Application for Expunction: Alcoholic Beverage Code Offenses	218
	b. Order for Expunction of Records: Alcoholic Beverage Code Offenses	
	3. E-Cigarette and Tobacco Offenses	217
	a. Application for Expunction: E-Cigarette and Tobacco Offenses	221
	b. Order for Expunction of Records: E-Cigarette and Tobacco Offenses	
	4. Failure to Attend School Offenses	222
	Order for Expunction of Records: Failure to Attend School	22/
	5. Penal Offenses	227
	a. Notice of Expunction Rights: Penal Offenses/Deferred Disposition/Teen	
	Court	225
	b. Application for Expunction: Penal Offenses	
	c. Order for Expunction of Records: Penal Offenses	
В.	Parent Contributing to Non-Attendance Cases	221
В.	Affidavit for Complaint: Parent Contributing to Non-Attendance	220
	Dismissal of Parent Contributing to Non-Attendance Charge	
C.	General Forms	230
C.	Order to Take into Nonsecure Custody – Offender Under Age 17	221
	Report to Juvenile Court of Complaint Filed	
		233
	4. Waiver of Jurisdiction and Transfer to Juvenile Court: Child with Mental Illness,	224
	Disability, or Lack of Capacity	234
	5. Order Dismissing Complaint for Child with Mental Illness, Disability, or Lack of	225
	Capacity	
Б	6. Optional Orders Applicable to Juveniles	236
D.	Youth Accountability & Enforcement	225
	1. Notice of Continuing Obligation to Inform Court of Child's Residence	
	2. Statement/Change of Residential Address	
	3. Complaint: Violation of Continuing Obligation to Inform Court of Child's Address	
	4. Judgment Addendum: Child Contempt Warning	
	5. Contempt Show Cause Notice: Child	
	6. Judgment of Contempt by a Child	
	7. Order Referring Child to Juvenile Court for Delinquent Conduct	243
	8. Notice of Continuing Obligation to Appear: JNA	244
	9. Complaint: Violation of Continuing Obligation to Appear	245
	10. Clerk's Affidavit for Capias Pro Fine: JNA	246
	11. Show Cause Notice Prior to Issuing a Capias Pro Fine: JNA	247
	11. Capias Pro Fine: JNA	
	12. Order of Commitment (Capias Pro Fine): JNA	249
Notos I	Forms for civil truancy cases can be found at www.tmcec.com/truancy.	
Note: 1	forms for civil truancy cases can be found at www.tincec.com/truancy.	
XVI. A	NIMAL HEARINGS	
A.	Cruelly Treated Animal(s)	
	1. Affidavit for Warrant to Seize Cruelly Treated Animal(s)	
	2. Seizure Warrant for Cruelly Treated Animal(s)	
	3. Order: Cruelly Treated Animal(s) Hearing	253
	4. Appeal Bond: Cruelly Treated Animal(s) Case	
B.	Dogs that Attack Persons	
	1. Affidavit for Warrant to Seize Dog that Caused Serious Bodily Injury or Death	255
	2. Seizure Warrant for Dog that Caused Serious Bodily Injury or Death	
	3. Notice of Hearing for Dog that Caused Serious Bodily Injury or Death	

	4. Order: Dog Caused Serious Bodily Injury or Death	258
C.	Dangerous Dogs	
	1. Complaint: Dangerous Dog Incident	259
	2. Notice of Dangerous Dog Complaint Filed	260
	3. Seizure Warrant for Dangerous Dog	261
	4. Notice of Dangerous Dog Hearing	
	5. Dangerous Dog Judgment	
	6. Application: Dangerous Dog Owner Failed to Comply	
	7. Notice of Hearing: Owner Failed to Comply	
	8. Dangerous Dog Judgment: Owner Failed to Comply	
	9. Seizure Warrant for Dangerous Dog: Owner Failed to Comply	
	10. Notice of Appeal and Appeal Bond: Dangerous Dog	
XVII.	FINANCIAL MANAGEMENT & COURT ADMINISTRATION	
A.	Payment Receipt	270
B.	Officer Mileage Log	271
C.	Fraudulent Lien Sign	272
D.	Fraudulent Lien Sign - Spanish	273
E.	Rule 12 Letter	
F.	Order of Recusal or Disqualification	
G.	Order of Referral upon Motion for Recusal or Disqualification	
Updated H.	Bill of Costs	
XVIII	. GOVERNMENT & AGENCY FORMS	
A.	Office of Court Administration	
	Official Municipal Court Monthly Report	278
	2. Report of Change or Vacancy in Judge/Clerk/Mayor Position	
В.	Department of Public Safety	200
ъ.	DR-1 Application for Copy of Driver Record	284
	DL-115: Notice of Conviction and Suspension/Disqualification	
	DL-117: Notice of Convictions	
	4. DPS Correction Form	
0	5. Nonresident Violator Compact: Notice of Failure to Comply with Terms of Citation	289
C.	Comptroller of Public Accounts	205
	Quarterly Report: State Criminal Costs and Fees	
	2. Child Safety Seat and Seatbelt Fines	
Update	=	
Update		298
Update	State Bar of Texas	
Update	<b>_</b>	
	2. State Bar of Texas Attorney Grievance Form-Spanish	306
Update	State Commission on Judicial Conduct	
	State Commission on Judicial Conduct Complaint Form	313
	2. State Commission on Judicial Conduct Complaint Form-Spanish	315
XX. P	ROSECUTOR FORMS	
A.	Prosecutor's Admonishment	
В.	Waiver of Right to be Prosecuted by Complaint	
C.	Sentence Recommendation in Exchange for Waiver of Appeal	
D.	Motion for Recusal/Disqualification of Judge	320
E.	Motion for Continuance	
F.	Motion and Order to Dismiss	322
G.	Writ of Procedendo: Joint Application	323
н	Writ of Procedendo: State Application	324

# ABBREVIATIONS USED IN THIS FORMS BOOK

A.B.C. Alcoholic Beverage Code

Art. Article

C.C.P. Code of Criminal Procedure

E.C. Education CodeF.C. Family Code

G.C. Government Code

H.S.C. Health and Safety Code

JNA Juvenile Now Adult

No. Number

P.C. Penal Code

Sec. Section

T.C. Transportation Code

TMCEC Texas Municipal Courts Education Center

VACS Vernon's Annotated Civil Statutes



# **OATHS**

### **Table of Contents**

Anti-Bribery Oath of Appointed Officer	1
Anti-Bribery Oath of Elected Officer	
Oath of Office	3
Oath for Language Interpreter	4
Oath for Interpreter for Deaf or Hard of Hearing Juror,	
Defendant, or Witness	5

### THE STATE OF TEXAS

### **Statement of Appointed Officer**

(Please type or print legibly)

I,	
	Affiant
	Office to Which Appointed
	City
Sworn to and subscribed before me by affiant on this day of	, 20
	Signature of Person Administering Oat
municipal court seal)	
	Printed Nam
	Titl

Editor's Note: File with your city before filing the Oath of Office.

OATHS 12/21 TMCEC 2022 FORMS BOOK

### THE STATE OF TEXAS

### **Statement of Elected Officer**

(Please type or print legibly)

	Affiant
	Office to Which Appointed
	City
Sworn to and subscribed before me by affiant on this day of	
	Signature of Person Administering Oat

Editor's Note: File with your city before filing the Oath of Office.

### IN THE NAME AND BY THE AUTHORITY OF

### THE STATE OF TEXAS

### **Oath of Office**

I,duties of the office ofpreserve, protect, and defend the Constitution and the l	of the Stat	te of Texas, and will to the	best of my ability
			Affiant
Sworn to and subscribed before me by affiant on	this day of	, 20	
(municipal court seal)		Signature of Person A	dministering Oath
			Printed Name
			Title

Editor's Note: File with records of your office.

### OATH FOR LANGUAGE INTERPRETER (Art. 38.30, C.C.P.)

### OATH FOR A LANGUAGE INTERPRETER

"I,	_, (am a state licensed interpreter for) (am not a state licensed interpreter, but I have
experience, training, or education in) the _	language with a (basic) (master) license designation.
defendant, and the person being examine understands, and I will repeat the statement and judgment (so help me God).	, do swear (or affirm) that I will truly and correctly interpret for the court, jury, attorneys, ed in all of the proceedings in this case into the language the (witness) (person charged) ints made by said (witness) (person charged) in the English language to the best of my skill
at this trial to the (witness) (person charged	e or give my personal views regarding any part of the proceedings or the evidence presented d)."
	Signature of Interpreter
	(Judge) (Clerk) (Bailiff), Municipal Court  City of
	County, Texas

**Editor's Note:** Article 38.30(a), C.C.P., requires that an interpreter be sworn to interpret for the person charged or the witness. Although there is no statutory requirement that the oath be taken in writing, signed, or filed in the court's record, it is recommended to ensure some documentation that the oath requirement has been met. This is especially true in courts of non-record where there is no transcript.

Generally, appointed interpreters must be licensed by the Judicial Branch Certification Commission (JBCC). To interpret in a municipal court of record, the interpreter must hold a license with a master designation, unless the proceeding is one in which the judge is acting as a magistrate. In that case, and for all interpreter appointments in municipal courts of non-record, the appointed interpreter may hold a license with the basic designation. Sec. 157.101(d), G.C.

Courts in cities located in counties that have a population of less than 50,000 are not required to appoint a state licensed interpreter. But any interpreter who is appointed must be qualified as an expert under the Texas Rules of Evidence, must be at least 18 years of age, and may not be a party to the proceeding. In a county of 50,000 or more, if the language needing translation is not Spanish and a licensed interpreter is not available within 75 miles of the court, the court may swear a non-licensed interpreter subject to the same qualifications. Sec. 57.002, G.C. A qualified telephone interpreter may be sworn to interpret before a judge or magistrate if an interpreter is not available to appear in person at the proceeding or if the only available interpreter is not considered to possess adequate interpreting skills for the particular situation or is unfamiliar with the use of slang. A "qualified telephone interpreter" means a telephone service that employs (1) licensed court interpreters, licensed by the State of Texas under Sec. 157.001, G.C.; or (2) federally certified court interpreters. Art. 38.30, C.C.P.

### OATH FOR INTERPRETER FOR DEAF OR HARD OF HEARING JUROR, DEFENDANT, OR WITNESS (Art. 38.31, C.C.P)

### OATH FOR INTERPRETER FOR DEAF OR HARD OF HEARING (JUROR) (DEFENDANT) (WITNESS)

	Deaf or a current court interpreter ce		current legal certificate issued by the National the Board of Evaluation of Interpreters at the
of the jury) in this case in a la	1	that I shall repeat	tness) of all the proceedings (and deliberations said deaf person's statements, questions, and adgment.
			any part of the proceedings or the evidence art of the jury's deliberations under penalty of
			Signature of Interpreter
			(Judge) (Clerk) (Bailiff), Municipal Court
		•	County, Texas

**Editor's Note:** Article 38.31(e), C.C.P., requires that an interpreter appointed under that section for a defendant or a witness take an oath. Although there is no statutory requirement that the oath be taken in writing, signed, or filed in the court's record, it is recommended to ensure some documentation that the oath requirement has been met. This is especially so in courts of non-record where there is no transcript.

OATHS 12/21 TMCEC 2022 FORMS BOOK 5

# COMPLAINTS

## **COMPLAINTS**

### **Table of Contents**

Model Complaint for State Law Violations	6
Model Complaint for City Ordinance Violations	. 7
Model Application for Citizen Complaint	

**Editor's Note:** Sample complaints for several state law offenses can now be found on the TMCEC website at: **www.tmcec.com/Resources/Complaints.** TMCEC encourages cities to submit model complaints for various state law Class C misdemeanors to help build the Complaint Bank. Email them to tmcec@tmcec.com.

This chapter includes a model complaint for both state law offenses and city ordinance violations, showing the statutory requirements for a complaint under Article 45.019, C.C.P. Also included is a model application for a citizen wishing to file a complaint against another citizen in the municipal court. Upon review of this application, the city prosecutor would determine whether to file a complaint (formal charging instrument) against a defendant under Article 45.019, C.C.P. The citizen-complainant could then sign the complaint as affiant. Note, however, that in municipal court, anyone can file a complaint and swear to it as affiant. Thus, this "application" process is not legally necessary, just a suggested form for cities that choose to implement a policy providing for prosecutor review.

### MODEL COMPLAINT FOR STATE LAW VIOLATIONS (Art. 45.019, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
In the name and by the authority o	f the State of Texas:	
victim or location if that is an element; a	nd negate any exceptions permitted b	le all elements of the offense, including the name of the by statute).
		Affiant
Sworn and subscribed before me by a credible person, this day of	20	,
a credible person, this day of	, 20	
(municipal court seal)		
		(Clerk)(Deputy Clerk), Municipal Court
		City of
		County, Texas

**Editor's Note:** Although complaints in municipal court are often sworn to before a court clerk or deputy clerk, the jurat (person before whom the affiant swears to the complaint) can also be the judge, city attorney, deputy city attorney, or city secretary. Art. 45.019(e), C.C.P.

### MODEL COMPLAINT FOR CITY ORDINANCE VIOLATIONS (Art. 45.019, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	8	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
In the name and by the authority of	f the State of Texas:	
	y, or with criminal negligence; inclu nd negate any exceptions permitted	•
		Affiant
Sworn and subscribed before me by a credible person, this day of		,
(municipal court seal)		
		(Clerk)(Deputy Clerk), Municipal Court
		City of
		County, Texas

**Editor's Note:** Although complaints in municipal court are often sworn to before a court clerk or deputy clerk, the jurat (person before whom the affiant swears to the complaint) can also be the judge, city attorney, deputy city attorney, or city secretary. Art. 45.019(e), C.C.P.

### MODEL APPLICATION FOR CITIZEN COMPLAINT (Page 1 of 3)

### TO: CITIZEN COMPLAINANT WISHING TO FILE A COMPLAINT AGAINST ANOTHER CITIZEN

### THESE SPECIFIC POINTS ARE UNDERSTOOD BY THE UNDERSIGNED:

- 1) The citizen must, in good faith, make full, fair, and honest disclosure of all facts and circumstances known to him/her at the time this application for complaint is filed. The facts, as presented, must be in the form of an affidavit and provided under oath. Said affidavit will form the basis of any further investigation and the charging instrument.
- 2) The citizen-complainant must be sworn and sign both the application for complaint and the complaint (when prepared by the city prosecutor).
- 3) The citizen-complainant must be willing to appear in Court to testify against the defendant if the charges are contested (i.e., the accused pleads not guilty).
- 4) The prosecutor reserves the right to subpoena the presence of the citizen-complainant and enforce the subpoena by ordering a police officer to bring the citizen-complainant to Court.
- 5) The defendant may file a counter-complaint if the citizen-complainant has also been involved in some illegal activity. Please be advised that any statement made at this time or in the future to a police officer, prosecutor, or other city investigative personnel may be used against you should the counter-complaint go forward to trial. Please be advised that, when speaking to the prosecutor, the prosecutor represents the State of Texas and no attorney-client relationship is established by any communications with regard to the application for the complaint or any matters related thereto.
- 6) Once this complaint is accepted by the prosecutor and filed with the court, only the judge, upon recommendation of the prosecutor, has the authority to dismiss a complaint.

Citizen-Complainant Signature
Date

Editor's Note: A citizen's complaint is unrelated to criminal procedure in that it cannot act as a charging document. Rather, it is an allegation of misconduct by a person (typically a resident) against another person (typically either a public official or city employee). A prosecutor reviews and approves a citizen's complaint before moving forward with more formal charges. Rather than being a part of the judicial process, the citizen's complaint is generally considered a part of maintaining public relations and the confidence of local citizens. See Ryan Kellus Turner, *Complaints, Complaints, Complaints: Don't Let the Language of the Law Confuse You*, THE RECORDER (July 2004).

COMPLAINTS 12/21 TMCEC 2022 FORMS BOOK 8

### MODEL APPLICATION FOR CITIZEN COMPLAINT (Page 2 of 3)

### APPLICATION FOR COMPLAINT

DATE:		
PHONE (HOME):		WORK:
NAME OF DEFENDANT:	:	
ADDRESS:		
CITY, STATE, ZIP:		
PHONE (HOME):		WORK:
PLACE OF EMPLOYMEN	NT:	
DESCRIPTION OF DEF		
		DATE OF BIRTH:
WEIGHT:	BODY STYLE: _	AGE:
VEHICLE INFORMATION		
		MAKE: YEAR:
		SPECIAL FEATURES:
LICENSE PLATE:		STATE OF REGISTRATION:
DATE OF OFFINAL		THE OF OFFICE VIEW
		TIME OF OFFENSE:
I YPE OF PREMISES:		
WILLT IS VOLD COMD	I AINT? (Describe y	with as much detail as possible – use as many pages as necessary to fully, fairly, and
honestly relate all material		

### MODEL APPLICATION FOR CITIZEN COMPLAINT (Page 3 of 3)

### **LIST OF WITNESSES** (Use additional pages if necessary.)

NAME:		
PHONE (HOME):	WORK:	
NAME:		
	WORK:	
NAME:		
CITY, STATE, ZIP:		
	WORK:	
Citizen Complainant's Signature	Date	
Court Clerk's Signature	Filing Date	
DO	NOT WRITE BELOW THIS LINE	
REVIEWED BY:		(City Prosecutor)
RECOMMENDATION:		

# SUBPOENAS & SUMMONSES

# SUBPOENAS & SUMMONSES

### **Table of Contents**

Summons for Defendant	11
Parental Summons	12
Corporate Summons	13
Subpoena for Witness	
Subpoena for Child Witness	
Subpoena Duces Tecum	
Writ of Attachment for Witness Disobeying Subpoena	
Witness Excuse Letter	

### SUMMONS FOR DEFENDANT (Arts. 23.03 and 23.04, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
TO ANY PEACE OFFICER OF THE S		
YOU ARE HEREBY COMMAN	<b>DED TO SUMMON</b> Defer	ndant
Municipal Court of the City ofm., on the day of		, to appear before the, County, Texas ato'clock and there to answer to the State of Texas by and through the against the laws of the State of Texas (an ordinance of the said
City of for a mise city), to wit:	demeanor offense committed a	against the laws of the State of Texas (an ordinance of the said by
of which offense Defendant is accused by	written complaint, under oath t	by
Defendant:		
Failure to appear may result in your ar	rest.	
	harm a witness or prospective	witness to testify falsely or to elude legal process. It is also are witness in retaliation for or on account of the service of the witness to a crime.
Faltar a comparecer puede resultar en	su arresto.	
eludir el proceso legal. También es un	na ofensa de delito grave, o felo	coerción sobre un testigo para que testifique falsamente o para onía, dañar o amenazar a un testigo o testigo en prospecto por go, o prevenir o dilatar los servicios de la persona como testigo
HEREIN FAIL NOT, and make due	return hereof, showing how yo	ou executed the same.
WITNESS my official signature, this	day of	, 20
(municipal court seal)		
		Judge, Municipal Cour
		City of
		, County, Texas
	OFFICER'S RE	TURN
Came to hand the day of, 20 at  □ Leaving a copy of this Summons at the discretion then residing therein □ Mailing Returned on this theday of	, 20, ao'clockm. by □ De to Defendant's dwelling house of g a copy of this Summons to the	ato'clockm., and executed the day of elivering a copy of this Summons to the Defendant personally or usual place of abode with some person of suitable age and
Address:		
		Peace Officer's Signature

PARENTAL SUMMONS (Arts. 45.0215, 45.057(e), and 45.054(c), C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	§ -	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
A Minor Child		
TO ANY PEACE OFFICER OF TI	HE STATE OF TEXAS - GREETINGS:	
YOU ARE HEREBY COMMA	ANDED TO SUMMON (name o	f parent, managing conservator, or guardian)
to personally appear ato'clock _	m., on the day of	, 20, before the Municipal Court of the City unty, Texas.
of	,Co	ounty, Texas.
To the person named above:		
you to the Municipal Court at the tir		(name of child), a minor child, with d be present during the taking of the defendant's pleas a Class C misdemeanor.
	witness or prospective witness in retaliation for	estify falsely or to elude legal process. It is also a felony or or on account of the service of the person as a witness
niño menor, con usted al Tribunal M	funicipal a la hora y el lugar determinado art todos los procesamientos relacionados con	riba y que comparezca y esté presente durante la toma n el caso. La falta a comparecer puede ser castigada
para eludir el proceso legal. También	n es una ofensa de delito grave, o felonía, da	ción sobre un testigo para que testifique falsamente o mar o amenazar a un testigo o testigo en prospecto por ir o dilatar los servicios de la persona como testigo de
HEREIN FAIL NOT, and make	e due return hereof, showing how you execute	ed the same.
WITNESS my official signature,	, this, 20	
(municipal court seal)		
		Judge, Municipal Court
		County, Texas
	OFFICER'S RETURN	
Came to hand the day of, 20	at o'clock, 20, at	o'clockm., and executed the day of a copy of this Summons to the person personally ace of abode with some person of suitable age and
Leaving a copy of this Summons a discretion then residing therein $\square$ M	t the person's dwelling house or usual plailing a copy of this Summons to the person	ace of abode with some person of suitable age and a straight and a straight actions and a straight actions are straight as a straight action.
Returned on this theday of _	, 20	
Address:		
		Peace Officer's Signature

### CORPORATE SUMMONS (Art. 17A.03, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	8	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	§	COUNTY, TEXAS
TO ANY PEACE OFFICER OF TH	E STATE OF TEXAS – GREETINGS	S:
registered agent (president*)(vice-pre- corporation under the laws of	the State of Texas, to appear , County, Texas, at or service of this Summons, then and there lemeanor offense committed by the Cor	before the Municipal Court of the City of before 10 o'clock a.m. on the Monday next after the to answer to the State of Texas by and through the City poration, as Defendant, against the laws of the State of
HEREIN FAIL NOT, and make	due return hereof, showing how you exe	cuted the same.
WITNESS my official signature,	this day of	, 20
(municipal court seal)		
		Judge, Municipal Court
		City of
		, County, Texas
	OFFICER'S RETURN	
corporation's registered agent (*president)	ato'clockm. by ☐ Per dent)(*vice-president) ☐ Personally deluccessfully attempting to effect service on	o'clockm., and executed the day of rsonally delivering a copy of this Summons to the livering a copy to the Texas Secretary of State, his/her in the registered agent (*president)(*vice-president).
		Peace Officer's Signature

Editor's Note: Attach to this summons a certified copy of the complaint against the corporate defendant.

\*If a registered agent has not been designated or cannot with reasonable diligence be found at the registered office, then the peace officer shall serve the summons by personal delivery to the president or vice-president of the corporation. *See* Article 17A.04, C.C.P., for rules on service.

### SUBPOENA FOR WITNESS (Art. 24.01, C.C.P.)

	CAUSE NUMBER:	<del>_</del>
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
TO ANY PEACE OFFICER OF THE	STATE OF TEXAS – GREETINGS:	
the City of o'clockm., th numbered cause now pending before sai Court.	DED TO SUMMON Counen and there to testify as a witness on bd Court, and there to remain from day to	to appear before the Municipal Court of anty, Texas on the day of, behalf of the (State) (Defense), in the above styled and to day, and from term to term, until discharged by said
HEREIN FAIL NOT, and make du	e return hereof, showing how you execute	ed the same.
WITNESS my official signature, thi	s, 20	
		(Judge) (Clerk) (Deputy Clerk), Municipal Court
		City of
		County, Texas
	OFFICER'S RETURN	
Came to hand the day of	, 20, and executed the	_ day of, 20, by
☐ electronically transmitting a copy		eceipt requested, to the witness's last known electronic, and acknowledgement of receipt attached. uested, to the witness's last known address, to wit:
the return receipt, attached hereto, to	me by the United States Postal Service or	, and by delivery of, 20
or not executed as to the witness becaudiligence used in finding said witness being		, the
and the information received as to the wh	ereabouts of the said witness being:	
Returned on this the day of	, 20	
		Official Signature of Executing Officer

**Editor's Note:** The person named in the subpoena to summon the witness may, in lieu of a peace officer, be any person at least 18 years of age who is not a participant in the proceeding. Art. 24.01(b)(2), C.C.P. If a subpoena is being served on the witness by electronic mail, the subpoena must contain notice that an acknowledgement of receipt of the subpoena must be made in a manner enabling verification of the person acknowledging receipt. Art. 24.04(c), C.C.P. A subpoena cannot be served by certified mail if the applicant for the subpoena makes that request in writing or if the proceeding for which the witness is being subpoenaed is set to begin within seven business days after the date the subpoena would be mailed. Art. 24.04(a)(4), C.C.P.

### SUBPOENA FOR CHILD WITNESS (Art. 24.011, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
TO ANY PEACE OFFICER OF THE	STATE OF TEXAS – GREETINGS:	
care, or control of	of o'clockm., then and there now pending before said Court, and there	
	is day of, 20	
WITNESS my official signature, in	is, 20	
		(Judge) (Clerk) (Deputy Clerk), Municipal Court
		City of
		County, Texas
	OFFICER'S RETURN	
Came to hand the day of	, 20, and executed the	day of, 20, by
☐ electronically transmitting a copy address, to wit: ☐ mailing a copy of the subpoe	na by certified mail, return receipt rec	kmm. receipt requested, to the witness's last known electronic, and acknowledgement of receipt attached. quested, to the witness's last known address, to wit:, and by delivery of on the day of, 20
the return receipt, attached hereto, to	o me by the United States Postal Service	on the, 20
	ing:	, the
and the information received as to the wh		, 
Returned on this the day of _	, 20	
		Official Signature of Executing Officer

**Editor's Note:** See note on *Subpoena for Witness*, which applies for all subpoenas. Effective September 1, 2017, if the defendant or the attorney representing the state requests the issuance of an attachment under Article 24.011 (subpoena for a child witness), other than an attachment for a witness described by Article 24.011(c) (witness is in custody), the request must include the applicable affidavit described by Article 24.12. The judge may only issue a writ of attachment requested under Article 24.011 after a hearing and determination that it is in the best interest of justice. The court shall appoint an attorney for the witness at the hearing. *See* Article 24.111, C.C.P. (S.B. 291, 85th Legislature (2017)).

15

### SUBPOENA DUCES TECUM (Art. 24.02, C.C.P.)

	CAUSE NUMBER:	<del></del>
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	§	COUNTY, TEXAS
TO ANY PEACE OFFICER OF THE	STATE OF TEXAS - GREETINGS:	
to be and personally appear atthe City of	o'clockm., on the day of	, 20, before the Municipal Court of County, Texas, to be held within and for said City at
(address of court)		
before said Court, and there to remain witness(es) is (are) further commanded to	from day to day, and from term to ter produce at said time and place above se	e) in the above styled and numbered cause now pending rm, until discharged by said Court. Said above named et forth the following books, papers, documents, or other
	e return hereof, showing how you execut s day of, 20	
		(Judge) (Clerk) (Deputy Clerk), Municipal Court
		City of
		County, Texas
	OFFICER'S RETURN	
Came to hand the day of	, 20, and executed the	day of, 20, by
<ul><li>☐ electronically transmitting a copy address, to wit:</li><li>☐ mailing a copy of the subpoen</li></ul>	na by certified mail, return receipt rec	receipt requested, to the witness's last known electronic, and acknowledgement of receipt attached. quested, to the witness's last known address, to wit:
the return receipt, attached hereto, to	me by the United States Postal Service of	, and by delivery of, 20
or not executed as to the witness becau diligence used in finding said witness bein		, the
and the information received as to the wh		, ,
Returned on this the day of	, 20	
		Official Signature of Executing Officer

Editor's Note: See note on Subpoena for Witness, which applies for all subpoenas.

### WRIT OF ATTACHMENT FOR WITNESS DISOBEYING SUBPOENA (Arts. 24.11 and 24.12, C.C.P.)

	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT	
VS.	<b>§</b>	CITY OF	
	§	COUNTY, TEXAS	
TO ANY PEACE OFFICER OF THE S	STATE OF TEXAS – GREETINGS:		
YOU ARE HEREBY COMMAND! Municipal Court of the City of	, located at	and bring him/her before the:	
☐ immediately			
□ at o'clockm. on the	day of		
Court.	ehalf of the (State) (Defense) in the above return hereof, showing how you executed the	styled and numbered case now pending before this	
	day of, 20	ic sunc.	
(municipal court seal)			
		(Judge) (Clerk) (Deputy Clerk), Municipal Court	
		City of	
		County, Texas	
	OFFICER'S RETURN		
Came to hand the day of the body of the above named person and be	, 20, and executed on the ringing him/her before the court at	day of, 20, by taking o'clockm.	
Returned on this the day of	, 20		
		Officer's Signature	

**Editor's Note:** Effective September 1, 2017, a judge may only issue a writ of attachment requested under Article 24.12 after a hearing and determination that it is in the best interest of justice. The court shall appoint an attorney for the witness at the hearing. A request for an attachment must include an affidavit of the attorney representing the state or the defendant, as applicable, stating that the affiant has good reason to believe, and does believe, that the witness is a material witness. *See* Article 24.111, C.C.P. (S.B. 291, 85th Legislature (2017)).

(municipal court seal)

# MUNICIPAL COURT CITY OF \_\_\_\_\_

TO WHOM IT MAY CONCERN:		
		I in response to an official witness subpoena in the
[did][did not] serve as a witness and was rele	eased from witness subpoena at	o'clockm., this date and [he][she] o'clockm., this date by the Judge,
Municipal Court, City of	-	•
This the day of	, 20	
	-	(Judge)(Bailiff)(Clerk), Municipal Court
	C	City of
	_	County, Texas

# WARRANTS & CAPIASES

# WARRANTS & CAPIASES

### **Table of Contents**

Warrant of Arrest: Judge	19
Warrant of Arrest: Magistrate	
Affidavit for Probable Cause for Arrest Warrant (Under Chapter 45, C.C.P.)	21
Affidavit for Probable Cause for Arrest Warrant (Under Chapter 15, C.C.P.)	
Affidavit for Probable Cause for Failure to Appear	
Affidavit for Probable Cause for Failure to Appear or Violation of Promise to Appear	•
when Original Charge Filed by Citation	
Updated Notice Initial Court Setting	25
Search Warrant	26
Affidavit for Search Warrant	27
Affidavit for Search Warrant Submitted by Telephone	
or Other Electronic Means	28
Search and Arrest Warrant	29
Affidavit for Combined Search and Arrest Warrant	30
Blood Search Warrant	31
Affidavit for Blood Search Warrant	33
Affidavit for Blood Search Warrant Submitted by Telephone	
or Other Electronic Means	34
Search Warrant for Fire, Health, and Code Inspections	35
Affidavit for Search Warrant for Fire, Health, and Code Inspections	36
Capias (Chapter 23, C.C.P.)	37
Capias (Chapter 43, C.C.P.)	38

### CHRONOLOGICALLY DISTINGUISHING THE WARRANT, CAPIAS, AND CAPIAS PRO FINE IN THE TEXAS CODE OF CRIMINAL PROCEDURE

Purpose	Prior to Formal Charging	After Formal Charging but Prior to Judgment	After Judgment and Sentence
Bond Forfeiture or Surrender of Principal	"Arrest Warrant" by Magistrate  - Article 17.19	"Chapter 23 Capias" by <i>Trial Court</i>	
To Procure Custody	"Arrest Warrant" upon oath of affirmation & determination of probable cause by Magistrate  - Specific Provision: Article 45.014 "Arrest Warrant" by Municipal Court or Justice Court	"Chapter 23 Capias" by Trial Court  - Specific Provision: Article 45.014 "Arrest Warrant" by Municipal Court or Justice Court	"Chapter 43 Capias" by <i>Trial Court</i> - Article 43.015(1)  - Article 43.04
To Enforce Judgment for Unpaid Fines and/or Costs			"Capias Pro Fine" by Trial Court  ❖ General Provisions  — Article 43.015(2)  — Article 43.021  — Article 43.05  — Article 43.06  — Article 43.07  ❖ Specific Procedures in Chapter 45 Courts  — Article 45.045  — Article 45.046  ❖ Specific Procedures in Other Trial Courts  — Article 43.03

#### WARRANT OF ARREST: JUDGE (Art. 45.014, C.C.P.)

	CAUSE NUMBER:			
STATE OF TEXAS	<b>§</b>	IN 7	THE MUNICIPAL COURT	
VS.	<b>§</b>	CIT	CITY OF	
	<b>§</b>		COUNTY, TEXAS	
THE STATE OF TEXAS, TO ANY P	PEACE OFFICER OF THE STATE	E OF TEXAS - GREET	ΓINGS:	
You are hereby commanded to arrest named above on the day of which is against the laws of the State of T  Herein fail not, but make due service	t, D, D, 20 Said Defendant has Sexas and/or against the city ordinances e and return of this warrant of arrest, sl	s of said city.		
Signed this day of	, 20			
(municipal court seal)				
		City of	Judge, Municipal Court	
			County, Texas	
	OFFICER'S RETUR	 RN		
Came to hand the day of	, 20, at o'clockm. by	o'clockm. and	executed on the day of	
			·	
			Peace Officer	

Editor's Note: A judge may not issue an arrest warrant for the defendant's failure to appear at the initial court setting, including failure to appear as required by a citation issued under Article 14.06(b), unless: (1) the judge provides by telephone or regular mail to the defendant notice that includes: (a) a date and time, occurring within the 30-day period following the date that notice is provided, when the defendant must appear before the justice or judge; (b) the name and address of the court with jurisdiction in the case; (c) information regarding alternatives to the full payment of any fine or costs owed by the defendant, if the defendant is unable to pay that amount; (d) a statement that the defendant may be entitled to a credit toward any fine or costs owed by the defendant if the defendant was confined in jail or prison after the commission of the offense for which the notice was given; and (e) an explanation of the consequences if the defendant fails to appear before the justice or judge as required by this article; and (2) the defendant fails to appear before the judge. A judge shall recall an arrest warrant for the defendant's failure to appear if, before the warrant is executed, the defendant voluntarily appears to resolve the warrant, makes a good faith effort to resolve the arrest warrant, and the arrest warrant is resolved in any manner authorized by the Code of Criminal Procedure.

# WARRANT OF ARREST: MAGISTRATE (Art. 15.02, C.C.P.)

THE STATE OF TEXA	S,		§			
CITY OF		-	<b>§</b>			
	COUNTY	7	§			
THE STATE OF TEXA	S, TO ANY PE	ACE OFFICER	R OF THE STA	TE OF TEXA	S - GREETINGS:	
You are hereby comm	nanded to arrest _			Defendant, to b	be dealt with according	to law. Said Defendan
You are hereby common has been accused of the against the laws of the Stat	(felony) (misde	meanor) offense	:			, which is
against the laws of the Stat	e of Texas and/of	r against the city	ordinances of		·	
Herein fail not, but m	nake due service	and return of this	warrant of arrest	, showing how	you executed the same.	
Signed this day	of of	, 20 .				
						Magistrate
				Municipa	al Judge, City of	
						County, Texas
	•••••	•••••	••••••	••••••		
		OI	FICER'S RET	URN		
Came to hand the	_ day of		20, at	o'clock _	m. and executed	on the day o
Came to hand the, 20_	, at	o'clock	.m. by			
						·
						Peace Officer

# AFFIDAVIT FOR PROBABLE CAUSE FOR ARREST WARRANT (Under Chapter 45, C.C.P.)

CA	USE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
	AFFIDAVIT	
	has been co	reason to believe and do believe that the offense of ommitted within the territorial limits of the City of s set forth in the attached reports and documents that
are incorporated herein as if set forth in their entirety.		
Affiant's belief is based on the following:		
☐ Affiant's personal investigation of this of	fense, which is described in	the attached reports and documents.
☐ Information received from	, a peace of this offense, whose	fficer whom Affiant believes to be credible and who information is described in the attached reports and
		Affiant
	ne to be the person whose	n-person) (through an electronic broadcast system) name is subscribed to the above statement, and after correct to the best of his/her knowledge.
Sworn to and subscribed before me on this	the day of	, 20
	(Judge)(	Clerk)(Notary Public in and for the State of Texas)
	( 8 /	

# AFFIDAVIT FOR PROBABLE CAUSE FOR ARREST WARRANT (Under Chapter 15, C.C.P.)

THE STATE OF TEXAS,	<b>§</b>			
CITY OF	<u> </u>			
COU	NTY §			
	AFI	FIDAVIT		
My name isset forth in the attached reports and de	and I have a has b ocuments that are incorpora	good reason to believe and een committed in tted herein as if set forth in	d do believe that the offense of County, State of a their entirety.	Texas, as
Affiant's belief is based on t	he following:			
☐ Affiant's personal invest	igation of this offense, which	h is described in the attache	ed reports and documents.	
☐ Information received frequency personally participated documents.	om in the investigation of this	, a peace officer who offense, whose information	om Affiant believes to be credibion is described in the attached	ole and who
				Affian
	, known to me to be the	e person whose name is s	(through an electronic broadcubscribed to the above statement the best of his/her knowledge.	
Sworn to and subscribed b	efore me on this the	day of	, 20	
		(Magistrate)(Clerk)(No	otary Public in and for the State of	f Texas)

# AFFIDAVIT FOR PROBABLE CAUSE FOR FAILURE TO APPEAR (Sec. 38.10(a), P.C.)

	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUN	NICIPAL COURT
VS.	<b>§</b>	CITY OF	
	§	0	COUNTY, TEXAS
	AFFIDAVIT		
Ι,	, being duly sworn on oath, state tha	t I have good reason to believe and do	believe that:
On or about the day of Texas, upon the following:	, 20, in the City of, the Defendant, committed the	offense of Failure to Appear. My bel	· · · · · · · · · · · · · · · · · · ·
On this day, Affiant personall offense of a misdemeanor. On custody that day. Defendant's (bai o'clock,m. on	y examined the official court records in Ca , 20, Defendant was in the custo l)(order of release) states that it is condition	nuse Number . Defen	dant is charged with the
	he courtroom at the above stated time and d not answer, did not appear, and did not ap		Defendant's name, was
	he court records and has examined the records he Defendant did not appear and did not appear		peared as required. The
			Affiant
			2 tillalit
Sworn to and subscribed bef	fore me on this the day of	, 20	
	<del>(J</del> ı	ndge)(Clerk)(Notary Public in and for	the State of Texas)

AFFIDAVIT FOR PROBABLE CAUSE FOR FAILURE TO APPEAR OR VIOLATION OF PROMISE TO APPEAR WHEN ORIGINAL CHARGE FILED BY CITATION (Sec. 38.10(a), P.C. and Sec. 543.009(b), T.C.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
	AFFIDAVIT	
Ι,	, being duly sworn on oath, state that I hav	e good reason to believe and do believe that:
On or about the day	y of, 20, in the City of, the Defendant, did willfully violate (h	, in County, Texas is)(her) written promise to appear in court.
	wed the citation issued to the Defendant by a licensed	
Name:	Race:Texas Driver's License #:	Sex:
Address:		
appear by (his)(her) signature incorporated by reference.	and where the Defendant was to appear, and showed to the written notice prepared by the officer. A tru	e and correct copy of the citation is attached and
	n the courtroom at the above stated time and date what did not answer, did not appear, and did not appear by	
	of the court records and has examined the records to dat the Defendant did not appear and did not appear by c	
		Affiant
Sworn to and subscribed	before me on this the day of,	20
	(Judge)(Clo	erk)(Notary Public in and for the State of Texas)

#### NOTICE - INITIAL COURT SETTING (Art. 45.014, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
	NOTICE	
You received a citation onyou to appear in court. (If other charges	, 20 for the offense of have been filed, such as failure to appear, include	, requiring that information here.)
You are hereby <b>ORDERED</b> to appear at	t the	_ Municipal Court, located at
(a.m.)(p.m.) (date must be within 30-day warrant for your arrest.	t the to enter a plea on the charge on v period following the date of the notice). Failure	to enter a plea may result in a
To avoid arrest and further for court on the date and time listed above, or If you are convicted and the coupayment of any fine or costs owed, which You may be entitled to a credit the offense for which this notice is given If you come to the court to rest	solve your case, you will not be arrested at the	the court. If you are unable to appear in court by calling  and costs, there are alternatives to the full t payments.  ed in jail or prison after the commission of
Signed this day of	, 20	
This notice mailed on	, 20	
(municipal court seal)		Judge, Municipal Court City of County, Texas

Editor's Note: A judge may not issue an arrest warrant for the defendant's failure to appear at the initial court setting, including failure to appear as required by a citation issued under Article 14.06(b), unless: (1) the judge provides by telephone or regular mail to the defendant notice that includes: (a) a date and time, occurring within the 30-day period following the date that notice is provided, when the defendant must appear before the justice or judge; (b) the name and address of the court with jurisdiction in the case; (c) information regarding alternatives to the full payment of any fine or costs owed by the defendant, if the defendant is unable to pay that amount; (d) a statement that the defendant may be entitled to a credit toward any fine or costs owed by the defendant if the defendant was confined in jail or prison after the commission of the offense for which the notice was given; and (e) an explanation of the consequences if the defendant fails to appear before the justice or judge as required by this article; and (2) the defendant fails to appear before the judge. A judge shall recall an arrest warrant for the defendant's failure to appear if, before the warrant is executed, the defendant voluntarily appears to resolve the warrant, makes a good faith effort to resolve the arrest warrant, and the arrest warrant is resolved in any manner authorized by the Code of Criminal Procedure.

See also Section 80.002 of the Government Code, authorizing a court, justice, judge, magistrate, or clerk to send any required notice using mail or electronic mail.

If the court sends this notice after the defendant misses the initial court setting, and if a charge of failure to appear or violation of a promise to appear (or another non-appearance crime) is filed, include that charge in this notice.

THE STATE OF TEXAS,	§
CITY OF	§
COUNTY	§
TO ANY PEACE OFFICER OF THE STATE (	TEXAS – GREETINGS:
and did heretofore this day subscribe and swear to sverbatim within this document), and whereas I find	the attached affidavit hereto, is a peace officer under the laws of the State of Texas d affidavit before me (now made a part hereof and incorporated herein as if written at the verified facts stated by Affiant in said affidavit show that Affiant has probable shes the existence of proper grounds for issuance of this warrant;
wit: and, if same be found, seize and bring before me the	enter the suspected place, vehicles, and premises described in said affidavit, to  At said places you shall search for operty described in the affidavit which the suspected party, or others in control of the have in his/her possession in violation of the laws of the State of Texas, to wit:
	f this warrant, showing how you executed the same.  [ato'clockm. (include time of issuance if information for the
	at o'clockm. (include time of issuance if information for the nic means under $Art.\ 18.01(b-1)$ ].
	[ato'clockm. (include time of issuance if information for the nic means under Art. 18.01(b-1)].  Magistrate
	[at o'clockm. (include time of issuance if information for the nic means under Art. 18.01(b-1)].  Magistrate  Magistrate's Printed or Typewritten Name
	[ato'clockm. (include time of issuance if information for the nic means under Art. 18.01(b-1)].  Magistrate
	[ato'clockm. (include time of issuance if information for the nic means under Art. 18.01(b-1)].  Magistrate  Magistrate's Printed or Typewritten Name  Municipal Judge, City ofCounty, Texas
Signed this day of, warrant was provided by telephone or reliable electr	[ato'clockm. (include time of issuance if information for the nic means under Art. 18.01(b-1)].  Magistrate  Magistrate's Printed or Typewritten Name  Municipal Judge, City ofCounty, Texas  OFFICER'S RETURN
Signed this day of, warrant was provided by telephone or reliable electr	[ato'clockm. (include time of issuance if information for the nic means under Art. 18.01(b-1)].  Magistrate  Magistrate's Printed or Typewritten Name  Municipal Judge, City ofCounty, Texas
Signed this day of, warrant was provided by telephone or reliable electr	[ato'clockm. (include time of issuance if information for the nic means under Art. 18.01(b-1)].  Magistrate  Magistrate's Printed or Typewritten Name  Municipal Judge, City ofCounty, Texas  OFFICER'S RETURN

An officer shall return a search warrant no later than three days after its execution. The failure of an officer to make a timely return of an executed search warrant or to submit an inventory of the property taken into the officer's possession under the warrant does not bar the admission of evidence under Art. 38.23, C.C.P. See *Inventory of Property Taken Under a Search Warrant* form located in the Magistrate Duties chapter.

Article 18.01(i), C.C.P., provides: "In a county that does not have a municipal court of record with a courtroom located in that county and a judge who is an attorney licensed by the state, a county court judge who is an attorney licensed by the state, or a statutory court judge, any magistrate may issue a search warrant under Article 18.02(a)(10) or (12). This subsection is not applicable to a subsequent search warrant under Article 18.02(a)(10)."

#### AFFIDAVIT FOR SEARCH WARRANT (Art. 18.02(A)(1)-(9), C.C.P.)

THE STAT	TE OF TEXAS,	<b>§</b>		
CITY OF _		8	}	
	COUNTY	<b>§</b>	}	
		Al	FFIDAVIT	
My name is	and I a	am commissioned as	a peace officer by	
1.				and premises described and located as follows:
	on said premises and within the suspected party named below that is the object of the search place to be searched; it is to be Said suspected place is in the object of the search place is in the object of the ob	ne curtilage, if said jand in, on, or around requested herein. A considered as part of	premises is a reside I which said suspec ttached as Exhibit A of the affidavit as if	s all other buildings, structures, places, and vehicles nce, which are found to be under the control of the ted party may reasonably reposit or secrete property a is a diagram illustrating the relative location of the
				ion of the laws of the State of Texas the following
3.	Affiant has probable cause for			ncts and circumstances:
	HEREFORE, Affiant asks for lace and premises for the prope			ize Affiant and other peace officers to search said
				Affiant
	Texas, who, being sworn by m			the Affiant herein, a peace officer under the laws of ned herein are true and correct to the best of his/her
Su	bscribed and sworn to before	me on this the	day of	, 20
				Magistrate
				Magistrate's Printed or Typewritten Name
				Municipal Judge, City of
				County, Texas

**Editor's Note:** Affidavits for search warrants issued under Art. 18.02(a)(10), (12), and (14) have specific requirements not listed in this form. *See* Articles 18.01 and 18.0215, C.C.P.

A peace officer generally may not search a person's cell phone or other wireless communication device, pursuant to a lawful arrest, without a warrant. Exceptions like consent are listed in Article 18.0215(d), C.C.P. A warrant under Art. 18.0215 may only be issued by a judge in the same judicial district as the site of the agency that employs the peace officer (if the phone is in the officer's possession) or the likely location of the phone or device. The requirements of the application for this type of warrant are found in Article 18.0215(c), C.C.P.

# 18.02(a)(1)-(9), C.C.P.) THE STATE OF TEXAS, § CITY OF \_\_\_\_\_ § \_\_\_\_ COUNTY § **AFFIDAVIT** My name is and I am commissioned as a peace officer by 1. There is in County, Texas, a suspected place and premises described and located as follows: place, in addition to the foregoing description, also includes all other buildings, structures, places, and vehicles on said premises and within the curtilage, if said premises is a residence, which are found to be under the control of the suspected party named below and in, on, or around which said suspected party may reasonably reposit or secrete property that is the object of the search requested herein. Attached as Exhibit A is a diagram illustrating the relative location of the place to be searched; it is to be considered as part of the affidavit as if written herein. 2. Said suspected place is in the charge of and controlled by each of the following named and/or described suspected parties, to 3. It is the belief of Affiant that said suspected place contains in violation of the laws of the State of Texas the following property: 4. Affiant has probable cause for said belief by reason of the following facts and circumstances: WHEREFORE, Affiant asks for issuance of a warrant that will authorize Affiant and other peace officers to search said suspected place and premises for the property described above and seize the same. TO ME, the undersigned authority, by telephone or other reliable electronic means the Affiant herein, a peace officer under the laws of the State of Texas, who, being sworn by me, duly attested that the statements contained herein are true and correct to the best of his/her knowledge. Submitted by electronic means, sworn to, and signature attested telephonically per Article 18.01(b-1) of the Code of Criminal Procedure on this the \_\_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_ at \_\_\_\_\_ o'clock \_\_.m. Magistrate Magistrate's Printed or Typewritten Name Municipal Judge, City of \_\_\_\_\_

AFFIDAVIT FOR SEARCH WARRANT SUBMITTED BY TELEPHONE OR OTHER ELECTRONIC MEANS (Arts. 18.01(b-1),

Editor's Note: Applicants for search warrants who submit information by telephone or other reliable electronic means under Article 18.01(b-1), C.C.P., must prepare a proposed duplicate original of the warrant and must read or otherwise transmit its contents verbatim to the magistrate. A magistrate must enter into an original search warrant the contents of the proposed duplicate original that are read to the magistrate. If the applicant transmits the contents by reliable electronic means, the transmission received by the magistrate may serve as the original search warrant. The magistrate may modify a search warrant submitted this way, but then must follow Article 18.01(b-1)(4), C.C.P. A magistrate who issues a search warrant for which information is provided by telephone or reliable electronic means must: (1) sign the original document; (2) enter the date and time of issuance on the warrant; and (3) transmit the warrant by reliable electronic means to the applicant or direct the applicant to sign the judge's name and enter the date and time on the duplicate original.

County, Texas

If an applicant for a search warrant attests to the contents of an affidavit submitted by reliable electronic means, the magistrate must acknowledge the attestation in writing on the affidavit. If the magistrate considers additional testimony or exhibits, the magistrate must: (1) ensure the testimony is recorded verbatim by an electronic recording device, court reporter, or in writing; (2) ensure that any recoding or reporter's notes are transcribed and that the transcription is certified as accurate and is preserved; (3) sign, certify accuracy, and preserve any other written record; and (4) ensure that the exhibits are preserved.

Art. 18.01(b-1)(2), C.C.P.

#### SEARCH AND ARREST WARRANT (Arts. 18.02, 18.03, 18.04, and 15.02, C.C.P.)

THE STATE OF TEXAS,	<b>§</b>	
CITY OF	<b>§</b>	
COUNTY	<b>§</b>	
TO ANY PEACE OFFICER OF THE STA	ATE OF TEXAS - GREETING	S:
and did heretofore this day subscribe and swe	ear to said affidavit before me (nov I find that the verified facts stated	eto, is a peace officer under the laws of the State of Texas w made a part hereof and incorporated herein as if written by Affiant in said affidavit show that Affiant has probable or grounds for issuance of this warrant;
Now, therefore, you are hereby comma	anded to enter the suspected place	ce, vehicles, and premises described in said affidavit, to
and, if same be found, seize and bring before resuspected place, are alleged to be concealing wit:	ng and to have in his/her posses	. At said places you shall search for fidavit which the suspected party, or others in control of the ssion in violation of the laws of the State of Texas, to
the laws of the State: namely, (felony) (misder	meanor)  of said city. You may arrest others control of same.  d return of this warrant, showing ho	party named and described in said affidavit, to wit: This individual is accused of an offense against, which is against the laws of the State for the same offense who are unknown to the affiant but ow you executed the same.
Signed andauj of		Magistrate
		Magistrate's Printed or Typewritten Name
		Municipal Judge, City of
		County, Texas
	OFFICER'S RETUR	N
Came to hand the day of o'clo	, 20, ato'c	clockm. and executed on the day of
		·································
		Peace Officer

**Editor's Note:** Search Warrants issued on or after September 1, 2015 must contain, in addition to the magistrate's signature, the magistrate's name either in clearly legible handwriting or in typewritten form. Art. 18.04(5), C.C.P.

# AFFIDAVIT FOR COMBINED SEARCH AND ARREST WARRANT (Art. 18.02(a)(1)-(9), C.C.P.)

THE STATE (	OF TEXAS,	§				
CITY OF		<b>§</b>				
	COUNTY	<b>§</b>				
		AFI	FIDAVIT			
My na	me is	_ and I am commissi	oned as a peace of	officer by	·	
1.	There is in	_County, Texas, a sus	spected place and	l premises describ	ed and located as	follows:
	suspected place, in addit vehicles on said premises control of the suspected p or secrete property that is the relative location of the	s and within the curtil party named below and s the object of the sea	lage, if said prem d in, on, or aroun arch requested he	nises is a residence and which said susperein. Attached as	ee, which are four pected party may Exhibit A is a d	nd to be under the reasonably reposit iagram illustrating
2.	Said suspected place is in	the charge of and co	ontrolled by each	of the following	named and/or de	escribed suspected
3.	parties, to wit:  It is the belief of Affiant violation of the laws of th	e State of Texas the f	following property	y:	ncealing at said	suspected place in
4.	Affiant has good reaso	on to believe, does	s believe, and	hereby charges		
5.	Affiant has probable caus		ason of the follow		cumstances:	·
suspected place	REFORE, Affiant asks for a cand premises for the proper nerein and others unknown to	erty described above a	t that will authorand seize same,	rize Affiant and o	other peace offic search each susp	ers to search said
						Affiant
	RE ME, the undersigned aut xas, who, being sworn by me					
Subsc	ribed and sworn to before a	ne on this the	day of		, 20	
					<u></u>	Magistrate
				Magistrate	's Printed or Type	ewritten Name
				Municipal Jud	ge, City of	
						County, Texas

# BLOOD SEARCH WARRANT (Art. 18.01(c) and (j), C.C.P.) (Page 1 of 2) THE STATE OF TEXAS, § CITY OF \_\_\_\_\_ § COUNTY § TO ANY PEACE OFFICER OF THE STATE OF TEXAS - GREETINGS: WHEREAS, the Affiant, whose name appears on the affidavit attached hereto, is a peace officer under the laws of the State of Texas and did heretofore this day subscribe and swear to said affidavit before me (now made a part hereof and incorporated herein as if written verbatim within this document), and whereas I find that the verified facts stated by Affiant in said affidavit show that Affiant has probable cause for the belief he/she expresses herein and establishes the existence of proper grounds for the issuance of this warrant: Now, therefore, you are commanded to take custody of the suspect and transport the suspect to a hospital in County, Texas where you shall search for, seize, and maintain as evidence the property described in said affidavit, to-wit: human blood from the body of the following described individual: Name: Race: Sex: DOB: Height: Weight: lbs Hair color: Herein fail not, but make due service and return of this warrant, showing how you executed the same. **Signed** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ [at \_\_\_\_\_ o'clock \_\_.m. (include time of issuance if information for the warrant was provided by telephone or reliable electronic means under Art. 18.01(b-1)]. Magistrate Magistrate's Printed or Typewritten Name Municipal Judge, City of \_\_\_\_\_ RETURN AND INVENTORY

The undersigned, being a Peace Officer under the laws of the State of Texas, confirms that the foregoing Warrant came to hand on the day it was issued and that it was executed on the \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_\_, by making the search directed therein and seizing during such search the following described property:

A specimen of the suspect's blood.

Signature of Officer

**Editor's Notes:** Any magistrate who is a licensed Texas attorney may issue a search warrant to collect a blood specimen from a person who is arrested for certain intoxication or alcohol offenses and refuses to submit to a breath or blood alcohol test. In a county that does not have a municipal court of record with a courtroom located in that county and a judge who is an attorney licensed by the state, a county court judge who is an attorney licensed by the state, or a statutory county court judge, any magistrate may issue a search warrant under Article 18.02(a)(10) (includes blood warrants, but does not apply to subsequent search warrants under (a)(10)).

Effective September 1, 2021, blood search warrants may be executed in any county adjacent to the county in which the warrant was issued by any law enforcement officer authorized to make an arrest in the county of execution. Art. 18.067, C.C.P.

BLOOD SEARCH WARRANT (Art. 18.01(c) and (j), C.C.P.) (Page 2 of 2)

THE STATE OF TEXAS	<b>5</b> ,	<b>§</b>		
CITY OF		§		
	COUNTY	<b>§</b>		
	ORDER FOR ASSI	STANCE IN EX	ECUTION OF S	EARCH WARRANT
To any physician, nu intravenous removal of hu			st, licensed by th	e State of Texas, or other person qualified in the
and did heretofore this da written verbatim within the	y subscribe and swearis document), and who	r to said affidavit creas I find that th	before me (now e verified facts st	a peace officer under the laws of the State of Texas made a part hereof and incorporated herein as if tated by Affiant in said affidavit show that Affiant nce of proper grounds for the issuance of a search
And whereas, this Coaffidavit, to-wit:	ourt has issued a war	rant to search fo	or and seize blo	od from the suspect named and described in the
Name:				
Race:	Sex:		DOB:	
Height:	Weight:	lbs	Hair color:	
Therefore, you are assistance in the execution		commanded to	cooperate with	any peace officer requesting your professional
accompanying search warn	rant, is authorized by tole 18.08, Code of C	the full authority or riminal Procedure	of this Court to is e. <b>Any individu</b> :	ssistance is requested by the officer bearing the sue warrants and orders to enforce the laws of the al who fails to comply with this Order when authorized by law.
Ordered this the	_ day of	, 20 at	o'clock1	m.
				Magistrate
				Magistrate's Printed or Typewritten Name
				Municipal Judge, City of
				County, Texas

#### AFFIDAVIT FOR BLOOD SEARCH WARRANT

THE STAT	TE OF T	EXAS,				<b>§</b>						
CITY OF _						§						
			COUN	TY		§						
						AFFIDA	AVIT					
My name is			and	I am comm	issioned as	a peace	officer by _					
1.	There is	in		County, Tex	as, a suspec	eted perso	on describe	ed as follows:				
	Name:											
	Race:		Sex	C:	11		DOB:_	:				
	Height:		w eı	gnt:	lbs		Hair color:	•		<del></del>		
	Said sus present t	pected per he suspect	son is pro to execu	esently in the the the warra	ne custody on trequested	of a law d herein.	enforceme	nt agency, na	mely the _			, which will
2.		pected pers wing offen		ossession o	f and is con	cealing l	numan bloo	od, which cons	stitutes evi	dence that	the suspect	committed
		Driving	While In									
		Driving Flying V			ith a Child	Passenge	er					
				toxicated								
		Assembl	ing or O	perating an	Amusemen	t Ride W	hile Intoxi	cated				
		Intoxicat										
		Intoxicat	tion Man	slaughter								
3.	followin	g facts and	circums	tance:				committed the			•	<u> </u>
4.			suspecto	ed person u				mple of the su				
	for the b	ood evide						uthorize Affia ice that the of				
									-			Affiant
								d the Affiant nerein are true				
Su	bscribed	and swor	1 to befo	re me on th	is the	d	lay of			_, 20		
											Ma	gistrate
								Ma	gistrate's	Printed or	Typewritter	Name
								Municipal J	Judge, City	of		
											County	, Texas

# AFFIDAVIT FOR BLOOD SEARCH WARRANT SUBMITTED BY TELEPHONE OR OTHER ELECTRONIC MEANS (Art. 18.01(b-1), C.C.P.)

THE STAT	TE OF T	EXAS,	<b>§</b>			
CITY OF _			§			
		COUNTY	§			
			AFFID	AVIT		
My name is		and I am comm	issioned as a peace	officer by		,
1.	There is	in County, Tex	as, a suspected pers	on described as follows:		
	Name: _					
	Race: _	Sex:Weight:	lhe	DOB:		
		pected person is presently in the suspect to execute the warra			the	, which will
2.		pected person has possession of	f and is concealing	human blood, which constitute	es evidence that the suspect of	committed
		wing offense: Driving While Intoxicated				
		Driving While Intoxicated w	ith a Child Passeng	er		
		Boating While Intoxicated Assembling or Operating an	A Dida V	7h:1a Interviented		
		Intoxication Assault	Amusement Kide v	vime intoxicated		
		Intoxication Manslaughter				
3.		nas probable cause for his/her bg facts and circumstance			•	
4.		placed said suspected person und d person refused to provide.		ested a sample of the suspected		
the suspect	for the bl	RE, Affiant asks for issuance of ood evidence described above id offense.	and seize the same	e as evidence that the offense		
						Affiant
		undersigned authority, by telep, who, being sworn by me, dul				
		by electronic means, sworn to				f Criminal
					Maş	gistrate
				Magistra	ate's Printed or Typewritten	Name
				Municipal Judge	e, City of	
						Tevas

#### SEARCH WARRANT FOR FIRE, HEALTH, AND CODE INSPECTIONS (Art. 18.05, C.C.P.)

THE STATE OF TEXAS,	<b>§</b>		
CITY OF	<b>§</b>		
COUNTY	<b>§</b>		
THE STATE OF TEXAS to any Fire Ma County, Texas) (of the			
County, Texas) (of the Texas), who has responsibility for the insphazard or unsafe building condition or a value territorial limits of the City of	riolation of any fire, h	nealth, or building regulat	
WHEREAS, the affiant whose signature Marshal) (Health Officer) (Code Enforcen subscribe and swear to said affidavit before all purposes, and whereas I find that the sufficient to establish probable cause for the	nent Official) under t me, which affidavit i e verified facts and i	he laws of the State of T s attached hereto and inco information contained th	Texas and did therefore this day orporated herein by reference for
NOW THEREFORE, you are hereby come in said affidavit and to there determine the any fire, health, or building regulation, state Texas, and in particular, to determine the said regulation, statute, or ordinance.	presence of fire or hatte, or ordinance of t	ealth hazards, unsafe builthe city of	lding conditions or violations o or the State o
Herein fail not but have you then and there exclusive of the day of execution, with you			lusive of the day of issuance and
ISSUED at o'clock (a certify which witness my hand and seal this	m.) (p.m.), on this	day of	, 20 to
			Judge, (City), Municipal Cour
		Magistrat	te's Printed or Typewritten Name
	OFFICER'S RI	ETURN	
Came to hand the day of o'c	, 20, at lockm. by	o'clockm. and exec	outed on the day of
			)fficer) (Code Enforcement Official)

**Editor's Note:** A search warrant may not be issued under Article 18.05, C.C.P., to a code enforcement official of a county with a population of 3.3 million or more for the purpose of allowing the inspection of specified premises to determine the presence of an unsafe building condition or a violation of a building regulation, statute, or ordinance.

THE STATE OF TEXAS,		<b>§</b>		
CITY (	OF	<b>§</b>		
	COUNTY	<b>§</b>		
		AFFIDAVIT		
(of the	My name is e State of Texas) (of	and I am the/a (Fire M	Marshal) (Health Onexas) (of the Cit	fficer) (Code Enforcement Official) y of, owing statement and accusations:
	I am the/a (Fire Marshal) (Health	Officer) (Code Enforcer	nent Official) (of t	he State of Texas) (of
2.	County, Texas), and have personal There is in the City of (specified premises), described and	knowledge of the facts si	tated herein and the	ey are all true and correct;  County, Texas, a
	herein referred to as "Premises;" Premises are in the charge of and	d controlled by the follow	wing person(s):	
4.	At said Premises, there is evidence in the Premises sought to be inspect	e that a fire or health haza eted, such hazard or viola	tion or condition be	
5.				believe that there is probable cause sent on the Premises sought to be
		presence of a fire or heal	th hazard or unsafe	uthorize me to inspect the Premises building condition or a violation of
				Affiant
	RE ME, the undersigned authority, ated that the statements contained he			at herein, who, being sworn by me, er knowledge.
	Subscribed and sworn to before me	e on this the	day of	, 20
				Judge, (City) Municipal Court
			Magis	trate's Printed or Typewritten Name

**Editor's Note:** In determining probable cause for the purposes of Article 18.05(b), C.C.P., the magistrate is not limited to evidence of specific knowledge, but may consider any of the items listed in Article 18.05(c), C.C.P.

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
THE STATE OF TEXAS, TO A	NY PEACE OFFICER OF THE STA	TE OF TEXAS - GREETINGS:
You are hereby commanded to named above (immediately) (on the offense:  against the ordinances of said city.	arrest day of, 20). Sa	, Defendant, and bring (him)(her) before the Municipal Court aid Defendant has been accused of the fine-only misdemeanor , which is against the laws of the State of Texas and/or
<b>Herein fail not</b> , but make due the same.	service and return of this writ of capias of	on, 20, showing how you executed
Signed this day of	, 20	
(municipal c	ourt seal)	Judge, Municipal Court City of
		County, Texas
	OFFICER'S RET	URN
Came to hand the day of, 20, at	, 20, at o'clockm. by	_ o'clockm. and executed on the day of
		Peace Officer

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
TO ANY PEACE OFFICER OF THE S	STATE OF TEXAS - GREETINGS:	
You are hereby commanded to arrest named above (immediately) (on the d offense: against the ordinances of this city.	, Defend ay of, 20). Said Defen	dant, and bring (him)(her) before the Municipal Court dant has been convicted of the fine-only misdemeanor, which is against the laws of the State of Texas and/or
<b>Herein fail not</b> , but make due service the same.	and return of this writ of capias on	, 20, showing how you executed
Signed this day of	, 20	
(municipal court seal)		Judge, Municipal Court City of
		County, Texas
	OFFICER'S RETURN	
Came to hand the day of o'	, 20, ato'clock clockm. by	m. and executed on the day of
		Peace Officer
		i cace Officer

**Editor's Note:** A court may not issue a capias pro fine for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing to determine whether the judgment imposes an undue hardship on the defendant, and the defendant fails to: (1) appear at the hearing; or (2) comply with an order issued under 43.05(a-3), C.C.P., as a result of the hearing.

The court shall recall a capias pro fine if, before the capias pro fine is executed, the defendant: (1) provides notice to the court under Article 43.035 and a hearing is set under that article; or (2) voluntarily appears and makes a good faith effort to resolve the capias pro fine.

# MAGISTRATE DUTIES

# **MAGISTRATE DUTIES**

# **Table of Contents**

# **Presentation Before the Magistrate**

Magistrate's Warning	39
Updated > Magistrate's Determination of Bail and Commitment Form	40
Application for Further Detention	
Release: With Order to Appear	43
Release: Magistrate's Determination of No Probable Cause	44
Release: Personal Bond after No Timely Demand	45
Out-of-County Magistrate's Bench Judgment	46
Bail with Ignition Interlock Condition	47
Bail Condition Where Child Is Alleged Victim	48
Bail Condition Where Adult Is Alleged Victim	49
Defendant's Ability to Make Bail Affidavit	50
Juveniles	
Statutory Warning of a Child	
Written Statement of a Child	52
Magistrate's Certification of Child's Written Statement	
Magistrate's Determination of Voluntariness – Recorded Statement of Child	55
Domestic Violence	
Magistrate's Order of Emergency Protection	57
Magistrate's Record of Service of Order of Emergency Protection	61
Clerk's Letter: Copy of Magistrate's Order of Emergency Protection	62
Motion to Modify Magistrate's Order of Emergency Protection	63
Order Modifying Magistrate's Order of Emergency Protection	64
Magistrate's Order of Confidentiality of Certain Information in Order For Emergen	cy
Protection	65
Mental Health Issues	
Application for Emergency Detention	66
Order for Issuance of Mental Health Warrant	
Mental Health Warrant for Emergency Detention	
Mental Health Warrant for Emergency Detention	68
Mental Health Warrant for Emergency Detention	68

Mental Illness Assessment Notification	71
Order into Custody for Mental Illness/Intellectual Disability Exam	72
Warrant for Mental Health/Intellectual Disability Exam – Person Failing to Submit Voluntarily	73
Release: Personal Bond - Certain Mentally Ill Defendants	74
Property Hearings / Other	
Schedule of Seized Property Alleged to Have Been Stolen	75
Notice of Stolen Property Hearing	76
Order Restoring Stolen Property When No Trial Is Pending	
Order Restoring Stolen Property on Trial	
Order Restoring Stolen Property upon an Examining Trial	
Inventory of Property Taken under a Search Warrant	
Order Directing Safekeeping of Property Taken under a Search Warrant	
Order for Impoundment of Out-of-State Motor Vehicle	

#### MAGISTRATE'S WARNING (Art. 15.17(a), C.C.P.)

	NO:	
STATE OF TEXAS	§	MAGISTRATE FOR
VS.	<b>§</b>	
	<b>§</b>	COUNTY, TEXAS
Before me, the than 48 hours after said p	undersigned Magistrate in the State of Texas, on this of personally appeared in the custody of person was arrested, and said person was given the following warning by the state of Texas, on this of person was arrested.	day, 20, a peace officer, not late me:
2. You hav 3. You hav attorneys 4. You hav 5. You are 6. You hav 7. You hav	charged with the offense of	and questioning by peace officers or any be used against you in Court.
9. You may required  Pursuant to Number 8 a understand. I provided a	by file an ability to pay affidavit under Article 17.028(f), C.C.P., if you are by a bail schedule or standing order.  bove, I explained the procedures for requesting appointment of counsel my necessary paperwork and reasonably assisted in its completion. I forward	l in a manner the Defendant could
9. You may required Pursuant to Number 8 a understand. I provided a appropriate authority, wi	by a bail schedule or standing order.  bove, I explained the procedures for requesting appointment of counsel	l in a manner the Defendant could
9. You may required  Pursuant to Number 8 a understand. I provided a appropriate authority, wi	by a bail schedule or standing order.  bove, I explained the procedures for requesting appointment of counsel ny necessary paperwork and reasonably assisted in its completion. I forw thout unnecessary delay, in no event more than 24 hours.	l in a manner the Defendant could warded the paperwork, if any, to the
9. You may required  Pursuant to Number 8 a understand. I provided a appropriate authority, wi  The person warned repo  I have determined that the	by a bail schedule or standing order.  bove, I explained the procedures for requesting appointment of counsel ny necessary paperwork and reasonably assisted in its completion. I forw thout unnecessary delay, in no event more than 24 hours.  rts to be a citizen of a foreign country:   Yes   No  ye said person   is   is not currently on bond in another cause or cause.	l in a manner the Defendant could warded the paperwork, if any, to the
9. You may required  Pursuant to Number 8 a understand. I provided a appropriate authority, wi  The person warned repo I have determined that th  Bail is set at \$  I acknowledge that I was	by a bail schedule or standing order.  bove, I explained the procedures for requesting appointment of counsel my necessary paperwork and reasonably assisted in its completion. I forwathout unnecessary delay, in no event more than 24 hours.  rts to be a citizen of a foreign country:   Yes  No  e said person  is  is not currently on bond in another cause or cau  Bail not determined  Bail denied  given the above warning and that I understand my	I in a manner the Defendant could warded the paperwork, if any, to the uses.
Pursuant to Number 8 a understand. I provided a appropriate authority, wi The person warned repo I have determined that the Bail is set at \$ I acknowledge that I was rights as explained to me	by a bail schedule or standing order.  bove, I explained the procedures for requesting appointment of counsel my necessary paperwork and reasonably assisted in its completion. I forwathout unnecessary delay, in no event more than 24 hours.  rts to be a citizen of a foreign country:   Yes  No  e said person  is  is not currently on bond in another cause or cau  Bail not determined  Bail denied  given the above warning and that I understand my	l in a manner the Defendant could warded the paperwork, if any, to the
Pursuant to Number 8 a understand. I provided a appropriate authority, wi The person warned repo I have determined that the Bail is set at \$ I acknowledge that I was rights as explained to me OR	by a bail schedule or standing order.  bove, I explained the procedures for requesting appointment of counsel my necessary paperwork and reasonably assisted in its completion. I forwathout unnecessary delay, in no event more than 24 hours.  rts to be a citizen of a foreign country:   Yes  No  e said person  is  is not currently on bond in another cause or cau  Bail not determined  Bail denied  given the above warning and that I understand my	I in a manner the Defendant could warded the paperwork, if any, to the uses.
Pursuant to Number 8 a understand. I provided a appropriate authority, wi The person warned repo I have determined that the Bail is set at \$	by a bail schedule or standing order.  bove, I explained the procedures for requesting appointment of counsel ny necessary paperwork and reasonably assisted in its completion. I forw thout unnecessary delay, in no event more than 24 hours.  rts to be a citizen of a foreign country:   Yes  No  e said person  is is not currently on bond in another cause or cau  Bail not determined  Bail denied  given the above warning and that I understand my in the warning:	l in a manner the Defendant could warded the paperwork, if any, to the uses.  Person warned
Pursuant to Number 8 a understand. I provided a appropriate authority, wi The person warned repo I have determined that the Bail is set at \$	by a bail schedule or standing order.  bove, I explained the procedures for requesting appointment of counsel my necessary paperwork and reasonably assisted in its completion. I forwathout unnecessary delay, in no event more than 24 hours.  rts to be a citizen of a foreign country:   Yes   No  e said person   Bail not currently on bond in another cause or cause of the above warning and that I understand my in the warning:  gn acknowledgement of warning  Municipal Judge, City of	l in a manner the Defendant could varded the paperwork, if any, to the uses.  Person warned  Magistrate

Editor's Note: The Vienna Convention on Consular Notifications requires that a foreign national be offered the opportunity to have his or her country's consulate notified that he or she is facing criminal action. If the person warned is a non-U.S. citizen, magistrates should consult the Consular Notification and Access manual of the U.S. Department of State, available at https://travel.state.gov/content/travel/en/consularnotification.html, and follow the steps in TMCEC Bench Book, Chapter 1.

If a magistrate is provided written or electronic notice of credible information that may establish reasonable cause to believe that a person brought before the magistrate has a mental illness or is a person with an intellectual disability, the magistrate shall conduct the proceedings described by Article 16.22 or 17.032, C.C.P., as appropriate.

#### MAGISTRATE'S DETERMINATION OF BAIL AND COMMITMENT FORM

Defendant's Name:	Agenc	y:			
Arrest Date:	Agenc	Agency Report No.:			
Code of Criminal Procedure, of the acc to remain silent, of his/her right to hav his/her right to terminate the interview afford counsel, of his or her right to fill	ertify that the Defendant appeared before usation against him/her and of any affidate an attorney present during any intervier at any time, of his/her right to request out an affidavit described by Art. 17.0286 informed the person arrested that he/she	avit filed therewith, of his/he w with peace officers or at the appointment of counse (f), Code of Criminal Proced	er right to counsel, of his/her right torneys representing the State, of l if he/she is indigent and cannot dure (if applicable), and of his/her		
	COMMIT TO JAIL THE BODY OF THE I EASED ON THE BOND AMOUNT(S) AND				
WARRANT/COMPLAINT/OR PR	OBABLE CAUSE FOR:				
		Iffense	Felony/Misdemeanor		
BAIL IS SET AT: \$	☐ Surety or Cash Bond	☐ Personal Bond	☐ Bail is Denied		
posted if signed in space provided here	directed pursuant to Article 17.291, Code eafter by Magistrate who finds probable is released prior thereto: (see form entit	cause to conclude and here	eby does conclude that the family		
		So Ordered:			
			Magistrate's Signature		
OTHER:					
<ol> <li>Article 17.41 condition where a</li> <li>Article 17.441 condition requiring</li> <li>Other conditions:</li> </ol> Any or all of these conditions for release Defendant is to sign the conditions, ac	rdered as follows where initialed in schild is the victim:  Ing motor vehicle ignition interlock is one on bond are to be incorporated by reference knowledging receipt and notice thereofor the Magistrate's office the next working	rdered:  erence and attached to the be- prior to release. A copy of	the conditions of release is to be		
DEFENDANT IS TO BE HELD TO COURT OR MAGISTRATE BEFORI MAY BE REQUIRED.	ANSWER TO THE PROPER COUR E WHOM THIS CAUSE MAY BE HE	T OF REINAFTER PENDING A	_ COUNTY, TEXAS, OR ANY T ANY TIME AND PLACE AS		
HEREIN FAIL NOT, of this commitr	nent writ make due return, showing ho	w you executed the same.			
ISSUED THIS day of	, 20 at	o'clock	.m.		
		——————————————————————————————————————	Magistrate dge, City of		
			County, Texas		
Editor's Note: For a complete listin	g of instances in which bail can be den	ied, see <i>TMCEC Bench Bo</i>	ok, Chapter 1.		

MAGISTRATE DUTIES 12/21 TMCEC 2022 FORMS BOOK 40

# APPLICATION FOR FURTHER DETENTION (Art. 17.291, C.C.P.) (Page 1 of 2)

	NO:	
STATE OF TEXAS	§	MAGISTRATE FOR
VS.	<b>§</b>	
	<b>§</b>	COUNTY, TEXAS
	APPLICATION FOR FURTHER DETENT	ION
	291, Code of Criminal Procedure, the undersigned applicant restrict period of time not to exceed 48 hours) after bon	
	rested in the prevention of family violence and based upon the ll continue if the Defendant is released immediately upon pos	
Date		
Applicant		
	eeds 24 hours, probable cause <b>must</b> exist to believe that the peng the date the person has been arrested ( <i>check the applica probable cause</i> ):	
☐ on more than one occasion	on for an offense involving family violence; or	
	a deadly weapon, as defined in by Section 1.07, Penal Code, we mediate flight after the offense.	was used or exhibited during the commission of

# APPLICATION FOR FURTHER DETENTION (Art. 17.291, C.C.P.) (Page 2 of 2)

# **ORDER**

said Defendant meets the criteria for continued	detention pursuant to the provision County, Texas, Chieferson, hold the said Defendant for	came for consideration the above and cause for arrest of the above named Defendant and that ons of Article 17.291, Code of Criminal Procedure, it is of Police for the City of, Texas or hours (period not to exceed 48 hours)
SIGNED this day of	, 20	
		Magistrate
		Printed Name:
		Municipal Judge, City of
		County, Texas

# RELEASE: WITH ORDER TO APPEAR (Under Art. 15.17(b), C.C.P.)

Report #:				
Agency:				
Charge:			, a fine-only n	nisdemeanor.
			son at the	
on or before th	e day of		at o'clock	
as required by this Oraccused.	rder, the judge of the	(Municip	cused upon (his)(her) release. I al)(Justice) Court shall issue a	warrant for the arrest of the
				Magistrate
			Municipal Judge, City of _	
				County, Texas
			If Interpreter necessary:	
			N	lame of Interpreter

**Editor's Note:** For the accused to be released without bond and ordered to appear before the Municipal Court, the accused must not have been previously convicted of a felony or misdemeanor other than a misdemeanor punishable by fine only.

# RELEASE: MAGISTRATE'S DETERMINATION OF NO PROBABLE CAUSE (Art. 15.17(d), C.C.P.)

Report #:				
Agency:				
Charge:				
probable cause was in Defendant is thereform agistrate.	not presented to merit fur re ordered released without	rther detention of the abov	ts, the undersigned Magistrate deve named individual on the above arge pending filing of charges by ant.	described charge. The
SIGNED THIS	_ day of	, 20 at	o'clock_	m.
				Magistrate
			Municipal Judge, City of	
				_ County, Texas
			If Interpreter necessary:	
			Nai	me of Interpreter

#### RELEASE: PERSONAL BOND AFTER NO TIMELY DEMAND (Art. 15.21, C.C.P.)

Report #:					
Agency:					
Charge:					
proper office of that c	ounty before the 11tl	h day after the date	the Defen	tted to the Count Count Count mmitment of the Defendant. Note that was committed. Therefored on personal bond on the action is the second of the defendant was committed.	Jail on smission) (secure electronic ty, the county in which the No demand was made by the ore, pursuant to Article 15.21 above charge.
	County where			ant. The personal bond shall be ave been committed) (	e forwarded to the (Sheriff of Court,
SIGNED THIS	day of	, 20_	at	o'clo	ockm.
					Magistrate
				Municipal Judge, City of	f
					County, Texas
				If Interpreter necessary:	
					Name of Interpreter

Editor's Note: Effective September 1, 2021—except as provided by Articles 15.21, 17.033, and 17.151—a defendant may not be released on personal bond if the defendant (1) is charged with an offense involving violence; or (2) while released on bail or community supervision for an offense involving violence, is charged with committing either an offense punishable as a felony or an offense under the following provisions of the Penal Code: (i) Section 22.01(a)(1) (assault); (ii) Section 22.05 (deadly conduct); (iii) Section 22.07 (terroristic threat); or (iv) Section 42.01(a)(7) or (8) (disorderly conduct involving firearm). Article 17.03(b-2), C.C.P. (S.B. 6, 87th Legislature (2021)).

# OUT-OF-COUNTY MAGISTRATE'S BENCH JUDGMENT (Art. 15.18, C.C.P.)

	CAUSE NUMBER:	<u>—</u>	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL	. COURT
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COUNTY	, TEXAS
	JUDGMENT		
guilty and waived a jury trial in writing; a guilty of the offense of	, 20, the Defendant in the above than the one in which (he)(she) was arrested, and the Magistrate pursuant to Article 15.18(a)  ged by the Magistrate that the State of Texas, the efendant the amount of \$, b.	(2), Code of Criminal Procedure, find for the use and benefit of the City of _	ds the Defendant
	of fine is authorized) It is further Ordered the no late	r than,	, 20
☐ It is further Ordered and Adjudge amount of \$	ed that the Defendant be given credit for	_days in jail, each day being	hours, in a total
discharging the fine and costs under Arti therefore Ordered and Adjudged that p The amount of \$ was paid	ant has defaulted in payment of the above fine cle 45.049, Code of Criminal Procedure, wou payment of the fine and court costs by the Defad by the Defendant and that sum is ordered tray Trial executed by the Defendant and this Ordered	ald impose an undue hardship on the cendant are waived and thus discharge insmitted to the Court identified above	Defendant. It is ed.
			Magistrate
			_ County, Texas

# BAIL WITH IGNITION INTERLOCK CONDITION (Art. 17.441, C.C.P.)

	NO:	
STATE OF TEXAS	§	MAGISTRATE FOR
VS.	§	
	§	COUNTY, TEXAS
	ORDER	
☐ The Court finds that the Defendant	t is eligible for bail in the amount of \$	<del>.</del>
The Court further finds that the Defen	ndant is charged with:	
☐ Intoxication Assault (Section 49.07	7, Penal Code)	
☐ Intoxication Manslaughter (Section		
• ,	While Intoxicated (Section 49.04, Penal Code	)
☐ Driving While Intoxicated with Ch	aild Passenger (Section 49.045, Penal Code)	
☐ A subsequent offense of Flying Wl	hile Intoxicated (Section 49.05, Penal Code)	
☐ A subsequent offense of Boating V	While Intoxicated (Section 49.06, Penal Code	9)
		Defendant, that the Defendant abide by the following
It is further ORDERED that the fol during the period this Order is in effect, an	motor vehicle unless the vehicle is equipped lowing agency shall verify the installation of the shall immediately report to this Court, or the shall report to the s	with such an ignition interlock device.  f the ignition interlock device and monitor the device to any other court in which this case may be pending, isabled other than according to a court order:
each month to the agency who monitors th	ent fee in the amount of \$\(\frac{\text{(enter amount not to}}{\text{are ignition interlock device.}}\)  e installation of an ignition interlock device v	o exceed \$10) at the time of installation and thereafter would not be in the best interest of justice.
DEFENDANT'S ACKNO	WLEDGMENT	
On the above date, I received a copy of		Magistrate
AND MOTOR VEHICLE IGNITION	INTERLUCK URDER.	Municipal Judge, City of
Defendant		County, Texas
		County, Texas

# BAIL CONDITION WHERE CHILD IS ALLEGED VICTIM (Art. 17.41, C.C.P.)

	NO:	
STATE OF TEXAS	§	MAGISTRATE FOR
VS.	<b>§</b>	
	<b>§</b>	COUNTY, TEXAS
	ORDER	
Penal Code Offense Charged:		
a child younger than 18 years of age; or	21 (Sexual Offenses), Chapter 22 (Assaultive Offenseduct) against a child younger than 18 years of age.	es), or Chapter 43 (Public Indecency)against
The Court finds that the Defendant:		
<ul><li>☐ is eligible for bail in this case in the an</li><li>☐ is entitled to be released on personal b</li></ul>	mount of \$; OR ond in the amount of \$	
ACCORDINGLY, IT IS ORDERE by the following conditions of bail:	<b>ED</b> that, in addition to any other conditions of bail imposit	osed on the Defendant, the Defendant abide
That the Defendant not directly com	municate with (the alleged victim)	; and
located at	and locate efendant is granted supervised access to (the alleged v	; and ; and ; and ; ictim), only
To the extent that a condition impos	ed by this Order conflicts with an existing court ord	
the conditions imposed by this Order prev	vail for a period of (not to exceed 90) days.	
IT IS FURTHER ORDERED that Court or another court.	this Order is effective immediately and shall continu	ue in effect until modified by order of this
A PERSON WHO VIOLATES THIS OR SUBJECT TO CONFINEMENT UNTIL	DER MAY BE SUBJECT TO THE REVOCATION THE CONCLUSION OF THIS CASE.	OR INCREASE OF HIS/HER BAIL AND
NO PERSON, INCLUDING A PERSON IGNORE OR VIOLATE ANY PROVISI	N WHO IS PROTECTED BY THIS ORDER, MAY ON OF THIS ORDER.	GIVE PERMISSION TO ANYONE TO
Signed on the day of	, 20	
	Munic	Magistrate

#### BAIL CONDITION WHERE ADULT IS ALLEGED VICTIM (Art. 17.465, C.C.P.)

Penal Code Offense Charged (victim 18 years old or older):	
<ul> <li>□ Sec. 20A.02 (Trafficking of Persons)</li> <li>□ Sec. 20A.03 (Continuous Trafficking of Persons)</li> <li>□ Sec. 43.03 (Promotion of Prostitution)</li> <li>□ Sec. 43.031 (Online Promotion of Prostitution)</li> <li>□ Sec. 43.04 (Aggravated Promotion of Prostitution)</li> <li>□ Sec. 43.041 (Aggravated Online Promotion of Prostitution)</li> <li>□ Sec. 43.05 (Compelling Prostitution)</li> </ul>	
The Court finds that the Defendant:	
☐ is eligible for bail in this case in the amount of \$; <b>OR</b> ☐ is entitled to be released on personal bond in the amount of \$;	R ·
<b>ACCORDINGLY, IT IS ORDERED</b> that, in addition to any other conditions of by the following conditions of bail:	bail imposed on the Defendant, the Defendant abide
That the Defendant not directly or indirectly communicate with (the alleged victim)	; and
That the Defendant not go to or near any residence, place of employment,; specifically, the Defendant is prohibited from coming with at	nin feet of: (1) the residence located
at	; and
(3) the business location at	; and
That the Defendant not go to or near the school, day-care facility, or similar facility vattendance; specifically, the Defendant is prohibited from coming within	where any of the victim's dependent children are in feet of the located at
IT IS FURTHER ORDERED that this Order is effective immediately and shall continuanother court.	nue in effect until modified by order of this Court or
A PERSON WHO VIOLATES THIS ORDER MAY BE SUBJECT TO THE REVOC SUBJECT TO CONFINEMENT UNTIL THE CONCLUSION OF THIS CASE.	CATION OR INCREASE OF HIS/HER BAIL AND
NO PERSON, INCLUDING A PERSON WHO IS PROTECTED BY THIS ORDE IGNORE OR VIOLATE ANY PROVISION OF THIS ORDER.	ER, MAY GIVE PERMISSION TO ANYONE TO
<b>Signed</b> on the day of, 20	
	Magistrate
	Municipal Judge, City of

**Editor's Note**: Effective December 2, 2021, arrestees charged with an "offense involving violence" are not eligible for personal bond. This includes all the offenses listed on this form *except* Promotion of Prostitution, Online Promotion of Prostitution, and Aggravated Online Promotion of Prostitution. See Arts. 17.03(b-2) and 17.03(b-3)(2), Code of Criminal Procedure.

#### DEFENDANT'S ABILITY TO MAKE BAIL AFFIDAVIT (Art. 17.027(f), C.C.P.)

On this day of, 20 of the importance of providing true and co against me. I am without means to pay \$	mplete information about my fir		
Please see the attached supporting docume	ntation related to this request.		
	Defendant's Printed Name		
	Defendant's Date of Birth Signed	Date:	
	·	t's Signature	

**Editor's Note**: A defendant filing this affidavit under Art. 17.027(f) shall also complete a form to allow the magistrate to assess information relevant to the defendant's financial situation. The form must be the form used to request appointment of counsel under Article 26.04 of the Code of Criminal Procedure or a form promulgated by the Office of Court Administration.

# STATUTORY WARNING OF A CHILD (Sec. 51.095, F.C.)

	On this day before me per	sonally appeared	, age	, a child, accused of an offense alleged to
have	been committed in	County, Texas, on		, a child, accused of an offense alleged to, 20
	Ι,	, in my capacity as a mag	istrate read th	ne following warning to the above named child:
	Any statement you make may You have the right to have a If you are unable to employ questioning and interviews		ve an attorney	y questioning or during any questioning; y appointed to advise you before or during any state; and
OPT	TIONAL DIRECTIVE: APP	LICABLE ONLY TO RECORDE	D STATEMI	ENTS:
		Family Code, I am requesting that the s of questioning so that I can determine		n you and the recording of your statement to me was given voluntarily.
		ings to the child at o		. on the day of
				Magistrate's Signature
				Printed Name
these		given the above warning and I under ewed by law enforcement officers.	stand my righ	nts as explained to me in the warning. I WAIVE
				Person Warned
WAI	I acknowledge that I was VE these rights.	given the above warning and I under	stand my righ	nts as explained to me in the warning. I DO NOT
				Person Warned
	Juvenile refused to sign a	cknowledgement of warning.		
				Magistrate's Signature
Rema	nrks:			Office Held

# WRITTEN STATEMENT OF A CHILD (Sec. 51.095, F.C.) My name is \_\_\_\_\_\_, and I am \_\_\_\_\_ years of age. I was born in \_\_\_\_\_ on\_\_\_\_\_\_, 20\_\_. I live at\_\_\_\_\_\_\_, Texas with . I can also be reached at telephone number \_\_\_\_\_\_. I am in the \_\_\_\_\_ grade at \_\_\_\_\_\_ School. Prior to making the following statement I was informed by (insert title and name of magistrate) that: I have the right to remain silent and not make any statement at all and that any statement I make may be used against me; 2. I have the right to have an attorney present to advise me either prior to any questioning or during any questioning; If I am unable to employ an attorney, I have the right to have an attorney appointed to counsel me before or during any interviews with peace officers or attorneys representing the State; and I have the right to terminate any interviews at any time. 4. I wish to WAIVE these rights and agree to be interviewed by law enforcement officers. Signature of Child Signed on the day of , 20 , at o'clock .m.

**Note:** Article 38.22, Code of Criminal Procedure, requires a statement signed by or bearing the mark of an accused made on or after that date to be in a language he or she can read or understand.

The statement above is a voluntary statement signed in the presence of \_\_\_\_\_\_\_\_(insert title and name of

Signature of Magistrate

*magistrate*) with no law enforcement officer or prosecuting attorney present.

Signature of Child

# MAGISTRATE'S CERTIFICATION OF CHILD'S WRITTEN STATEMENT (Sec. 51.095, F.C.) (Page 1 of 2)

# Magistrate's Verification and Certification for Statement of a Child

Re	Statement of, a child.			
I, tl	he below listed Magistrate of the State of Texas, do hereby verify and certify the following:			
On atta	, 20, I gave the above-named child the warning as required by Section 51.095, Family Code. (See the ached warning which is made a part hereof.)			
Aft	ter administering the warning, I examined the child and made the following observations:			
	Claims to be years of age and reasonably appears to be of that age;			
	(Can)(cannot) read the language; and (a) demonstrated to me that (he)(she) could do so; OR (b) I read the attached warning and statement aloud to the child.			
	Is a citizen of;			
	Advised me that (he)(she) has completed the grade in school, and is now in the grade in school;			
	Was not threatened or promised anything by law enforcement officers or any other agents of the State of Texas;			
	Does not appear to be under the influence of drugs or intoxicating beverages, and informs me that (he)(she) is not under the influence of drugs or alcohol;			
	Does not appear to have been abused by law enforcement officers, or anyone else, and upon inquiry denies that any type of abus has occurred;			
	Shows no signs of psychiatric problems which might be readily apparent; and, upon inquiry by the undersigned, the child claim no history of psychiatric treatment or problems;			
	Appears to understand the meaning of the warnings given and had no questions about the warnings, except as may be described a follows, if any:			
	Made the statement voluntarily and of (his)(her) own free will without any improper inducements or prohibited conduct by any law enforcement officers or any other persons;			
	Indicated that (he)(she) had not been deprived of food, drink, or sleep.			
	Additional observations that I have made during the course of interviewing the said child are as follows, if any:			

# MAGISTRATE'S CERTIFICATION OF CHILD'S WRITTEN STATEMENT (Sec. 51.095, F.C.) (Page 2 of 2)

	ly after receiving the proper warning and being examined by the undersigned Magistrate did the child,, sign the ached statement.		
Ba	sed on the foregoing determinations, I, the undersigned Magistrate, do hereby certify as follows:		
	I have examined the child independently of any law enforcement officer or prosecuting attorney.		
	I have examined the child in the presence of, a (bailiff)(law enforcement officer) employed by, whose presence was required to ensure my personal safety and that of other court personnel, and who did not carry a weapon in the presence of the child.		
	I have determined that the child understands the nature and content of the statement, and has knowingly, intelligently, and voluntarily waived the rights set out in the warning given pursuant to Section 51.095, Family Code.		
	I am convinced that the child understands the nature and content of the statement, and that the child is signing the statement voluntarily.		
	The statement was signed by the child in my presence with no law enforcement officer or prosecuting attorney present.		
	The statement was signed by the child in my presence and the presence of, a (bailiff) (law enforcement officer) employed by, and who did not carry a weapon in the presence of the child, because I determined that the presence of said (bailiff) (law enforcement officer) was necessary for my personal safety and that of other court personnel.		
TH	IIS CERTIFICATION made by the undersigned magistrate on, 20, at o'clock,m., in County, Texas.		
	Magistrate's Name (print or type)		
	Magistrate's Signature		
	Office Held		

# MAGISTRATE'S DETERMINATION OF VOLUNTARINESS - RECORDED STATEMENT OF CHILD (Page 1 of 2) Re: Recorded statement of , a child. I, the below listed Magistrate of the State of Texas, do hereby verify and certify the following: \_\_\_\_\_, 20\_\_\_, I gave the above-named child the warning as required by Section 51.095, Family Code. (See the attached warning which is made a part hereof.). The warning and the child's waiver of these rights are part of the recording. During the administration of the warning, pursuant to Section 51.095(f), Family Code, I requested that the officer return the child and the recording at the conclusion of the process of questioning. In order to determine voluntariness (check all that are applicable): I viewed the recording with the child. I had the child view the recording. From the recording or my interactions with the child I made the following observations: Claims to be years of age and reasonably appears to be of that age; (Can)(cannot) read the \_\_\_\_\_ language; and (a) demonstrated to me that (he)(she) could do so; or (b) I read the attached warning and statement aloud to the child. Is a citizen of \_\_\_\_\_; Advised me that (he)(she) has completed the \_\_\_\_\_ grade in school, and is now in the \_\_\_\_ grade in school; Was not threatened or promised anything by law enforcement officers or any other agents of the State of Texas; Does not appear to be under the influence of drugs or intoxicating beverages, and informs me that (he)(she) is not under the influence of drugs or alcohol; Does not appear to have been abused by law enforcement officers, or anyone else, and upon inquiry denies that any type of abuse has occurred; Shows no signs of psychiatric problems which might be readily apparent, and upon inquiry by the undersigned, the child claims no history of psychiatric treatment or problems; Appears to understand the meaning of the warnings given and had no questions about the warnings; Understands what the recorded statement says, and agrees that the statement is (his)(her) version of the facts surrounding the said offense, and that the statement is true; Made the statement voluntarily and of (his)(her) own free will without any improper inducements or prohibited conduct by any law enforcement officers or any other persons; Indicated that (he)(she) had not been deprived of food, drink, or sleep. Additional observations that I have made during the course of interviewing the said child are as follows, if any:

# MAGISTRATE'S DETERMINATION OF VOLUNTARINESS - RECORDED STATEMENT OF CHILD (Page 2 of 2)

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# MAGISTRATE'S ORDER OF EMERGENCY PROTECTION (Art. 17.292, C.C.P.) (Page 1 of 4)

			NO:	
S	TATE OF TEXAS	S	§	MAGISTRATE FOR
VS.			§	
		_	<b>§</b>	COUNTY, TEXAS
		MAGI	STRATE'S ORDER OF EMERGENC	Y PROTECTION
of	Persons), Section	20A.03 (Continuo	, hereinafter called the Defendan ense involving family violence or a Penal us Trafficking of Persons), Section 22.0 exual Assault), or Section 42.072 (Stalking	t, appeared before the undersigned Magistrate of Code offense under Section 20A.02 (Trafficking 11 (Sexual Assault), Section 22.012 (Indecent g).
	After a post-arres	st appearance as pro	ovided by Article 17.292(a), Code of Crim	ninal Procedure, the Court:
	Procedure, a	matter of law beca		dated by Article 17.292(b), Code of Criminal involved   serious bodily injury to the victim or assault;
				17.292(a), Code of Criminal Procedure, □ on its □ a peace officer □ the attorney representing of
	intended to protection family or hou	ct isehold, namely	, hereinafter called the vi	ctim, and the following members of the victim's, and dren, namely:,
		,	and, including a child of child	dren, namely:,
wit			ffective immediately and for the next of this Order, the Defendant, is prohibite	days (31-61 days, or up to 91 days for assault d from:
	Committing fami	ly violence or an a	ssault on the person(s) protected under thi	s Order;
	Committing an ac	ct in furtherance of	an offense under Section 20A.02 or 42.07	72, Penal Code;
	Communicating of threatening or has		ber of the family or household or with the	e person(s) protected under the Order in a
	Communicating a Order;		person to a member of the family or hou	sehold or to the person(s) protected under the
	Communicating in any manner with a person protected under the Order or a member of the family or household of a person protected under the Order, except through the party's attorney or a person appointed by the court ( <i>if the magistrate finds go cause</i> );			
	Possessing a firearm; unless the person is a peace officer as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time, paid employee of a state agency or political subdivision.		.07, Penal Code, actively engaged in employment	
Going to or within (distance) of:  1. the residence of the victim herein located at				
				;
	2. the residence	e of a member of th	e family or household protected under thi	s Order located at
	3. the place of o			

MA	4.	the place of employment of a member of the family or household protected under this Order located at				
5. the business of the victim herein located at						
6. the business of a member of the family or household protected under this Order loca		the business of a member of the family or household protected under this Order located at				
		the residence of, a child protected by this Order at				
	8.	the child care facility of, a child protected by this Order located at				
	9.	the school of, a child protected by this Order located at				
	CONFIDENTIALITY OF ADDRESSES:  Based on the facts presented, the Court further finds that for the safety of the person or persons protected under this Order, the addresses and specific locations of the person or persons protected by the Order remain confidential and shall be omitted from the Order.					
	<b>IT IS FURTHER ORDERED</b> that the conditions imposed in this Order shall prevail over any existing order granting possession of or access to a child named herein for the duration of this Order.					
	<b>IT IS FURTHER ORDERED</b> that the Defendant be served with a copy of this Order by the Magistrate or the Magistrate's designee in person or electronically.					
	IT IS FURTHER ORDERED that the Clerk of the Court, as soon as possible, but not later than the next business day afte the date the Order is issued, shall send a copy of this Order to:					
	1.	the chief of police in the municipality where the member of the family or household or individual protected by this Order				
	2.	resides; the sheriff of the county where the member of the family or household or individual protected by this Order resides, if any				
	<ul><li>3.</li><li>4.</li></ul>	of these persons do not reside in a municipality; the principal, director, or other person in charge of the school or child care facility attended by a person covered by this Order and named herein; and the victim at the victim's last known address.				
		IS FURTHER ORDERED that a law enforcement officer shall make a good faith effort to notify the victim, within 24 rs, that this Order has been issued by calling the victim's residence and place of employment (if not present at hearing).				
	isst Ord	(Check this box if the Defendant holds a Handgun License) IT IS FURTHER ORDERED that the license to carry a handgun issued under Subchapter H, Chapter 411, Government Code, held by the Defendant is SUSPENDED for the duration of this Order. The Clerk is ORDERED to send a copy of this Order to the appropriate division of the Department of Public Safety at its Austin headquarters (see below for address):				
		tor's Note: Only if the Defendant is a handgun licensee should copies of Orders of Emergency Protection suspending handgun license axed (512,424,7284) or mailed to the following:				
	201	be faxed (512.424.7284) or mailed to the following:  Attention: Suspension/Revocation  Texas Department of Public Safety  Concealed Handgun Licensing Section #0235  Post Office Box 4143, Austin, TX 78765-4143				

# MAGISTRATE'S ORDER OF EMERGENCY PROTECTION (Art. 17.292, C.C.P.) (Page 3 of 4)

IT IS FURTHER ORDERED that this Order is ef on, 20 (this date should be no				
SIGNED, ENTERED, AND ISSUED at20	o'clock	m. on this the	day of	
		Printed	Name:	Magistrate
Signature of Defendant acknowledging receipt of copy of this Order (if served in person)		Municij	pal Judge, City of	County, Texas
			Tele	phone

A VIOLATION OF THIS ORDER BY COMMISSION OF AN ACT PROHIBITED BY THIS ORDER MAY BE PUNISHABLE BY A FINE OF AS MUCH AS \$4,000 OR BY CONFINEMENT IN JAIL FOR AS LONG AS ONE YEAR OR BY BOTH. AN ACT THAT RESULTS A SEPARATE OFFENSE MAY BE PROSECUTED AS A SEPARATE MISDEMEANOR OR FELONY OFFENSE, AS APPLICABLE, IN ADDITION TO THE VIOLATION OF THIS ORDER. IF THE ACT IS PROSECUTED AS A SEPARATE FELONY OFFENSE, IT IS PUNISHABLE BY CONFINEMENT IN PRISON FOR AT LEAST TWO YEARS. THE POSSESSION OF A FIREARM BY A PERSON, OTHER THAN A PEACE OFFICER, AS DEFINED BY SECTION 1.07, PENAL CODE, ACTIVELY ENGAGED IN EMPLOYMENT AS A SWORN, FULL-TIME PAID EMPLOYEE OF A STATE AGENCY OR POLITICAL SUBDIVISION, WHO IS SUBJECT TO THIS ORDER MAY BE PROSECUTED AS A SEPARATE OFFENSE PUNISHABLE BY CONFINEMENT OR IMPRISONMENT.

NO PERSON, INCLUDING A PERSON WHO IS PROTECTED BY THIS ORDER, MAY GIVE PERMISSION TO ANYONE TO IGNORE OR VIOLATE ANY PROVISION OF THIS ORDER. DURING THE TIME IN WHICH THIS ORDER IS VALID, EVERY PROVISION OF THIS ORDER IS IN FULL FORCE AND EFFECT UNLESS A COURT CHANGES THE ORDER.

# WARNINGS UNDER FEDERAL LAW

THIS ORDER IS ENFORCEABLE IN ALL 50 STATES, THE DISTRICT OF COLUMBIA, TRIBAL LANDS, AND U.S. TERRITORIES. 18 U.S.C., SECTION 2265.

INTERSTATE VIOLATION OF THIS ORDER MAY SUBJECT THE RESPONDENT TO FEDERAL CRIMINAL PENALTIES. 18 U.S.C., SECTIONS 2261, 2262.

POSSESSION, TRANSPORTATION, OR RECEIPT OF A FIREARM WHILE THIS ORDER REMAINS IN EFFECT MAY BE A FELONY UNDER FEDERAL LAW PUNISHABLE BY UP TO 10 YEARS IN PRISON AND/OR A FINE.

IT IS UNLAWFUL FOR ANY PERSON WHO IS SUBJECT TO A PROTECTIVE ORDER TO POSSESS A FIREARM OR AMMUNITION.

### **DEFINITIONS**

The term "family violence" as defined by Section 71.004, Family Code, means:

(1) An act by a *member of a family* or *household* against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault, or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself;

The term "family" as defined by Section 71.003, Family Code, includes individuals related by consanguinity or affinity, as determined under Sections 573.022 and 573.024, Government Code, individuals who are former spouses of each other, individuals who are the parents of the same child, without regard to marriage, and a foster child and foster parent, without regard to whether those individuals reside together. Two individuals are related to each other by consanguinity if one is a descendent of the other, or they share a common ancestor. An adopted child is considered to be a child of the adoptive

# MAGISTRATE'S ORDER OF EMERGENCY PROTECTION (Art. 17.292, C.C.P.) (Page 4 of 4)

parent for this purpose. Two individuals are related to each other by affinity if they are married to each other, or the spouse of one of the individuals is related by consanguinity to the other individual. The ending of a marriage by divorce or the death of a spouse ends relationships by affinity unless a child of that marriage is living.

The term "household" as defined by Section 71.005, Family Code, means a unit composed of persons living together in the same dwelling, without regard to whether they are related to each other.

The term "member of a household" as defined by Section 71.006, Family Code, includes a person who previously lived in a household.

- (2) "Abuse," as that term is defined by Sections 261.001(1)(C), (E), and (G), Family Code, by a member of a family or household toward a child of the family or household;
  - (C) "Physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian, or managing or possessory conservator that does not expose the child to a substantial risk of harm;"
  - (E) "Sexual conduct harmful to a child's mental, emotional, or physical welfare, including conduct that constitutes the offense of continuous sexual abuse of a young child or disabled individual under Section 21.02, Penal Code, indecency with a child under Section 21.11, Penal Code, sexual assault under Section 22.011, Penal Code, or aggravated sexual assault under Section 22.021, Penal Code;" or
  - (G) "Compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Penal Code;"

The term "child" or "minor" as defined by Section 101.003, Family Code, means a person under 18 years of age who has not been married or who has not had the disabilities of minority removed for general purposes.

(3) "Dating violence," as that term is defined by Section 71.0021, Family Code, which means "an act by an individual that is against another individual with whom that person has or has had a *dating relationship* and that is intended to result in physical harm, bodily injury, assault, or sexual assault, or that is a threat that reasonably places the individual in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself."

"Dating relationship," as defined by Section 71.0021(b) and (c), Family Code, means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of: (1) the length of the relationship; (2) the nature of the relationship; and (3) the frequency and type of interaction between the persons involved in the relationship. A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship."

The term "firearm" has the meaning assigned by Chapter 46, Penal Code.

A person commits the offense of stalking if, he or she on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct, including following the other person, that (1) the actor knows or reasonably believes the other person will regard as threatening (a) bodily injury or death for the other person; (b) bodily injury or death for a member of the other person's family or household; or (c) that an offense will be committed against the other person's property; (2) causes the other person or a member of the other person's family or household to be placed in fear of bodily injury or death or fear that an offense will be committed against the other person's property; or (3) would cause a reasonable person to fear the same. Section 42.072, Penal Code.

The term "business day" means a day other than a Saturday, Sunday, or state or national holiday. Article 17.292(m)(3), Code of Criminal Procedure.

Editor's Note: A magistrate or clerk may delay sending a copy of the order under Article 17.292(h) only if the magistrate lacks information necessary to ensure service and enforcement. Art. 17.292(h-1), C.C.P. The copy of the order and any related information may be sent under Article 17.292(h) or (i) electronically or in another manner that can be accessed by the recipient. Art. 17.292(i-1), C.C.P.

### MAGISTRATE'S RECORD OF SERVICE OF ORDER OF PROTECTION (Art. 17.292(j), C.C.P.)

	NO:		
STATE OF TEXAS	<b>§</b>		MAGISTRATE FOR
VS.	<b>§</b>		
	<b>§</b>		COUNTY, TEXAS
MAG	ISTRATE'S RECORD OF SERVICE	OF ORDER OF PROTECT	ION
	the State of Texas, certify that a compless, 20, was served on		
☐ The undersigned Magistrate of	f the State of Texas in person		
☐ The undersigned Magistrate of	f the State of Texas electronically		
☐ The undersigned Magistrate's	designee,	, in person	
☐ The undersigned Magistrate's	designee,	, electronically	
On	, 20		
		SIGNED,	
			Magistrate
		Printed Name:	Magistrate
		Municipal Judge, (	City of
			County, Texas

Editor's Note: The 83rd Legislature amended Article 17.292(j) of the Code of Criminal Procedure by removing the requirement that an order of emergency protection be served on the defendant in open court, and instead requiring that the order be served on the defendant by the magistrate or the magistrate's designee in person or electronically. As amended, Article 17.292(j) also requires the magistrate to make a separate record of such service in written or electronic format.

The 86th Legislature established a protective order registry under Section 72.153 of the Government Code. As of September 1, 2019, clerks must enter copies of applications for protective orders, protective orders, and modifications of protective orders into the registry as soon as possible but not later than 24 hours after the time an application for a protective order is filed. A clerk may delay entering these items into the registry only to the extent that the clerk lacks the *specific* information required to be entered (S.B. 325, 86th Legislature (2019)).

# CLERK'S LETTER: COPY OF MAGISTRATE'S ORDER OF EMERGENCY PROTECTION (Art. 17.292(h), C.C.P.)

Dear:	
Enclosed is a copy of a Magistrate's Order of Emergency Protection entered by Judge, 20	e on
You are a person protected by this Order. Please read this Order carefully because committing threats or acts of violence against you. The terms of the Order may contain of is in effect for days after it was signed.	e it restrains from her important restrictions as well. The Order
A copy of this Order is on file with this Court and with the (Sheriff of	of the Order in a safe place. If the person
This is a <b>Court Order</b> . No one, including yourself, can give permission to anyone to ig Order.	gnore or violate any provision of the enclosed
	Sincerely,
	(Deputy) Clerk
	Municipal Court

**Editor's Note:** A magistrate or clerk may delay sending a copy of the order under Article 17.292(h) only if the magistrate lacks information necessary to ensure service and enforcement. Art. 17.292(h-1), C.C.P. The copy of the order and any related information may be sent under Article 17.292(h) or (i) electronically or in another manner that can be accessed by the recipient. Art. 17.292(i-1), C.C.P.

# MOTION TO MODIFY MAGISTRATE'S ORDER OF EMERGENCY PROTECTION (Art. 17.292(j), C.C.P.)

	NO:	
STATE OF TEXAS	<b>§</b>	MAGISTRATE FOR
VS.	<b>§</b>	
	_ §	COUNTY, TEXAS
	MOTION TO MODIFY MAGISTRATE'S ORDER OF EMERG	ENCY PROTECTION
I,Emergency Protection I submit the following	, the undersigned Respondent or Protected Person, hereby (MOEP) issued on, 20 by Judge facts:	move to modify the Magistrate's Order of In support of this motion,
1. The following	g changes have occurred since issuance of the MOEP:	
2. The MOEP, a	s originally issued, is unworkable because:	
3. The requested	modification will not place the victim of the offense at greater ris	sk than did the MOEP because:
4. The requested	modification will not, in any way, endanger a person protected u	nder the MOEP because:
5. The following	g additional information is provided in support of this motion:	
	Re	spectfully submitted,
		Signature

**Editor's Note:** Under Section 72.157 of the Government Code, clerks must enter copies of applications for protective orders, protective orders, and modifications of protective orders into the protective order registry as soon as possible but not later than 24 hours after the time an application for a protective order is filed. For a protective order that is vacated or that has expired, the clerk of the applicable court shall modify the record of the order in the registry to reflect the order's status as vacated or expired. If an order is vacated, the clerk shall ensure that a record of the vacated order is not accessible by the public. For a protective order that is vacated as the result of an appeal of bill of review from a district or county court, the clerk shall notify the Office of Court Administration not later than the end of the next business day after the date the protective order was vacated. A clerk may delay entering these items into the registry only to the extent that the clerk lacks the *specific* information required to be entered.

# ORDER MODIFYING MAGISTRATE'S ORDER OF EMERGENCY PROTECTION (Art. 17.292(j), C.C.P.)

	NO:		
STATE OF TEXAS	<b>§</b>		MAGISTRATE FOR
VS.	<b>§</b>		
	_ §		COUNTY, TEXAS
	ORDER MODIFYING MAGISTRATE'S O	RDER OF EMERGENCY PROTECT	ION
On this thethe Magistrate's Order capacity as a magistrat	day of, 20, came to refer the protection of	o be heard at the request of the,, 20, issued by a judgment, an alleged victim.	to modify glee of this Court in his or her
☐ At the req☐ At the req☐ At the req☐	agistrate's own motion; uest of the alleged victim of the offense; uest of the guardian of the alleged victim; uest of a peace officer; uest of an attorney representing the State.		
1. The order a 2. The modifi	TCE to each affected party and conducted a heas originally issued is unworkable; cation will not place the victim of the offense leation will not in any way endanger a person	at greater risk than did the original C	Order; and
The Court hereby MO	DIFIES AS FOLLOWS:		
1. The above-named I	Defendant may return to the:		
☐ Alleged victi	m's residence located at:		
☐ Alleged victin	m's place of employment or business located a	at:	
☐ The residence.	, childcare facility, or school located at:		
2. Other modification(	(s):		
PROTECTION ARE S	Y STATED IN THIS ORDER, ALL OTHER STILL IN <b>FULL FORCE AND EFFECT</b> .  ay of, 20	TERMS OF THE MAGISTRATES'S	S ORDER OF EMERGENCY
<b></b>	,		
		Municipal J	Magistrate udge, City of
			County, Texas

# MAGISTRATE'S ORDER OF CONFIDENTIALITY OF CERTAIN INFORMATION IN ORDER FOR EMERGENCY PROTECTION (Art. 17.294, C.C.P.) NO: \_\_\_\_\_ STATE OF TEXAS **MAGISTRATE FOR** § VS. § § **COUNTY, TEXAS** MAGISTRATE'S ORDER OF CONFIDENTIALITY , hereinafter called the Defendant, appeared before the undersigned Magistrate of the State On this day, of Texas, after arrest for an offense involving family violence or a Penal Code offense under Section 20A.02 (Trafficking of Persons), Section 20A.03 (Continuous Trafficking of Persons), Section 22.011 (Sexual Assault), Section 22.012 (Indecent Assault), Section 22.021 (Aggravated Sexual Assault), or Section 42.072 (Stalking). After Defendant became subject to an order for emergency protection issued under Article 17.292, Code of Criminal Procedure, the Court: (1) \_\_\_\_\_ Received a request from the person protected by an order for emergency protection issued under Article 17.292; or (2) Determined the necessity of confidentiality sua sponte. IT IS HEREBY ORDERED that the person protected under the order: ☐ disclose the person's mailing address to the court; designate another person to receive on behalf of the person any notice or documents filed with the court related to the order; ☐ disclose the designated person's mailing address to the court; IT IS FURTHER ORDERED that the court clerk: □ strike the mailing address of the person protected by the order from the public records of the court, if applicable; and maintain a confidential record of the mailing address for use only by: i. the court; or a law enforcement agency for purposes of entering the information required by Section 411.042(b)(6), Government Code, into the statewide law enforcement information system maintained by the Department of Public Safety; and prohibit the release of the information to the Defendant.

**Editor's Note:** Courts may issue orders protecting certain information contained in Orders for Emergency Protection under Article 17.292, C.C.P. The statute also contains duties for court clerks.

Magistrate

Magistrate

County, Texas

Printed Name:

Municipal Judge, City of\_\_\_\_\_

# APPLICATION FOR EMERGENCY DETENTION (Sec. 573.011, H.S.C.)

	NO:	
STATE OF TEXAS	§	MAGISTRATE FOR
VS.	§	
	§	COUNTY, TEXAS
	APPLICATION FOR EMERGENCY DE	TENTION
I, the undersigned applicant, have re	eason to believe and do believe that	a substantial risk of serious harm to himself/hersel
or others.	evidences mental illness and	a substantial risk of serious harm to himself/hersel
This harm is specifically described	l as follows:	
specific recent behavior, overt acts, atte	m is imminent unless the person named above mpts, or threats which are described in detail a	
My relationship to the person nam	ed above is ( <i>describe in detail</i> ):	
Other relevant information:		
	e to issue an order and warrant for emergency	detention, pursuant to Chapter 573, Health and
Applicant's name and address:	Applicant's	telephone number(s):
	Home: Work:	
	Date	Signature of Applicant

**Editor's Note:** An adult filing a written application for the emergency detention of another person must present this application personally to a magistrate (Sec. 573.012(a), H.S.C.) The magistrate may interview the applicant. A magistrate may permit an applicant who is a physician to present the application by email with the application attached as a secure PDF document or by secure electronic means, including satellite transmission, closed-circuit television transmission, or secure two-way electronic communication (Sec. 573.012(h), H.S.C.).

# ORDER FOR ISSUANCE OF EMERGENCY MENTAL HEALTH WARRANT (Secs. 573.011 and 573.012, H.S.C.)

	NO:	
STATE OF TEXAS	<b>§</b>	MAGISTRATE FOR
VS.	<b>§</b>	
Respondent	<b>§</b>	COUNTY, TEXAS
	ORDER	
(himself)(herself) or others; (3) that the risthe least restrictive means by which the number of the transfer	for Emergency Detention by	liately restrained; and (4) emergency detention is
Date Entered	_	Magistrate
	C	ity of
	_	County, Texas

# MENTAL HEALTH WARRANT FOR EMERGENCY DETENTION (Sec. 573.021, H.S.C.)

	NO:	
STATE OF TEXAS	§	MAGISTRATE FOR
VS.	§	
Respondent	<b>§</b>	COUNTY, TEXAS
Respondent		
TO ANY HEALTH OR PEACE OFFIC	CER OF THE STATE OF TEXAS - GREETING	GS:
You are hereby commanded to appr	rehend (name of person to be committed	)
and transport same to for the purpose of a preliminary examinati	on in accordance with Section 573.021, Health and	, Texas,
		,
Herein fall not, but of this writ make	due return, showing how you executed same.	
Given under my hand this day	of, 20	
	_	Magistrate
	Cit	ty of
	_	County, Texas
	0.0000	
	OFFICER'S RETURN	
Received the day of	, 20, and executed by apprehending the perso	on,,
and transporting (him)(her) to		for temporary acceptance for
preliminary examination.		
Date Executed:	By:	Health or Peace Officer
Time:(a.m.)(p.m.)		Health or Peace Officer

# SHERIFF'S OR MUNICIPAL JAILER'S NOTIFICATION – PERSON IN CUSTODY WITH POSSIBLE MENTAL ILLNESS/INTELLECTUAL DISABILITY (Art. 16.22, C.C.P.)

	NO:	
STATE OF TEXAS	§	MAGISTRATE FOR
VS.	§	
Respondent	<b>§</b>	COUNTY, TEXAS
	SHERIFF'S OR MUNICIPAL JAILER'S NOTI	IFICATION
	eve that, a personal tellectual disability. My belief is based on the following	
	or assessment indicating a need for referral for furthe	
Date		Applicant's Signature
		Applicant's Printed Name
	City of	(Sheriff)(Deputy Sheriff)(Municipal Jailer)
	City of	County, Texas
	Telepho	ne Number:

Editor's Note: The sheriff or municipal jailer having custody of a defendant for an offense punishable as a Class B misdemeanor or any higher category of offense shall provide this notice to the magistrate no later than 12 hours after receiving credible information that may establish reasonable cause to believe that the defendant has a mental illness or is a person with an intellectual disability. The notice must include any information related to the sheriff's or municipal jailer's determination, such as information regarding the defendant's behavior immediately before, during, and after the defendant's arrest and, if applicable, the results of any previous assessment of the defendant.

### MAGISTRATE'S ORDER FOR MENTAL ILLNESS/INTELLECTUAL DISABILITY ASSESSMENT (Art. 16.22, C.C.P.)

	NO	:	
STATE OF TEXAS		§	MAGISTRATE FOR
VS.		§	
Respondent		<b>§</b>	COUNTY, TEXAS
		ORDER	
The Court, on this		ently committed to the	nat the Respondente custody of the (Sheriff of). The Court further finds that:
☐ There is reasonable	cause to believe that the Responden	nt has a mental illness.	
☐ There is reasonable	cause to believe that the Responden	nt is a person with an i	intellectual disability.
from this date if the Re authority, or another me been interviewed by a q arrested for the offense mental illness as defined 591.003, Health and Sa regarding any previously interview described by	spondent is held in custody, the lontal health or intellectual disability unalified mental health or intellectual for which the defendant is in custod by Section 571.003, Health and Safety Code, including information of y recommended treatment or service.	exal mental health aut expert shall: (A) inter- al and developmental of dy and otherwise colle- afety Code, or is a persolutained from any pre- cice; and (B) provide mation collected under	Respondent is released from custody or (b) 96 hours thority, local intellectual and developmental disability rview the defendant if the defendant has not previously disability expert on or after the date the defendant was ect information regarding whether the defendant has a son with an intellectual disability as defined by Section evious assessment of the Respondent and information to the undersigned magistrate a written report of an er that paragraph on the form approved by the Texas ction 614.0032(c), Health and Safety Code.
	ole cause to believe that the Resport ordered by this Court.	ndent has a mental illi	ness, is a person with an intellectual disability, and no
provide mental heal		al disability services	rrest, the service provider that contracts with the jail to determined that the defendant has a mental illness or
Signed and entered	this day of	, 20	
			Magistrate
			City of

Editor's Note: The order references a form approved by the Texas Correctional Office on Offenders with Medical or Mental Impairments; see the Mental Illness Assessment Notification form in this chapter.

Under 16.22(a), the magistrate is not required to order the interview and collection of other information if the defendant is no longer in custody or if in the year preceding the defendant's applicable date of arrest has been determined to have a mental illness or to be a person with an intellectual disability by the service provider that contracts with the jail to provide mental health or intellectual and developmental disability services, the local mental health authority, the local intellectual and developmental disability authority, or another mental health or intellectual and developmental disability expert. A court that elects to use the results of that previous determination may proceed under Subsection (c).

If the defendant fails or refuses to submit to the interview and collection of other information regarding the defendant as required under Subdivision (1), the magistrate may order the defendant to submit to an examination in a jail, or in another place determined to be appropriate by the local mental health authority or local intellectual and developmental disability authority, for a reasonable period not to exceed 72 hours. If applicable, the county in which the committing court is located shall reimburse the local mental health authority or local intellectual and developmental disability authority for the mileage and per diem expenses of the personnel required to transport the defendant, calculated in accordance with the state travel regulations in effect at the time.

Under Article 16.22(b), the magistrate may permit a longer period of time for providing the written assessment if good cause is shown.

# COLLECTION OF INFORMATION FORM FOR MENTAL ILLNESS AND INTELLECTUAL DISABILITY

AUTHORITY: Art. 16.22, Code of Criminal Procedure & Sec. 614.0032, Health &Safety Code & Chapter 552 of the Government Code
Approved by the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI)

SECTION I: DEFENDANT INFORMATION
Defendant Name (Last, First):Offense:
Date of Birth:CARE Identification # (If available):SID or CID # (If available):
Last Four Digits of Social Security Number:
Current County or Municipality of Incarceration: Date of Magistrate Order:
Has the defendant been determined to have a mental illness or to be a person with an intellectual disability within the last year?  \[ \textstyle Yes  \textstyle No  \textstyle Unknown \]  Date of Previous Written Report of Collected Information (if applicable):
Previous Mental Health and/or Intellectual Disability Information (if available):
SECTION III: CURRENT INFORMATION
Most Recent Diagnosis(es) and Date(s) (if available):
At time of the collection of information or as indicated on the jail screening form for suicide an medical/mental/developmental impairments, is the defendant acutely decompensated, suicidal, or homicidal according t self-report?
☐ Yes- Circle Above ☐ No ☐ Not Applicable- Reason
Other relevant information pertaining to mental health and intellectual disability history and/or previous treatment or service recommendations:
Observations and Findings Based on Information Collected:  Defendant is a person who has a mental illness. Defendant is a person who has an intellectual disability  There is clinical evidence to support the belief that the defendant may be incompetent to stand trial and shoul undergo a complete competency examination under Subchapter B, Chapter 46B, Code of Criminal Procedure.  Any appropriate or recommended treatment or service:
□None of the above.
Procedures Used to Gather Information:
SECTION IV: INFORMATION OF PROFESSIONAL SUBMITTING FORM
Name, Credentials & Organization of Person Submitting Form:  Date of Submission:
Upon completion of this form, its contents remain confidential as applicable to Health and Safety Code Chapter 614.017 & Chapter 552 of the Government Code

Editor's Note: This is the current form approved in August 2019 by the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI). However, H.B. 601 (86th Legislature (2019)) includes a directive that TCOOMMI shall approve and make generally available in electronic format a standard form for use by a person providing a written report under Article 16.22(a)(1)(B), Code of Criminal

Approved August 2019

Visit https://www.tdcj.texas.gov/documents/rid/article 16.22.pdf for a pdf version of the form and detailed instructions.

Procedure. Visit https://www.tdcj.texas.gov/divisions/rid/index.html for the most current form.

# ORDER INTO CUSTODY FOR MENTAL ILLNESS/INTELLECTUAL DISABILITY EXAM (Art. 16.22(a)(3), C.C.P.)

	NO:	
STATE OF TEXAS	<b>§</b>	MAGISTRATE FOR
VS.	<b>§</b>	
Respondent	<b>§</b>	COUNTY, TEXAS
	ORDER	
Respondent (has a mental illness) (is a person with day of Respondent has a mental illness as defin defined by Section 591.003, Health and The Magistrate further finds that	an intellectual disability) and further ordered, 20, submit to an interview by ed by Section 571.003, Health and Safety Cod Safety Code.  Respondent failed to submit to the interview. ention of the above-named Respondent for a	Court found reasonable cause to believe that the,  Respondent to, no later thanm. on the to determine whether de, or is a person with an intellectual disability as  It is therefore <b>Ordered</b> that a warrant shall issue a period not to exceed hours (72)
Date		
		Magistrate
		City of
		County, Texas

**Editor's Note:** In the event that a defendant fails or refuses to submit to the interview and collection of other information regarding the defendant as required under Article 16.22(a)(1) of the Code of Criminal Procedure, the magistrate *may* order the defendant to submit to an examination in a jail or in another place determined to be appropriate by the local mental health authority or local intellectual and developmental disability authority for a reasonable period not to exceed 72 hours.

# WARRANT FOR MENTAL HEALTH/INTELLECTUAL DISABILITY EXAM - PERSON FAILING TO SUBMIT VOLUNTARILY (Art. 16.22(a)(3), C.C.P.) NO: \_\_\_\_\_ STATE OF TEXAS MAGISTRATE FOR § VS. § **COUNTY, TEXAS** § Respondent TO ANY HEALTH OR PEACE OFFICER OF THE STATE OF TEXAS - GREETINGS: You are hereby commanded to apprehend the person \_\_\_\_\_\_ and transport same to \_\_\_\_\_\_, Texas for the purpose of: an interview to determine if the person has a mental illness as defined by Section 571.003, Health and Safety Code. an interview to determine if the person is a person with an intellectual disability as defined by Section 591.003, Health and Safety Code. It is furthered Ordered, pursuant to Article 16.22(a)(3), Code of Criminal Procedure, that the person be held in custody no more hours (72 hours maximum) for the purpose of said interview. than Herein fail not, but of this writ make due return, showing how you executed same. Given under my hand this day of , 20. Magistrate City of County, Texas **OFFICER'S RETURN Received** the day of , 20 , and executed by apprehending the person, , and transporting (him)(her) to Date Executed: Health or Peace Officer Time: \_\_\_\_\_ (a.m.)(p.m.)

**Editor's Note:** The magistrate may order a defendant who fails or refuses to submit to the collection of information regarding the defendant as required under Article 16.22(a)(1) of the Code of Criminal Procedure, the magistrate may order the defendant to submit to an examination in a jail or in another place determined to be appropriate by the local mental health authority or local intellectual and developmental disability authority for a reasonable period not to exceed 72 hours.

RELEASE:	PERSONAL BOND – CERTAIN MENTALLY ILL DEFENDANTS (Art	. 17.032, C.C.P.)
Report #:		
Agency:		
Charge:		
<ol> <li>1)</li> <li>2)</li> <li>3)</li> <li>4)</li> </ol>	the Defendant,, is not charged with nor has as that term is defined in Article 17.032(a) of the Code of Criminal F the Defendant was examined by the service provider that contract intellectual and developmental disability services, the local mental developmental disability authority, or another qualified mental hea Article 16.22; the applicable expert,, in a v Magistrate under Article 16.22 of the Code of Criminal Procedure co or is a person with an intellectual disability and is nonetheless come health treatment) (intellectual and developmental disability services) in consultation with the (local mental health authority) (local intellectual appropriate community-based mental health or intellectual and developmental disability services processed in accordance with Section 534.053 or 534.103 of the mental health or intellectual and developmental disability services produces in the services of the considering all the mental health or intellectual and developmental disability services produces in the considering all	ets with the jail to provide mental health or al health authority, the local intellectual and lth and developmental disability expert under written report submitted to the undersigned includes that the Defendant has a mental illness appetent to stand trial and recommends (mental for the Defendant; and extual and developmental disability authority), lopmental disability services for the Defendant are Health and Safety Code, or through another rovider.
applicable), personal box	and any other credible information provided by the attorney represent would reasonably ensure the Defendant's appearance in court as received alleged offense.	ting the State or the Defendant, that release on
	Fore, pursuant to Article 17.032 of the Code of Criminal Procedure, the above charge. (Check any applicable boxes below)	Defendant is <b>ORDERED</b> released on personal
	As a condition of release on personal bond, the Defendant is <b>ORDEI</b> health treatment or intellectual and developmental disability service contracts with the jail to provide mental health or intellectual and dev health authority, the local intellectual and developmental disability intellectual and developmental disability expert. (required if the defe is chronic in nature; or ability to function independently will contractive the recommended treatment or services).  As a condition of release on personal bond, the Defendant is <b>ORDE</b>	es as recommended by the service provider that relopmental disability services, the local mental authority, or another qualified mental health or rendant's mental illness or intellectual disability tinue to deteriorate if the defendant does not
	magistrate may require the defendant to comply with other condition defendant's appearance in court as required and the safety of the court The Defendant is released on personal bond with no conditions of re-	ommunity and the victim.)
A copy	of this Order shall be placed with the records of the Defendant.	
SIGNED TH	HIS day of, 20 at o'clockm.	Magistrate
		Municipal Judge, City of
		County, Texas
		Name of Interpreter (If Necessary)

**Editor's Note:** Notwithstanding Article 17.03(b), or a bond schedule adopted or a standing order entered by a judge, a magistrate shall release a defendant on personal bond unless good cause is shown otherwise if the requirements in Article 17.032(b) are satisfied. A person is considered to have been convicted of an offense under Article 17.032 if a sentence is imposed, the person is placed on community supervision or receives deferred adjudication, or the court defers final disposition of the case.

# SCHEDULE OF SEIZED PROPERTY ALLEGED TO HAVE BEEN STOLEN (Art. 47.03, C.C.P.)

CAUSE NUMBER: \_\_\_\_\_

STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
To the Honorable Judge of said	Court:	
Comes now,	, a peace officer, with the	e
a location in	County, Texas, I seized the fol	llowing property, described as follows:
whose mailing address is		· .
The property was seized because		
The above described property is cuand has been incurring a daily storage	arrently stored at, since the d	hay have a claim to possession of the above described to the above d
I estimate the value of this propert	y to be \$	
No criminal action relating to this	property is pending.	
Filed this day of	, 20	
	<del></del>	Peace Officer
	Name:	
	Address:	
	Telephone:	

# NOTICE OF STOLEN PROPERTY HEARING (Arts. 47.01a and 47.02, C.C.P.)

CAUS	E NUMBER:	
EX. REL.	<b>§</b>	IN THE MUNICIPAL COURT
	<b>§</b>	CITY OF
(Describe Property)	§	COUNTY, TEXAS
	NOTICE	
		perty alleged to have been stolen came into custody of t to possession of said property. The property,
		, a location in the City of, Texas.
A hearing is hereby scheduled to determ o'clockm. on the Texas. If yo	ine who has the right to possession of the day of, 20, 20, 1000000000000000000000000000000	ne above described property. The hearing will be held at in sion of this property, you must appear at this proceeding
with proof to support your claim. If you ar possession, or you have abandoned your claim	e not present at this hearing, the Court	t may presume you either do not have a valid claim to
If you have any questions, please call the	e Municipal Court,	·
		(Magistrate) City of
		County, Texas
		By:
		Date

**Editor's Note:** Venue for stolen property hearings under 47.01a of the Code of Criminal Procedure includes any municipal court in any municipality in which the property is seized or in which the property was alleged to have been stolen, except that the court may transfer venue to a court in another county on the motion of any interested party. Under Article 47.02 of the Code of Criminal Procedure, venue to determine the right of possession of stolen property is in the county in which the property was alleged to have been stolen or in the county in which a criminal action for theft or any other offense involving illegal acquisition of property is pending.

# ORDER RESTORING STOLEN PROPERTY WHEN NO TRIAL IS PENDING (Art. 47.01a, C.C.P.)

EX. REL.	§	IN THE MUNICIPAL COURT
	§	CITY OF
(Describe Property)	<b>§</b>	COUNTY, TEXAS
	ORDER	
the right to possession of the following describ	bed property:	t of County is seeking to establish
now in the possession and control of	, a peace officer v	vith the
appeared in person or through their attorney; regarding this property is pending and is of the the property was not acquired by the probable cause exists to believe that the probable cause exists to be acquired by the probable cause exists to be acquired by the probable cause exists to be acquired to the probable cause exists to the	and the Court, after hearing all the evice opinion that: eft or another offense and possession of t	and those desiring to assert such claim to possession dence and testimony, finds that no criminal action the above-described property should be awarded to nother manner that makes its acquisition an offense
in the possession and control of  condition that such property shall be the custody of the peace officer,	be imm , having available to the prosecuting authority sho	ng the superior right to possession [subject to the
the property. [If acquired by theft/offense] Therefore,	, it is hereby Ordered that	, a peace officer with the
☐ deliver the property to a government ☐ deliver the property to a person author ☐ destroy the property.		inal Procedure to receive an dispose of the property
possession not be transferred until such charge		pay all reasonable charges for the safekeeping o while in the custody of the law, and the rified by the attached affidavit are determined to be
Be it further Ordered that		e return, showing how you executed same.
Entered and signed this the day o		
		(Magistrate
		County, Texas
Executed by transferring possession and		v to:
This the day of	_, 20	
		Peace Officer

CAUSE NUMBER: \_\_\_\_\_

**Editor's Note:** The person who has the superior right to possession of the property, as determined in a hearing under Article 47.01a(a), is responsible for any transportation necessary to deliver the property to the person as ordered under that subsection.

# ORDER RESTORING STOLEN PROPERTY ON TRIAL (Art. 47.02, C.C.P.)

	CAUSE NUMBER:	-
EX. REL.	<b>§</b>	IN THE MUNICIPAL COURT
	§	CITY OF
(Describe Property)	<b>§</b>	COUNTY, TEXAS
	ORDER	
Whereas, on the day of		County, in the following criminal action: eard in the above styled case wherein the following described property:
now in the possession and control of	, a peace officer w	rith the
appeared in person or through their attorney described property should be awarded to whose mailing address is	y; and the Court, after hearing all the evidence	
Therefore, it is hereby Order	that possession of said property be immediately delivered to:	now in the possession and control of
		pay all reasonable charges for while in the custody of the naving been verified by the attached affidavit of to be \$, and shall be paid to
Be it further Ordered that	make due i	return, showing how you executed same.
Entered and signed this the day		
		(Magistrate)
		County, Texas
Executed by transferring possession a	and control of the above-described property to	o:
This the day of		<del></del>
		Peace Officer

**Editor's Note:** Article 47.02(c), C.C.P. states that, "the owner of the property is responsible for any transportation necessary to restore the property to the owner as ordered under this article."

# ORDER RESTORING STOLEN PROPERTY UPON AN EXAMINING TRIAL (Art. 47.04, C.C.P.)

	NO:	
STATE OF TEXAS	<b>§</b>	MAGISTRATE FOR
VS.	§	
	<b>§</b>	COUNTY, TEXAS
	ORDER	
Whereas, on the day of County, Texas, in the above styled exright to possession of the following de	, 20, in the	Court of was established of true ownership and, thereby, the
now in the possession and control of		, a peace officer with the
	evidence and testimony, finds that possession of t	
Therefore, upon motion by the be condition that such property shall be evidentiary purposes.	State, it is hereby Ordered that possession of simmediately delivered to available to the State or by order of any Court	said property now in the possession and control of subject to the thaving jurisdiction of the offense to be used for
law, and the possession not be transf	terred until such charges are paid. Said charges,	pay all reasonable charges for while in the custody of the having been verified by the attached affidavit of d to be \$, and shall be paid to
Be it further Ordered that	 make du	e return, showing how you executed same.
Entered and signed this the	day of, 20	
		(Magistrate)
		County, Texas
Executed by transferring posses	sion and control of the above-described property	7 to:
This the day of	, 20	·
		Peace Officer

# INVENTORY OF PROPERTY TAKEN UNDER A SEARCH WARRANT (Arts. 18.10 and 18.11, C.C.P.)

THE STATE OF TEXAS,		§	
CITY OF		§	
COUNTY		§	
		INVENTORY	
name is	and	I am commissioned as a peace officer by	M _
		I am commissioned as a peace officer by day of, 20, at	
			<u>.</u>
I seized the above described property from whose mailing address is	om		
• • •			
			<u> </u> •
Filed this day of	, 20		
		Peace O	fficer
		Name:	
		Address:	
		Telephone:	

**Editor's Note:** Effective September 1, 2021, a blood specimen seized pursuant to a warrant executed under Article 18.067, Code of Criminal Procedure, may be removed from the county in which it was seized and returned to the county in which the warrant was issued without a court order (S.B. 1047 (2021)).

# ORDER DIRECTING SAFEKEEPING OF PROPERTY TAKEN UNDER A SEARCH WARRANT (Arts. 18.10 and 18.11, C.C.P.)

	NO:	
STATE OF TEXAS	§	MAGISTRATE FOR
VS.	§	
	§	COUNTY, TEXAS
	ORDER	
Whereas, on the day described property:	of, 20, in	County, Texas, , seized the following
	, and deliver, and deliver, Magistrate for  cer's possession under a search warrant, remains  ty shall be kept as follows:	
until	en seized under Article 18.067, Code of Crimir order approving the removal, issued by a magis  County, Texas. However, nothing term or items seized to a laboratory for scientific	strate in the county in which the warrant was
Entered and signed this the day	y of, 20	(Magistrate)
		City ofCounty, Texas

**Editor's Note:** As of May 26, 2017, a peace officer executing a search warrant must return the search warrant not later than three whole days after executing it.

MAGISTRATE DUTIES 12/21 TMCEC 2022 FORMS BOOK 81

# ORDER FOR IMPOUNDMENT OF OUT-OF-STATE MOTOR VEHICLE (Secs. 601.291 and 601.294, T.C.)

	NC	D:			
STATE OF TEXAS		§		MAGISTRATE FOR	
VS.		<b>§</b>			
		<b>§</b>		COUNTY, TEXAS	
WHEREAS IT IS FOUND:					
<ol> <li>The owner or of death, or damages</li> <li>There is a reason injury, death, or</li> <li>The owner or on an evidence of b. Evidence of the evidence of the</li></ol>	perator of the vehicle wa ge to the property of one ponable possibility of a jud property damage sustained perator of the vehicle failed of financial responsibility:	erson to an apparent exten- igment being rendered aga ed in the motor vehicle coled to provide: for the bodily injury, death	ticle collision in this t of at least \$500; winst the owner or opplision;  n, or property damage	State that resulted in bodily injury erator of the vehicle for any bodily; or ility, pursuant to Section 601.051	
THE MAGISTRATE IS RI	EQUIRED TO ORDER:	:			
Pursuant to Section 601.294 , Texas) tal	of the Transportation C ke into possession and saf	Code, that the Sheriff of ekeeping the described mo	otor vehicle, to wit:	County, Texas, (Chief of Police of	
Make:					
License Number:	State:	VIN:			
Vehicle Operator:				<del></del>	
Vehicle Owner:					
Address of Owner:				<del></del>	
NOTICE TO VEHICLE O	WNER:				
Texas law provides that the	motor vehicle remain imp	ounded until you present t	o the person authoriz	ed to release the vehicle:	
<ol> <li>a certificate of r</li> <li>pay for the cost</li> </ol>	elease obtained from the I of impoundment.	Department of Public Safet	y pursuant to Section	601.296, Transportation Code; and	
Ordered, signed, and delive	ered on day of	, 20	<del>·</del>		
				Magistrate	
		Mun	nicipal Judge, City of		

\_\_\_\_\_County, Texas

# TRIAL APPEARANCE BONDS

# TRIAL APPEARANCE BONDS

# **Table of Contents**

Cash Bond: Posted by a Third Party	Bond: Posted by the Defendant83
Personal Bond8	•
Surety Bond8	ty Bond86
Oath of Surety8	
Motion and Order to Revoke Personal Bond8	

Editor's Note: Effective September 1, 2017, a judge may not, either instead of or in addition to a personal bond, require a defendant to give a bail bond unless: (1) the defendant fails to appear in accordance with this code with respect to the applicable offense; and (2) the justice or judge determines that: (A) the defendant has sufficient resources or income to give a bail bond; and (B) a bail bond is necessary to secure the defendant's appearance in accordance with the Code of Criminal Procedure. Additionally, if a defendant required to give a bail bond under Article 45.016(b) remains in custody, without giving the bond, for more than 48 hours after the issuance of the applicable order, the judge shall reconsider the requirement for the defendant to give the bond. Art. 45.016, C.C.P. (H.B. 351/S.B. 1913, 85th Legislature (2017)).

# CASH BOND: POSTED BY THE DEFENDANT (Arts. 17.02, 17.08, and 45.044, C.C.P.)

	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>		IN THE MUNICIPAL COURT
VS.	<b>§</b>		CITY OF
	<b>§</b>		COUNTY, TEXAS
Know All Men By These Prese	nts:		
That I,	, charged with a misdemea	nnor offense of	
am held and firmly bound unto t	he State of Texas by and the	nrough the City of of sureties deposited	in the penal sum of as security to insure my personal appearance day of, 20, as appear before any court or magistrate before
before the Municipal Court of the G	City of	on th	day of, 20, a
o'clockm. to answ	er the accusation against me. I	further bind myself to	appear before any court or magistrate before
			be required until discharged by due course o
			and reasonable expenses and fees that may be ond, this obligation shall become void and the
amount deposited herein shall be refun	nded to me; otherwise to remain	in full force and effect	ct.
Signed and Dated:	_, 20	_	Defendant's Signature
Address:			5
Telephone:			
Place of Employment:			
Telephone:  Driver's License Number:	N	ame, Address, & Tele	phone of Nearest Relative:
Driver's License Number:			
Date of Birth:			
Height:Weight: Color Hair:Eyes:			
Color Hair:Eyes:	<del></del>		
Received this day of	20 by		
Filed by Clerk	on this	day of	, 20
	NOT A CONDITION	ON OF RELEASE	
PI	LEA OF NOLO CONTENDE	RE (For Cash Bond 1	Forfeiture)
☐ If I, the undersigned, fail to ap	pear at the date and time sta	ted in the cash bond	d that I posted with the Municipal Court of
, or at any time the	e Court requires my personal ap	pearance, I waive my	y right to a jury trial or any trial and pleac
			bond will be forfeited to satisfy the fine and
			er a criminal record or a driver's license record
I understand that this plea of nolo con	tendere does not constitute a con	ndition of my release t	from jail.
Signed and dated this day of	of 20		
Signed and dated this day (	, 20		
☐ I understand that I must appear in C	Court to enter a plea of not guilt	y.	
Signed and dated this day of	of , 20 .		
			Defendant's Signature

Editor's Note: See editor's note below the table of contents for this chapter concerning restrictions for requiring bail bonds. Effective September 1, 2015, a bail bond may be filed electronically in any manner permitted by the county in which the bond is written. Art. 17.026, C.C.P.

# CASH BOND: POSTED BY A THIRD PARTY (Arts. 17.02 and 17.08, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
Know All Men By These Prese	nts:	
That	, Defendant, charged with a misden	neanor offense of
in lieu of sureties deposited as so	ecurity to insure his/her personal	the City of in the penal sum o (person posting the bond) appearance before the Municipal Court of the City o
further binds him/herself to appear bet where his/her presence may be require violated, I will pay all necessary and	fore any court or magistrate before who red until discharged by due course of reasonable expenses and fees that mage terms of this bond, this obligation s	, 20, ato'clockm. The defendant om the cause may thereafter be pending at any time and placed law. In the event that any of the conditions of this bond are y be incurred by any peace officer in re-arresting Defendant shall become void and the amount deposited herein shall be
Signed and Dated:	, 20	Signature of Person Posting Bond
		C C
Address:		Signature of Defendant
Telephone:Place of Employment:		Signature of Defendant
Telephone:	Name A	Address, & Telephone of Nearest Relative:
Telephone: Driver's License Number:		reduces, or receptions of recurest relative.
Date of Birth:		
Date of Birth:Weight:		
Color Hair:Eyes:		
Receipted for this day of	, 20 by	·
Filed byClerk	on this	day of, 20
	RECEIPT FOR CASH	I BOND
	CAUSE NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	<b>§</b> <b>§</b>	CITY OFCOUNTY, TEXAS
	§	COUNTY, TEXAS
On this day, the day of	, 20, I received	(\$) dollars in cash posted as security to insure the personal appearance of
	, Defendant in the above reference.	of as security to insure the personal appearance of ced cause in the above named Municipal Court.
If Defendant complies with the		rder of the Court, this amount shall be refunded to
		Signature of Court Official Accepting the Bond

Editor's Note: See editor's note below this chapter's table of contents concerning restrictions for bail bonds. Effective September 1, 2015, a bail bond may be filed electronically in any manner permitted by the county in which the bond is written. Art. 17.026, C.C.P.

	CAUSE N	NUMBER:		
STATE OF TEXAS VS.		\$ \$ \$		IN THE MUNICIPAL COURT CITY OFCOUNTY, TEXAS
Vacus All Mon by Thou	a Duaganta	8		COUNTY, TEXAS
Know All Men by Thes				
That I, held and firmly bound unt	, charge to the State of Texas (\$) dolla	d with a misdemea by and through t rs for the payment	the City oft which sum well a	, am in the penal sum of and truly to be made, and all necessary and in the event the conditions of this bond are
violated, I do bind myself, my	y heirs, executors, and ad	ministrators, jointly	y and severally.	in the event the conditions of this bond are
I swear that I will appe	ar before the	ass city county) T	Municipal Cour	t at, 20, at the hour cipal sum of \$, plus all necessary
of (a.m.) and reasonable expenses incu	(n.m.) or upon notice by arred in any arrest for fail	the Court, or pay to ure to appear.	o the Court the prin	cipal sum of \$, plus all necessary
Court, until discharged by du my personal appearance in ar based on said charge, this obl	ne course of law, then an ny and all subsequent pro- igation shall become voi	d there to answer s recedings that may d; otherwise to rem	aid accusation agai be had relative to sa	nain from day to day and term to term of said nst me, and further shall well and truly make aid charge in the course of the criminal action l effect.
Address:				Defendant's Signature
Telephone:Place of Employment:		-		Defendant's Signature
Telephone:	Ct. 1	- NI	A 1.1 O T. 1	1 CNI (D.1.C)
Date of Birth:	State:	INamo	e, Address, & Telep	phone of Nearest Relative:
Place of Birth:				
Height:Weight:				
Height: Weight: Color Hair: Ey	yes:			
Sworn to and subscribe	ed before me, this	day of	, 20	
				Notary Public in and for the State of Texas
Approved and filed this	s day of	, 20		
				Judge, Municipal Court
			City o	of
				County, Texas
Filed by: Clerk		Or	n day of	, 20

Editor's Note: Effective September 1, 2021, a personal bond is not required to contain the oath described by 17.04(a)(3) if the magistrate makes a determination under Article 16.22 that the defendant has a mental illness or is a person with an intellectual disability, including by using the results of a previous determination under that article; the defendant is released on personal bond under Article 17.032; or the defendant is found incompetent to stand trial in accordance with Chapter 46B. (S.B. 49, 87th Legislature (2021)).

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
<b>Know All Men by These Presents</b>	:	
fees and expenses that may be incurred	by any peace officer in re-arresting the said the payment of which sum or sums well and	gned,, as ty of, in the penal sum of und for the payment of all necessary and reasonable d Principal in the event any of the hereinafter stated truly to be made, we do bind ourselves, and each of
	we are entering into this obligation binding Pri	r offense, to wit:; and ncipal to appear before the Municipal Court of the City
which the same may be pending, and for criminal actions based on said charge, an	on the day of or any and all subsequent proceedings that a d there remain from day to day and term to the ation against Principal, this obligation shall	al appearance before said Municipal Court located at, 20 atm., as well as before any court to may be had relative to said charge in the course of term of said courts, until discharged by due course of become void; otherwise to remain in full force and
Prin	cipal	Surety
Mailing Ad	dress	Mailing Address
Race         Gender         DOB           HT         WT         Hair           Eyes         DL number           State         SS number	If Surety is attorney: I am licensed to practice law in Texas and I actually represent the Principal in the criminal case for which I have executed this bond.	
Taken and approved this day of	Signature of Attorney	State Bar of Texas Number
day of	-	(Judge, Municipal Court)(Chief of Police)(Sheriff)  City ofCounty, Texas
Filed by: Clerk	on	_ day of, 20

Editor's Note: See editor's note below the table of contents for this chapter concerning restrictions for requiring bail bonds. Effective September 1, 2015, a bail bond may be filed electronically in any manner permitted by the county in which the bond is written. Art. 17.026, C.C.P.

## OATH OF SURETY (Art. 17.13, C.C.P.)

THE STATE OF TEXAS COUNTY OF				
I,, the un, dolla Texas from forced sale, and after the payme encumbrances upon my property which are kneeded execution worth said amount or more.	ent of all my debts of ev	very description, whe	ther individual or s	ecurity debts, and after satisfying all
Subscribed and sworn to before me this	day of	, 20 .		Surety's Signature
				(Judge)(Clerk)(Magistrate)(Sheriff)
I, the undersigned Affiant-Surety, do sweathe market value set opposite each piece of the property; and that each piece of the same, after set opposite each piece thereof, to wit:	e same; that the same is e	encumbered only to the	e extent and in the a	mount set opposite each piece of said
Location & Description	Present Market Value	Encu	mbrance	Net Value
AS LISTED WITH THE SHERIFF'S O	DFFICE			
I, the undersigned Affiant-Surety, do swea	ar that:			
None of the property above described is Affian any homestead or business purposes; that no property is involved in litigation of any kind Affiant has never heard his/her title to any paroccupied by any person or corporation claiming	eart of said property is ex of character; that the title rt of said property question	empt from forced sale to the above describe oned by any person or	under the laws of the under the laws of the	he State of Texas; that no part of said of record and in fact the Affiant; that
The above-described property, all or part of the effect; this bond constituting a lien on said property.		sferred to any person	or corporation durin	g the period this bond is in force and
The following is a full and complete list and amounts of such bonds, to wit:				
There are no abstracts of judgment recorded in		County, Texas or else	where, against the A	ffiant; and
The Affiant makes this statement for purpose knowing and believing that the making of this sapprove the same, and that all statements herein	statement will induce the			
				Affiant-Surety
Subscribed and sworn to before me this	day of	, 20 by		, Affiant
THE STATE OF TEXAS COUNTY OF				Notary Public, State of Texas
Before me, the undersigned authorit	o me to be the person who	ose name is subscribed		on this day personally appeared trument, and acknowledged to me that
he/she executed the same for the purpose and c	-			
Granted under my hand and seal of office	e on this the day of	, 20	)	Natara D. H. Contractor
				Notary Public, State of Texas

## MOTION AND ORDER TO REVOKE PERSONAL BOND

	CAUSE NUMBE	CR:	
STATE OF TEXAS	§	П	N THE MUNICIPAL COURT
VS.	<b>§</b>	C	ITY OF
	§	_	COUNTY, TEXAS
	MOTION TO REVO	OKE PERSONAL BOND	
To the Honorable Judge o	f Said Court:		
Comes now amount of \$	in order that the Defendant, (City)(County) Jail.	_, Applicant, and files this Mo	tion to Revoke Personal Bond in the, be remanded to the
	ne following reason(s): (state reasons fo	<u>,                                      </u>	
	ys the Court to issue a writ directing an		
			Name
			Position
	ue and correct copy of this Motion to day of, 20_		to (the Defendant) (Counsel for the
			Name
			Position
	0	RDER	
On this the da having considered said mo	ey of, 20, came option is of the opinion that the Motion to	on to be considered this Motion o Revoke Personal Bond should	to Revoke Personal Bond. The Court be (granted) (denied).
Signed this the	_ day of, 20		
(municipal court seal)		City of	Judge, Municipal Court
			, County, Texas

**Editor's Note:** Upon granting the Motion to Revoke Personal Bond, the Judge should issue a **capias** (pursuant to Chapter 23, C.C.P.) or an **arrest warrant** (pursuant to Article 45.014, C.C.P.) to procure custody of the Defendant.

# BOND FORFEITURE

# **BOND FORFEITURE**

## **Table of Contents**

Affidavit of Intention to Surrender Principal	89
Capias: After Forfeiture or upon Surrender of Principal	
Warrant of Arrest: Surrender of Principal	91
Bailiff's/Clerk's Affidavit of Defendant's Failure to Appear	92
Judgment Nisi Declaring Forfeiture: Cash or Personal Recognizance Bond	
Judgment Nisi Declaring Forfeiture: Surety Bond	94
Scire Facias Docket	95
Citation	96
Dismissal and Reinstatement of Bond	97
Motion and Order of Dismissal with Costs	98
Motion and Order of Dismissal Without Costs	99
Final Judgment: Cash or Personal Recognizance Bond –	
Finding for State	100
Final Judgment: Surety Bond – Finding for State	
Agreed Final Judgment	

## AFFIDAVIT OF INTENTION TO SURRENDER PRINCIPAL (Art. 17.19, C.C.P.)

CA	USE NUMBER:		
STATE OF TEXAS	§	IN THE M	MUNICIPAL COURT
VS.	§	CITY OF	
	§ AFFIDAVI		COUNTY, TEXAS
Before me, the undersigned author the bail bond of City of	ity, on this the da	y ofsworn upon oath depose	, 20_ personally appeared s and says that they are a Surety upon
the bail bond ofCity of	, Texas, with a	Principal, who stands of misdemeanor, to wit:	charged in the Municipal Court in the
desire and intention to surrender the said Police, City of	, Texas, and upon s further liability as such Surety, arrest for said Principal. The Sur	aid Principal being place and that this affidavit is re ety further states that the	into the custody of the Chief of ed in custody of the proper person as made for the purpose of requesting the y have notified the Principal's attorney
The said Surety further states on (his)	(her) oath that:		
<ol> <li>Bond was made on the da</li> <li>The amount of fee paid was \$</li> <li>Notice of the Surety's intention Procedure;</li> <li>The reason for the surrender is:</li> </ol>	y of, 20; a to surrender the Principal has	been given as required b	by Article 17.19(a), Code of Crimina.
Wherefore, Petitioner asks the C			Chief of Police of the City of
Subscribed and sworn to before me	, this the day of		Surety -
		(Judge)(Clerk)(Notar	y Public in and for the State of Texas
	ORDER		
On this the day of surrender Principal has been filed by the S	, 20, it having of Surety in regard to the above mer	ome to my attention that	the foregoing affidavit of intention to n is pending in this court;
It is therefore ordered that a warra prosecution. Said warrant shall be execut	ant of arrest be issued forthwith ed as in other cases.	for	, Principal in said
(municipal court seal)		Municipal Court, City o	f(Magistrate)(Judge)
			County, Texas

**Editor's Note:** The surety may deliver the affidavit to any other magistrate in the county if the court or magistrate before whom the prosecution is pending is not available. Art. 17.19(c), C.C.P. A surety may not be released from responsibility if the accused is in federal custody to determine whether the accused is lawfully present in the United States under Article 17.16, C.C.P.

#### CAPIAS: AFTER FORFEITURE OR UPON SURRENDER OF PRINCIPAL (Arts. 17.19 and 23.05, C.C.P.)

CAUSE NUMBER:			
STATE OF TEXAS	<b>§</b>		IN THE MUNICIPAL COURT
VS.	§		CITY OF
	<b>§</b>		COUNTY, TEXAS
TO ANY PEACE OFFICER, SEG GREETINGS:	CURITY OFFICER, O	OR PRIVATE INV	VESTIGATOR OF THE STATE OF TEXAS
You are hereby commanded to ta	ake the body of		, herein called Principa
			ht before the Municipal Court, City of County, Texas, located
		immed	1: 1 1 1 1 1 1 1 1
according to the law, then and there to wherein the said Principal is charged w	answer the City of ith the offense of		, Texas, in a charge by complain, and (*the Surety on the Principal's bonted herein for all purposes) of an intention to surrendom.
herein has made before this Court an a	ffidavit (which is by this i	reference incorporate	ted herein for all purposes) of an intention to surrende
the Principal and obtain from this Cour	t a capias for such Princij	pal pursuant to Artic	icle 17.19, Code of Criminal Procedure) or (*the Cou
and pursuant to Article 23.05, Code of			ainst the Defendant-Principal or Defendant Surety(ies a capias for the Defendant's arrest).
Herein fail not, but make due ser same.	vice and return of this w	rit of capias on	, 20, showing how you executed the
Signed this day of	, 20_	·	
			(Magistrate)(Judge
(municipal court seal)		Mur	unicipal Court, City of
,			County, Tex
	OFFIC	CER'S RETURN	
Capias received	, 20, and execu	ıted	, 20, by arresting the Defendant and:
☐ placing (him)(her) in jail in ☐ taking (his)(her) bond.		County, Texas, or	or
	(Pea	ce Officer)(Security	y Officer)(Private Investigator) for the State of Texa

Editor's Note: A capias under this article must be issued not later than the 10th business day after the date of the court's issuance of the order of forfeiture or order permitting surrender of the bond. Art. 23.05(c), C.C.P.

Under Art. 17.19(e), C.C.P, an arrest warrant or capias may be executed by a peace officer, a security officer, or a private investigator licensed in Texas. The previous version of this form included "security guards," but the statute does not specifically identify this group. Using the term "security officer" tracks the statute more closely.

## WARRANT OF ARREST: SURRENDER OF PRINCIPAL (Art. 17.19, C.C.P.)

	CAUSE NUI	MBER:	
STATE OF TEXAS		§	IN THE MUNICIPAL COURT
VS.		§	CITY OF
	<u> </u>	<b>§</b>	COUNTY, TEXAS
TO ANY PEACE OGREETINGS:	OFFICER, SECURITY O	FFICER, OR PRIVATE II	NVESTIGATOR OF THE STATE OF TEXAS -
You are hereby c and safely keep	ommanded to take the body (him)(her) so that	of	, herein called Principal, prought before the Magistrate, County of immediately law, then and there to answer the jurisdiction of
	, Texas	s, in a charge by complaint wi	herein the said Principal is charged with the offense of
is by this reference inc	orporated herein for all purpo	uses) of an intention to surrender, Code of Criminal Procedure.	erein has made before this Magistrate an affidavit (which or the Principal and obtain from this Magistrate a warrant
Herein fail not, b	ut make due return of this war	rrant of arrest, showing how yo	ou executed the same.
Signed this	day of	, 20	
			Magistrate
			County, Texas
		OFFICER'S RETURN	
Warrant of arr Defendant and:	est received		ited, 20, by arresting the
☐ placing (him)(h☐ taking (his)(her	ner) in jail in ) bond.	County, Texas	, or
		Peace Officer)(Secur	ity Officer)(Private Investigator) for the State of Texas

**Editor's Note:** Under Art. 17.19(e), C.C.P, an arrest warrant or capias may be executed by a peace officer, a security officer, or a private investigator licensed in Texas. The previous version of this form included "security guards," but the statute does not specifically identify this group. Using the term "security officer" tracks the statute more closely.

## BAILIFF'S/CLERK'S AFFIDAVIT OF DEFENDANT'S FAILURE TO APPEAR

CA	USE NUMBER:		
STATE OF TEXAS	§		IN THE MUNICIPAL COURT
VS.	<b>§</b>		CITY OF
	§		COUNTY, TEXAS
	AFI	FIDAVIT	
answer in the courtroom. Pursuant to the	e order of this Court and in accordance with law a	d in accordance with	at)(trial) and in accordance with my official duties of Municipal Court do under oath state nally observed that the Defendant did not appear or my official duties of office, I distinctly called the e time given to the Defendant to answer and appear,
			Affiant
Sworn and subscribed before me by	· 		
, a credible person, this	day of	, 20	·
			(Judge)(Deputy Clerk)(Clerk), Municipal Court
			City of
			County, Texas

## JUDGMENT NISI DECLARING FORFEITURE: CASH OR PERSONAL RECOGNIZANCE BOND (Arts. 22.02 and 22.035, C.C.P.)

		CAUSE	NUMBER:		_				
STATE OF TEXA	S		§		IN	THE MUNIC	CIPAL COI	U <b>RT</b>	
VS.			§		CI	TY OF			
			<b>§</b>			co	UNTY, TEX	XAS	
			JUDO	GMENT NIS	I				
This day Cause			was called,						
called distinctly at the said Defendant faile	door of the	ne courthouse i	n accordance with	n the law, and	l after a reaso	nable time giv	en the Defer	ndant to appea	ar, the
on file with this Court					accor	ding to the ter	or and effec	t of (his)(her)	bond
The Court finds forfeiture of said bond \$ be made final unless g  It is further Ord bond, be deposited in address of the Defend	ood cause	can be shown we citation to the States Postal	dollars from why the Defendant as Pr	n the Defend t did not appe incipal, be iss	ant for the use ar. sued and with	e and benefit of a copy of this	of said City. judgment ni	This judgment is and a copy of	nt will of the
It is further Ord	<b>ered</b> that a	capias be issue	ed for the arrest of	the Defendar	nt.				
This judgment ni	si declaring	forfeiture is <b>g</b>	ranted and signed	d on this	day of		, 20		
Failed to Appear:									
Month:	_ Day:	_Year:	_				Judge, I	Municipal Cou	 ırt
						City of			
								_ County, Tex	.as

BOND FORFEITURE 12/21 TMCEC 2022 FORMS BOOK 93

(municipal court seal)

## JUDGMENT NISI DECLARING FORFEITURE: SURETY BOND (Arts. 22.02 and 22.03, C.C.P.)

CA	AUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUN	ICIPAL COURT
VS.	<b>§</b>	CITY OF	
	<b>§</b>	C	OUNTY, TEXAS
	JUDGMENT	NISI	
Surety (name and address):			
Surety (name and address):			
This day Cause Numberbehalf, and thereupon the Defendant's na	was called, an , tame was called distinctly at the	d thereupon came the State cout the Defendant failed to door of the courthouse in acc	of Texas by the City Attorney of appear and answer in (his)(her) ordance with the law, and after a
reasonable time given the Defendant to a	ppear, the said Defendant failed t	to appear in Court to answer or	n the charge of a misdemeanor, to
wit:	according to the t	enor and effect of (his)(her) be	ond on file with this Court.
The Court finds that the State of Te bond. It is therefore Ordered, Adjus	dged, and Decreed by this C	ourt that the State of Texas	s have and recover the sum of
	, as Princip	pai, and	, as Surety(ies).
This judgment will be made final under the said Surety(ies) commanding them to approximate of, by 10 show cause why this judgment nisi declar	be issued and with a copy of this	s judgment nisi and a copy of ritten answer with the Clerk of	the bond attached be served upon f the Municipal Court of the City
It is further Ordered that a citatio attached, be served upon the Defendar forfeiture with the United States Postal S bond, or at the last known address, as requ	nt and Service and mailing it directly to	and with a copy of this judgr , as Sureties by the Defendant and Surety(ies)	nent nisi and a copy of the bond depositing the citation declaring at their address as shown on the
It is further Ordered that a capias b	be issued for the arrest of the Defe	endant.	
This judgment nisi declaring forfeitu	re is <b>granted and signed</b> on this	day of	, 20
Failed to Appear:			
Month: Day: Year: _			Judge, Municipal Court
			·····
(municipal court seal)			County, Texas

CAUSE	NUMBER:	

STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS. DEFENDANT(S):	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
Principal		
and	<b>§</b>	Forfeiture of Bond
		Re: Cause Number
	§	Offense Charged by Complaint:
Sureties	§	
		Citation served on
	§	20, by
Attorney for State		
	§	Amount of Judgment Nisi:
		\$
Attorney for Defendant	8	

Orders and Proceedings

CITATION (Art. 22.04, C.C.P.)	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE M	UNICIPAL COURT
VS.	§	CITY OF_	
	<b>§</b>		_COUNTY, TEXAS
Defendant's Address(es)	-		
TO ANY SHERIFF, CONSTABLE THIS WRIT FORTHWITH.	OF TEXAS, OR OTHER PERSO	ON AUTHORIZED BY I	AW: FAIL NOT AND DELIVER
Attached is a copy of a judgment Cause Number and Court. You have be the Clerk who issued this citation by 1 citation and petition, a default judgme Forfeiture) entered by the Court in the this lawsuit.	10:00 a.m. on the Monday next for ent may be taken against you. Said	ollowing the expiration of answer should show cause	20 days after you were served this why the judgment nisi (Judgment of
<b>Issued</b> on this the day of	, 20		
WITNESS:, Tex	as, on the day of	, Clerk of s	aid Court, and seal thereof at office,
Issued at request of			Clerk, Municipal Court
State's Attorney:Address:		City of	
		Address:	
(municipal court seal)			
	RETURN		
Received this citation the, State of named by registered mail with deliver			o'clockm. Executed at, 20 by (mailing to the above
named by registered mail with delive judgment of forfeiture and a copy of, 20 and attach with a copy of the judgment nisi or judgme	the bond attached thereto. United	d States Post Office Retur	n Receipt received on day of
with a copy of the judgment nisi or judg	gment of forfeiture and a copy of the	ne bond attached thereto).	
Officer	_		Clerk, Municipal Court
City of	_	City of	
	OFFICER'S RETURN IF CITA	ATION NOT SERVED	
Diligence used to serve and cause of fa	ilure to execute:		
		Officer	

**Editor's Note:** Attach to this citation: (1) a copy of the judgment of forfeiture (i.e. judgment nisi) entered by the court; (2) a copy of the forfeited bond; and (3) a copy of any power of attorney attached to the forfeited bond. Art. 22.04, C.C.P.

City of \_\_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_

## DISMISSAL AND REINSTATEMENT OF BOND

	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL CO	URT
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COUNTY, TE	EXAS
	STATE'S MOT	ION TO DISMISS	
Comes now the State of Texas payment)(without payment) of costs b		ismiss the above entitled and numbered bond for the the original bond.	orfeiture case (upon
		(Deputy) City Attorney	Date
	ORDE	R	
It is hereby <b>Ordered</b> , <b>Adjudged</b> , of costs)(without payment of costs) by		entitled and numbered bond forfeiture case be dismoriginal bond be reinstated.	issed (upon payment
It is further ordered that crimin day of		be docketed for the appearance of the	he Defendant on the
		Jud	ge, Municipal Court
		City of	
Agreed, upon condition that reinstate terms complied with by			
(Deputy) City Attorney	Date		
Defendant/Surety	Date		
(municipal court seal)			

## MOTION AND ORDER OF DISMISSAL WITH COSTS

CAUSE NUMBER:		
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
	STATE'S MOTION T	O DISMISS
<b>Comes now</b> the State of Texas and mov Defendant(s). The State would show the Court the		he above entitled and numbered cause WITH COSTS to the is equitable and just for the following reasons:
· ·	•	
		Date:
(Deputy) City Attorney		
	ORDER	
On this date came to be considered the Stat of the opinion it should be granted.	e's motion to dismiss the a	bove entitled cause. The Court, after considering the motion, is
It is therefore Ordered, Adjudged, and De	creed that the above entitle	ed and numbered scire facias case be dismissed with costs.
Signed on this the day of	, 20	
		Judge, Municipal Court
		Judge, Municipal Court City of

## MOTION AND ORDER OF DISMISSAL WITHOUT COSTS

	CAUSE NUMBER:	<u> </u>
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
	STATE'S MOTION TO	DISMISS
Defendant(s). The State would show t  Reason for dismissal:	he Court that the requested dismissal is	pove entitled and numbered cause WITHOUT COSTS to the equitable and just for the following reasons:
		Date:
	ORDER	
On this date came to be considered of the opinion it should be granted.	ed the State's motion to dismiss the abo	ove entitled cause. The Court, after considering the motion, is
It is therefore Ordered, Adjudge	d, and Decreed that the above entitled	and numbered scire facias case be dismissed without costs.
<b>Signed</b> on this the day of _	, 20	
		Judge, Municipal Cour
		City of
		County, Texas
(municipal court seal)		

## FINAL JUDGMENT: CASH OR PERSONAL RECOGNIZANCE BOND – FINDING FOR STATE (Arts. 22.14 and 22.15, C.C.P.)

CA	USE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COU	RT
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COUNTY, TEX	AS
	JUDGMEN	VT	
the pleading and the evidence offered an sufficient cause is shown for the Defendaccusing (him)(her) of a misdemeanor and	Id admitted herein, including the lant's failure to appear on I that the judgment nisi heretoford, and Decreed by the court that	rial the above numbered and entitled cause what is Defendant; whereupon Defendant (a to the Court, and it appearing to the Court after bail bond and the judgment nisi on file in the court against Defendant should be made from the State of Texas by and through the said Court, the sum of \$ and \$ and \$ fthis judgment.	his cause, that no arge by complaint final.  City does have and
	ed, and Decreed that a cash bo	nd in the sum of \$	
		Judge, City of	, Municipal Court
(municipal court seal)			
(Deputy) City Attorne	ey		
Defendant/Attorn	<del>ey</del>		

## FINAL JUDGMENT: SURETY BOND - FINDING FOR STATE (Arts. 22.14 and 22.15, C.C.P.)

CAUSE	E NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
	JUDGMENT	
answer or appear and wholly defaulted) afte consideration of the pleading and the evidence	r being duly notified; trial was be offered and admitted herein, in	e above numbered and entitled cause wherein the State of and is Defendant-Surety; solly defaulted) and Defendant-Surety (appeared)(failed to brought to the Court, and it appearing to the Court after cluding the bail bond and the judgment nisi on file in this illure to appear on the day of
judgment nisi heretofore rendered against De	_, to answer the charge by comp fendant-Principal should be mad against	illure to appear on the day of plaint accusing (him)(her) of a misdemeanor and that the e final, and that the interlocutory judgment nisi dated the Defendant-Principal and Defendant-
Surety should be made final.	uSumut	Defendant-Principal and Defendant-
It is therefore <b>Ordered</b> , <b>Adjudged</b> , and <b>I</b> as Defendant-	<b>Decreed</b> by the Court that the State Principal and from	e of Texas through the said city does have and recover from as Defendant-Surety, on the bail bond of
the said Defendant-Principal, jointly and sever which let execution issue on the 11th day after	ally, the sum of \$the date of this judgment.	as Defendant-Surety, on the bail bond of each, and \$ in costs of court, for all of
Signed on this the day of	, 20	
		Judge, Municipal Court
		City of
		County, Texas
(Deputy) City Attorney		
Defendant/Surety Attorney		
(municipal court seal)		

	CAUSE N	NUMBER:		
STATE OF TEXAS		<b>§</b>	IN THE MUNIC	CIPAL COURT
VS.		§	CITY OF	
	_	<b>§</b>	CO	UNTY, TEXAS
		JUDGMEN	Γ	
On this date set forth	below came to be heard	d for trial the above number is Defendant-Principa	red and entitled cause wherein the land	ne State of Texas is Plaintiff and is Defendant-Surety;
evidence and the pleading the Defendant-Principal's wit:	g herein, including the land failure to appear on be made final.  red, Adjudged, and D Surety on the bail bond	ecreed by the Court that to fail Defendant-Principal	t nisi on file in this cause, that in the complaint accument nisi heretofore rendered at the State of Texas does have an all, jointly and severally, the sum the 11th day after the date of this j	no sufficient cause is shown for a misdemeanor, to against Defendant-Principal and and recover from the Defendant-of \$ and (no
<b>Signed</b> on this the	day of	, 20		
				Judge, Municipal Court
			City of	
				County, Texas
(municipal court sea	<i>l</i> )			
(Depu	ty) City Attorney			
Defendant/P	rincipal Attorney			
Defendant	t/Surety Attorney			



# **PLEAS**

## **Table of Contents**

Plea Form: By Mail or Delivery to Court	103
Notice to Defendant Following Plea by Mail	104
Plea Form: In Person.	

## PLEA FORM: BY MAIL OR DELIVERY TO COURT (Arts. 27.14(b) and 27.16(b), C.C.P.)

		CAU	SE NUMBER:	
S	TATE OF TEXAS		§	IN THE MUNICIPAL COURT
	VS.		§	CITY OF
			<b>§</b>	COUNTY, TEXAS
	Plea of Not Guilty			
	I, the undersigned, d charged in Municipa	lo hereby enter my app al Court Cause Numbe	pearance on the complaint or I <b>plead</b>	f the offense, to wit:, not guilty.
	Initial One:			
	I want a jury t	trial.		
	I waive my rig	ght to a jury trial and re	equest a trial before the Cour	t.
	Court. I understand	, in person, in the that if I do not appear e issued for my arrest.	Municipal Couranytime I am required to a	art on any date for which this case is scheduled before this ppear for this case, a Failure to Appear charge may be filed
	Plea of Nolo Contend	lere		
	charged in Municipa plea of nolo contend I do hereby plead no	I Court Cause Number dere (meaning "no control control control contendere to said ts the judge assesses. I	test") will have the same ford offense as charged, <b>waive</b> r	f the offense, to wit:
	Plea of Guilty			
	charged in Municipa the offense as charge understand that my p	I Court Cause Number d, waive my right to a julea may result in a conv	jury trial or hearing by the Co viction appearing on either a	that I have a right to a jury trial. I do hereby <b>plead guilty</b> to ourt, and <b>agree to pay</b> the fine and costs the judge assesses. criminal record or a driver's license record.
	I, the undersigned, do	hereby request the amo	ount of fine assessed and the	amount of appeal bond that the Court will approve.
De	fendant's Signature	Date		Home Telephone Number
Ad	dress			Work Telephone Number
Ple	a accepted on this	_ day of	, 20	
Jud	ge, Municipal Court			
Cit	y of			(municipal court seal)

**Editor's Note:** Effective September 1, 2019, if a defendant is charged with an offense involving family violence, the judge or justice must take the defendant's plea in open court. Art. 45.0211, C.C.P., (HB 1528, 86th Legislature (2019)).

#### NOTICE TO DEFENDANT FOLLOWING PLEA BY MAIL (Art. 27.14(b), C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	§	COUNTY, TEXAS
Pursuant to Article 27.14(b), , I  \$	Code of Criminal Procedure, the Cou Defendant in Cause Number, the amount of costs assessed in this caus	rt hereby on, 20 notifies that the amount of fine assessed in this cause is the is \$, and the, which is 31 days from the appeal bond. You are further notified that if you are
unable to pay the fine and costs or present on your ability to pay. Alternatives to	nt an appeal bond to the Court before the 31st	day, you must contact the Court to schedule a hearing be available to you, such as community service or
	post an appeal bond, or schedule a hearing I not be arrested at the court for any chargo	may result in your arrest. However, if you come to es filed in this court.
(municipal court seal)		
		Judge, Municipal Court
		City of

**Editor's Note:** If the court receives a plea of guilty or no contest by mail, the court shall notify the defendant either in person or by regular mail of the amount of any fine or costs assessed in the case, information regarding the alternatives to the full payment of any fine or costs assessed against the defendant, if the defendant is unable to pay that amount, and, if requested by the defendant, the amount of an appeal bond that the court will approve. Art. 27.14, C.C.P. (H.B. 351/S.B. 1913, 85th Legislature (2017)).

Effective September 1, 2019, if a defendant is charged with an offense involving family violence, the judge or justice must take the defendant's plea in open court. Art. 45.0211, C.C.P. (HB 1528, 86th Legislature (2019)).

PLEA FORM: IN PERSON		
	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
	PLEA OF NOLO CONTENDERE	
contendere (meaning "no contest") will have to said offense as charged, waive my right to	. I have been informed of my right to a the same force and effect as a plea of guilty on the a jury trial or hearing by the Court, and agree to prefaction of the judgment and waiver of the right to	a jury trial and that my signature on this plea of nolo judgment of the Court. I do hereby plead nolo contendere ay the fine and costs the judge assesses. I understand that appeal. I understand that my plea may result in a  Defendant's Signature  Date
		Address
	PLEA OF GUILTY	
either a criminal record or a driver's license re		Defendant's Signature Date  Address
	PLEA OF NOT GUILTY	
I, the undersigned, do hereby enter my appear charged in Municipal Court Cause Number _	rance on the complaint of the offense, to wit:  I plead not guilty.	,
Initial One:		
I want a jury trial.		
I waive my right to a jury trial and i	request a trial before the Court.	
		hich this case is scheduled before this Court. I understand may be filed and warrants may be issued for my arrest.
		Defendant's Signature Date
		Address
Plea accepted on this day of	, 20	
Judge, Municipal Court		,
City of		(municipal court seal)

**Editor's Note:** Effective September 1, 2021, under Art. 45.0241, C.C.P., a judge may not accept a plea of guilty or nolo contendere from a defendant in open court unless it appears that the defendant is mentally competent and the plea is free and voluntary. (H.B. 3774, 87th Legislature (2021)).

Under Article 26.13, C.C.P., prior to accepting a plea of guilty or a plea of nolo contendere, the court must make certain admonishments (*See TMCEC 2019 Bench Book*: Chapter 4 Appearance and Pleas). Additionally, under 45.041(a-1), C.C.P., during or immediately after imposing a sentence in a case in which the defendant entered a plea in open court as provided by Article 27.14(a) or 27.16(a), the justice or judge shall inquire whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs.

# DEFERRED PROCEEDINGS

# **DEFERRED PROCEEDINGS**

## **Table of Contents**

Updated Deferred Disposition Order	106
Updated Disposition Order: Defendant Under Age 25 - Moving Violation	108
Deferred Disposition: Notice to Defendant to Show Cause	
Deferred Disposition: Extension of Deferral Period	
Judgment: Final Disposition of Deferred Disposition	
Driving Safety Course	
DSC Warning Sign	113
Request for a Driving Safety Course	
Affidavit for a Driving Safety Course	
Judgment: Driving Safety Course Granted	116
Driving Safety Course: Notice to Defendant to Show Cause	117
Driving Safety Course: Extension of Time to Present Evidence of Completion	
Judgment: Final Disposition of Driving Safety Course	119
Teen Court	
Teen Court Request/Agreement	120
Teen Court Order	121
Teen Court Jury Instructions	122
Teen Court Community Service Referral	
Chemically Dependent Person Order	125

## DEFERRED DISPOSITION ORDER (Art. 45.051, C.C.P.) (Page 1 of 2)

		CAUSE NUMBER:	<u>—</u>
STA	ATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
	VS.	<b>§</b>	CITY OF
		<b>§</b>	COUNTY, TEXAS
	Ol	RDER DEFERRING FURTHER PROCI	EEDINGS
T (by a	The Court finds that iury) of [pled (guilty)(no contest	, D	Defendant, [was found guilty (before the Court) a fine of \$ and court costs.
on the	eday of, 20	_, and that the punishment has been set at a	a fine of \$ and court costs.
	paid immediately		
adjud	ication of guilt until the day	of, 20	t defers further proceedings without entering ar
DEFI	ERRAL PERIOD:	, 20 until	_, 20 (not to exceed 180 days).
		CONDITIONS OF DEFENDED DISDO	CHEION
		CONDITIONS OF DEFERRED DISPOS	SITION
DEFI	ENDANT SHALL:		
<ul><li>2.</li></ul>	collected by (any date Post bond in the amount of \$	before the date on which the period of probato to secure payment of the fine.	ine that could be imposed). The fine shall be atton ends).  mount of \$ (not to exceed the
	fine assessed).	g as follows:	
□ 5. □ 6. □ 7.	Submit to a psychosocial assessm	nent as follows:	m as follows:
□ 9. □ 10	Complete a driving safety course.  Complete the following course:	g, psychosocial assessment, or a treatment or approved under Ch. 1001, Education Code.  y service at:	
□ 12 □ 13	2. Submit proof of financial responses showing that Defendant kept in for other.	sibility as required by law to the Court at the corce financial responsibility during the entire	termination of the deferral period; said proof

Violation of any of the above noted conditions shall constitute a violation of this agreement.

## DEFERRED DISPOSITION ORDER (Art. 45.051, C.C.P.) (Page 2 of 2)

If Defendant successfully complies with the conditions <b>NOT</b> be reported as a conviction. Failure to comply \$ owed, and the conviction will be reported	shall cause the	his case to result		•
A copy of this Order was delivered to the Defendant on the	his date.			
Received, agreed to, and signed this the day of _		, 20	<i>:</i>	
Defendant's Signature				
(municipal court seal)				
			City of	Judge, Municipal Court
				County, Texas

**Editor's Note:** This order is inapplicable to defendants younger than age 25 accused of a traffic offense classified as a moving violation. See *Deferred Disposition Order: Defendant Under 25 – Moving Violation* on next page

## DEFERRED DISPOSITION ORDER: DEFENDANT UNDER AGE 25 - MOVING VIOLATION (Art. 45.051(b-1), C.C.P.) (Page 1 of 2)

		CAUSE NUMBER:	_
STAT	E OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.		<b>§</b>	CITY OF
		<b>§</b>	COUNTY, TEXAS
	OR	EDER DEFERRING FURTHER PROCE	EDINGS
ТНЕ С	OURT FINDS THAT:		
1.	Court)(by a jury) of [pled (quilty	, a Defendant younger than	25 years of age, [was found guilty (before the
	offense classified as a moving vio	volation on the day of, 20	0, a traffic
2.	The punishment has been set at a	fine of \$ and countries are hereby ordered to	urt costs.
3.	□ paid immediately		
	paid through installments of \$	per (time period y service of hours to be perform	d)
	discharged through community	y service of hours to be perform	ed atndant is under 17 years of age and the offense
	occurred in a building or on the	e grounds of the Defendant's school)	naunt is under 17 years of age and the offense
	☐ or a combination thereof.		
	der the authority of Article 45.05 ation of guilt until the day of		defers further proceedings without entering an
		, 20 until, 2	20 (not to exceed 180 days).
	-MANDATED CONDITIONS:		
	t to Article 45.051(b-1)(2), Code d under Ch. 1001, Education Code		s ordered to complete a driving safety course
ordered	to submit to a driver's license exa		nt, who holds a provisional driver's license, is $0(2)$ , Transportation Code, regardless of whether rtment of Public Safety.
		ERS THAT THE DEFENDANT SHALL:	
□ 1	Pay a fine in the amount of \$	(not to exceed the amount of the	the fine that could be imposed). The fine shall be
□ 2	Post bond in the amount of \$	before the date on which the period of probation to secure payment of the fine.	ation enas).
□ 3	. Pay restitution to	(victim of the offense) in the a	mount of \$ (not to exceed the fine
<b>□</b> 4	assessed). Submit to professional counselin	ng as follows:	
	_		
□ 5			llows:
□ 6	Submit to a psychosocial assessr	nent as follows:	gram, such as a drug education program approved
□ 7	by the Department of State Health	of or drug abuse treatment or education progeth Services in accordance with Section 521.3	gram, such as a drug education program approved 74, Transportation Code, or an alcohol awareness
	Pay the costs of diagnostic testin	g, psychosocial assessment, or a treatment or	r education program, as follows:
□ 9 □ 1	Perform hours communi     Submit proof of financial response	ty service at:	the termination of the deferral period; said proof
	showing that Defendant kept in f	force financial responsibility during the entire	e deferral period.
□ 1	1 Other:		

☐ 12. Present to the Court satisfactory evidence of complying with each requirement and reasonable condition imposed by the Judge.

## DEFERRED DISPOSITION ORDER: DEFENDANT UNDER AGE 25 - MOVING VIOLATION (Art. 45.051(b-1), C.C.P.) (Page 2 of 2)

Violation of any of the above noted conditions shall constitute a violation of this agreement.			
If Defendant successfully complies with the conditions of this agreement, then this c <b>NOT</b> be reported as a conviction. Failure to comply shall cause this case to resu \$ owed, and the conviction will be reported as required by law.			
A copy of this Order was delivered to the Defendant on this date.			
Received, agreed to, and signed this the day of, 20	<u>_</u> ·		
Defendant's Signature			
(municipal court seal)			
	Judge, Municipal Court City of		
	County, Texas		

Editor's Note: Effective September 1, 2021, under Art. 45.041(b-6), C.C.P., a justice of the peace or municipal judge may not require a defendant who is under the conservatorship of the Department of Family and Protective Services, or in extended foster care, to pay any amount of a fine and costs imposed by the justice or judge. The justice or judge is authorized to require the defendant to perform community service in lieu of the payment of fine and costs as appropriate. (H.B. 80, 87th Legislature (2021)).

## DEFERRED DISPOSITION: NOTICE TO DEFENDANT TO SHOW CAUSE (Art. 45.051, C.C.P.)

	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN T	HE MUNICIPAL COURT
VS.	§	CITY	OF
	<b>§</b>		COUNTY, TEXAS
	ORDER TO SHOW C	AUSE	
Name:	Offense:		
Address:			
Failure to appear on this date and	ear before the, 20, to show cause why y , 20  time will result in a conviction and a j you were granted deferred disposition.		
(municipal court seal)			Judge, Municipal Court
			County, Texas

## DEFERRED DISPOSITION: EXTENSION OF DEFERRAL PERIOD (Art. 45.051(c-2), C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	§	COUNTY, TEXAS
	ORDER GRANTING EXTENSION OF I	DEFERRAL PERIOD
On this, the day cause for (his)(her) failure Proceedings entered in this Defendant be granted an a compliance with the Ord	of, 20, the Defendant apperton present satisfactory evidence of compliance via cause. Pursuant to Section 45.051(c-2), Code additional period during which the Defendant in the Deferring Further Proceedings. This additional period to the proceedings and the proceedings are the proceedings.	, Defendant, was granted a deferral of final disposition, said deferral on the day of, 20  ared before me, the undersigned judge, and showed good with the orders imposed in the Order Deferring Further of Criminal Procedure, it is hereby <b>Ordered</b> that the may present to this Court evidence of the Defendant's itional period will expire on the day of mply with the orders, conviction will be entered against
	Judge,	Municipal Court Date
(municipal court se	cal) City o	f
		County, Texas

**Editor's Note:** Article 45.051(c-2) of the Code of Criminal Procedure does not provide a maximum amount of time for which the judge may grant an extension for a deferred disposition.

## JUDGMENT: FINAL DISPOSITION OF DEFERRED DISPOSITION (Art. 45.051, C.C.P.)

		CAUSE NUMBER:	<u></u>
STATE O	OF TEXAS	§	IN THE MUNICIPAL COURT
•	VS.	§	CITY OF
		<b>§</b>	COUNTY, TEXAS
		JUDGMENT	
On this	the day of	, 20, in the above number	ered and entitled cause:
		e is dismissed, and there be no final con eletion of the terms of the deferred dispos	viction, on the grounds that the Defendant presented sition.
	It is <b>Ordered</b> that the cash be refunded.	ond to secure payment of the fine poster	d by Defendant in the amount of \$ shall
	entered and the Defendant is costs in the amount of \$ immediately.  □ by □ at designated intervals (se □ It is <b>Ordered</b> that the cas	S Ordered to pay the fine assessed in the	
		<b>5</b> ·	nicipal Court Date
(m	unicipal court seal)	City of	
			County, Texas

**Editor's Note:** The judge may impose a lesser fine than the fine assessed in the Order granting deferred unless the defendant is under the age of 25 and was charged with a moving violation offense. In that case, the amount of the fine may not be less than the fine assessed when the defendant was granted the deferred disposition. Art. 45.051(d)-(d-1), C.C.P.

You may be able to require that this charge be dismissed by successfully completing a driving safety course or a motorcycle operator training course. You will lose that right if, on or before your appearance date, you do not provide the Court with notice of your request to take the course.

> Article 45.0511(q), Code of Criminal Procedure

		CAUSE NUMBER:		
STAT	E OF TEXAS	§	IN THE MUNICIPAL CO	URT
	VS.	<b>§</b>	CITY OF	
		§	COUNTY, TE	XAS
		DEFENDANT'S REQUEST FOR A DR	IVING SAFETY COURSE	
		rance on the complaint of the offense of:e a right to a jury trial. I hereby waive my ri inal Procedure, to take a driving safety course	(in person)(by counsel)(bght to a jury trial, plead (guilty)(no contest), and e	y certified lect unde
Ιυ	ınderstand that I mu	st present the Court the following with thi	s request:	
1.		r's license or permit, or proof that I am a mer ry forces serving on active duty;	nber, or the spouse or dependent child of a membe	r, of the
2.	Proof of financial re	sponsibility pursuant to Chapter 601, Transp	ortation Code (automobile liability insurance);	
3.	Payment of court co	sts; and		
4.	Payment of a \$	_ nonrefundable reimbursement fee (not to e.	xceed \$10).	
Ιυ	ınderstand that I mu	st:		
1.	Complete a driving	safety course or motorcycle operator training	course as applicable within 90 days of this request	t;
2.			ate of course completion of a driving safety cong course as evidence that I have completed such a	
3.	preceding 12 month Department of Publ United States milita	s from the date of my current offense that is ic Safety; or if I am on active military duty	not taking such a course nor had I completed one of not shown on my driving record as maintained by t, or am the spouse or dependant child of a member of not taken a course in another state in the predad	the Texa ber of the
4.				ırtment o
Ιυ	inderstand that:			
1.	required evidence a		afety/motorcycle operator training course and subdid report to the Texas Department of Public Safet	
2.		the evidence required by the Court, I will be show cause why I did not present the required	e notified of a show cause hearing and be required devidence of course completion;	to appea
3.	The judge may at th	e show cause hearing enter a final adjudication	on against me and require me to pay the fine; and	
4.		r at the show cause hearing will result in a fine and any additional costs required by law.	nal adjudication being entered against me, and tha	t I will b
I ATTE	ST THAT I HAVE RE	EAD THIS DOCUMENT.		
Defenda	nt's Signature	Date D	efendant's Attorney (if applicable)	Date

## AFFIDAVIT FOR A DRIVING SAFETY COURSE (Art. 45.0511(c)(3), C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
	AFFIDAVIT	
the date of my current offense that is no	e under oath that on the date of my request f use that I was not taking such a course nor had t t shown on my driving record as maintained by ver's license - active military duty personnel only	For a driving safety course/motorcycle operator I completed one within the 12 months preceding by the Texas Department of Public Safety (or as y).  Defendant's Signature
Sworn and subscribed before me	e, the undersigned authority on this the day	or, 20
(municipal court seal)		(Judge)(Court Clerk)(Deputy Court Clerk) (Notary Public in and for the State of Texas)

Editor's Note: Required to be filed within 90 days of the request for a driving safety course/motorcycle operator training course.

#### JUDGMENT: DRIVING SAFETY COURSE GRANTED (Art. 45.0511, C.C.P.)

	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COUR	RT
VS.	<b>§</b>	CITY OF	_
	<b>§</b>	COUNTY, TEXA	AS
	INTERIM JUDGMENT		
The Defendant elected to take a drive safety course. The imposition of this judge a (driving safety course) (motorcycle operation of the amount of \$100.000 to the complete statute or ordinance in the amount of \$100.000 to the complete statute or ordinance in the amount of \$100.000 to the complete statute or ordinance in the amount of \$100.000 to the complete statute or ordinance of the ordinance of the United States in the complete statute of the United States in the complete statute of the offense, and an arraining course, as applicable, under Articles.	plus any and all costs required to ring safety course, and the Court finds that the gment is hereby deferred for a period of 90 da trator training course). The Defendant is order to the course and present evidence (a uniform notorcycle operator training course) to this of course completion, the Defendant is ordered trument of Public Safety (or if the Defendant is allitary forces on active military duty, an affided driving safety course or motorcycle operator affidavit stating that the Defendant was not cle 45.0511, Code of Criminal Procedure, or	the above numbered and entitled cause appear jury trial or any trial; and the Court finds the Deference. The Defendant, having been found guest be paid.  The Defendant, having been found guest be paid.  The Defendant meets the requirements for taking a lays and the Defendant is hereby granted the right ered to pay immediately all court costs and fees remarked to present a certificate of the driving safety are to present a certified copy of the Defendant's is on active military duty or is the spouse or dependent under Art. 45.0511(c)(4), C.C.P.), showing that or training course, as applicable, within the 12 pot taking a driving safety course or motorcycle of the date of the request to take this course and the 12 months preceding the date of the offense.	driving to take equired course) 20 driving pendent that the months operator
	Judge, Mu	unicipal Court Date	;
(municipal court seal)	City of		
		County	y, Texas

#### DRIVING SAFETY COURSE: NOTICE TO DEFENDANT TO SHOW CAUSE (Art. 45.0511, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
	ORDER TO SHOW CA	AUSE
Name:	Offense:	
Address:		
Failure to appear on this date a		Municipal Court at o'clockm., on the dot to comply with the Court's order in this case b
(municipal court seal,		Judge, Municipal Cour City of
		County, Texa
		Date:

#### DRIVING SAFETY COURSE: EXTENSION OF TIME TO PRESENT EVIDENCE OF COMPLETION (Art. 45.0511(k), C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	§	COUNTY, TEXAS
	ORDER GRANTING EXTENSION	OF TIME
On this, the day of cause for (his)(her) failure to furnish the hereby <b>Ordered</b> that the Defendant be g certificate of course completion as evidence that the I		Defendant, was granted a deferral of imposition of f, to a tor training course. The Defendant was ordered to by the day of, 20  d before me, the undersigned judge, and showed good ection 45.0511(k), Code of Criminal Procedure, it is the Defendant may present to this Court a (uniform completed the driving safety course) (verification of motorcycle operator training course). Defendant must nich time, if the Defendant has failed to present such
		unicipal Court Date
(municipal court seal)	City of	
		County, Texas

#### JUDGMENT: FINAL DISPOSITION OF DRIVING SAFETY COURSE (Art. 45.0511, C.C.P.)

		CAUSE NUMBER:		
STATE OF	TEXAS	<b>§</b>		IN THE MUNICIPAL COURT
VS.		<b>§</b>		CITY OF
		<b>§</b>		COUNTY, TEXAS
		FINAL JUDG	MENT	
On this the	day of	, 20, on the above num	bered and entitled cause	:
succ Def Arti □ The hear fine □ ir	Defendanting, and hassessed in mmediately	is <b>Ordered</b> removed and the case dismissed appletion of a (driving safety course) (motoriving record, if applicable, from the Texas D (c)(3) or 45.0511(c)(4), Code of Criminal Process, having not complied with the Court's order aving failed to show good cause why he/she fain the amount of \$	eycle operator training epartment of Public S edure.  Set forth above, havialled to comply with the	g course) and a certified copy of the afety, and the required affidavit under ng been given notice of a show cause the Court's order, is <b>Ordered</b> to pay the
			Judge, Municipal Cour	rt Date
(municipal co	ourt seal)		City of	
				County, Texas

#### TEEN COURT REQUEST/AGREEMENT (Art. 45.052, C.C.P.)

about these requirements, contact the Court at (\_\_\_\_\_) \_\_\_

	CAUSE NUMBER:	_
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
I hereby acknowledge that in ord record or driving record, I must satisf		in lieu of a conviction being entered on my crimi
I am under the age of 18 or e diploma.	nrolled full-time in an accredited second	ary school in a program leading toward a high sch
2. I have not successfully complet	ted a Teen Court program in the year prece	eding the date that the alleged offense occurred.
3. I understand that I have extensions can or will be grante		dar days from today's date to complete the program.
		<b>f completion</b> showing that I have completed the To or prior to the end of the deferral period, whichever
	nce with any portion of this request may i	result in the Court's issuing a warrant for my arrest a
5. I understand that non-compliar will result in the fine becoming		,
will result in the fine becoming  6. I understand that the Teen Cou Louisiana border region), for th	due.	nent fees, not to exceed \$20 (\$40 in cities in the Tex
will result in the fine becoming  6. I understand that the Teen Cou Louisiana border region), for the	due.  rt may charge non-refundable reimbursen e course in addition to any other costs ow	nent fees, not to exceed \$20 (\$40 in cities in the Texed.
will result in the fine becoming  6. I understand that the Teen Cou Louisiana border region), for the	due.  rt may charge non-refundable reimbursen te course in addition to any other costs ow  Offense  Date of 0	nent fees, not to exceed \$20 (\$40 in cities in the Texed.
will result in the fine becoming  6. I understand that the Teen Cou Louisiana border region), for the  Name  Address  Date of Birth	due.  rt may charge non-refundable reimbursen te course in addition to any other costs ow  Offense  Date of O  School A	nent fees, not to exceed \$20 (\$40 in cities in the Texed.
will result in the fine becoming  6. I understand that the Teen Cou Louisiana border region), for the  Name  Address  Date of Birth  Home Telephone	due.  rt may charge non-refundable reimbursen te course in addition to any other costs ow  Offense  Date of O  School A	nent fees, not to exceed \$20 (\$40 in cities in the Texed.  Offense  Attending  or Legal Guardian's Work Telephone
will result in the fine becoming  6. I understand that the Teen Cou Louisiana border region), for the  Name  Address  Date of Birth  Home Telephone	due.  rt may charge non-refundable reimbursen te course in addition to any other costs ow  Offense  Date of O  Parent's of  Complete	nent fees, not to exceed \$20 (\$40 in cities in the Texed.  Offense  Attending  or Legal Guardian's Work Telephone
will result in the fine becoming  6. I understand that the Teen Cou Louisiana border region), for the  Jame  Address  Date of Birth  Jome Telephone  Today's Date  Signed this the day of	due.  rt may charge non-refundable reimbursen te course in addition to any other costs ow  Offense  Date of O  Parent's of  Complete	nent fees, not to exceed \$20 (\$40 in cities in the Texted.  Offense  Attending  or Legal Guardian's Work Telephone
will result in the fine becoming  6. I understand that the Teen Cou Louisiana border region), for the  Name  Address  Date of Birth  Iome Telephone  Today's Date  Signed this the day of  Defendant's Signature	due.  rt may charge non-refundable reimbursen te course in addition to any other costs ow  Offense  Date of O  Parent's of  Complete	Defense  Attending  or Legal Guardian's Work Telephone  ion Date
will result in the fine becoming  6. I understand that the Teen Cou Louisiana border region), for the Name Address Date of Birth Home Telephone	due.  rt may charge non-refundable reimbursen te course in addition to any other costs ow  Offense  Date of O  Parent's of  Complete	Diffense  Or Legal Guardian's Work Telephone  Judge, Municipal Court

	CAUSE NUMBER:		
STATE OF TEXAS	§	IN	THE MUNICIPAL COURT
VS.	<b>§</b>	CI	TY OF
	<b>§</b>	_	COUNTY, TEXAS
ORI	DER DEFERRING FURTHER	PROCEEDINGS	
The Court finds that the Defendant,		, has pled (	(guilty) (no contest) to the offense of
\$		and orders that	at punishment be set at a fine of
However, the Court orders that the fin days) days, on condition that du			For (insert a period not to exceed 180
	within 90 days after the date of the deferral period), whichever day		ing to determine punishment or by
			within days to make an
□ pay court costs of \$ □ return to the Court by □ pay to the Court a non-refundable exceed \$10; \$20 for cities in the Te	reimbursement fee set by the Couxas-Louisiana border region) ( $\square$ C	art at the amount of \$_ Check here if this fee is	(this fee may not
(he)(she) has complied with the conditions record or driving record. However, if the characteristic completed the Teen of Signed this the day of	arge is a traffic offense, the Court s Court program for inclusion in the	shall report to the Depa	artment of Public Safety the date the
		Judge, Municipal (	Court
(municipal court seal)		City of	
			County, Texas
have read and understand the terms of	this order.		
Defendant's Signature	Pa	arent's or Legal Guard	lian's Signature
Address		ffense	Date of Offense
Birthdate:	So	chool Attending:	
Гoday's Date:	C	ompletion Date:	
It is hereby ORDERED that, the Defend program, this cause be DISMISSED.			
		Judge, Municipal	Court

#### **TEEN COURT JURY INSTRUCTIONS (Page 1 of 2)**

	CAUSE NUMBER:	<del></del>
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
Name of Accompanying Adult: _		
Offense Class(es):	Range of Hours:	
Fifth Amendment Objection to the jury Admission of guilt Oath		oath eptance of sentence ity to fulfill conditions of sentence
The above admonishments, oath	s, and procedures were given to the above named I	Defendant.
Presiding Judge	Date	
the Court regarding the offense( for each offense listed and who questions on the back of this she	s). You are instructed that your recommendation i ether the hours are to be served consecutively deet to be certain full consideration is given. Return	ermining the recommendation that you will make to in deciding the number of community service hours or concurrently <b>must be unanimous</b> . Answer the in this to the bailiff when a verdict has been reached
and return quietly to the jury sea Recommended hours:	Defense Prosecution	
JURY RECOMMENDATION		
We, the Teen Jury, reco	ommend that the Defendant receive the following c	onstructive sentence:
	st the hours for each offense and state whether they (worked off at the same time).	y are to be served consecutively (added together end
This decision is unanim	ous; all questions on the back of this statement we	re read and considered in the deliberations.
Required jury terms:		
(Other jurors sign on back o	f sheet)	Signature, Presiding Juror

Editor's Note: This form is an example of Teen Court Jury Instruction. Individual Teen Courts differ and will need to adapt based on individual processes. Additionally, for the Jury Instruction used in an actual trial, see *TMCEC Jury Charge Bank*.

#### TEEN COURT JURY INSTRUCTIONS (Page 2 of 2)

These questions are to appear on the back side of the previous page.

1.	Age of Defendant: years (on citation).
2.	Is it likely that Defendant can get to jury duty and the community service agency independently or that he/she must depend on others for transportation?
3.	Pertinent facts brought out in the hearing that were considered in reaching the verdict:
4.	Did the jury believe the witness' testimony? YES NO
5.	If not, why not?
Ad	ditional comments to the Judge (optional):
	Jurors (signatures):
	<del></del>

#### TEEN COURT COMMUNITY SERVICE REFERRAL

#### COMMUNITY SERVICE REFERRAL FORM

To:	Telepho	one:	
Name of Cor			
Name of Age	ency		
This is to in	troduce		, who is to complete hours of
community service	ce by , 20	0 , with your age	ency. When this teen has completed the required hours, please
return this she	et, signed at the bottom, to	him/her, so it	, who is to complete hours of ency. When this teen has completed the required hours, please may be returned to: (Court or Teen Court Coordinator's
			<u> </u>
In the event Coordinator at the		completed by the	date shown above, please mail this copy to the Teen Court
The Emerger	ncy Release Form should remain v	with your agency wh	nile the youth is performing his/her community service.
			s signed this document to acknowledge permission for you to
Thank you fo	or your participation; if you have a	any questions or pro	blems, please contact:
·			
		at	Telephone Number
Appropriate Cou	rt Official		Telephone Number
	Date		Teen Court Coordinator/Judge
	Date		Youth
	Date		Parent/Guardian (only if youth is under 17 years)
To:	Municipal	l Court	
	has compl	eted	hours of community service with this agency.
Name of Youth			
A NT		Signature of Super	<del></del>
Agency Name		Signature of Super	rvisor Date

#### CHEMICALLY DEPENDENT PERSON ORDER (Art. 45.053, C.C.P.)

		CAUSE NUMBER:	:	
STA	TE OF TEXAS	<b>§</b>		IN THE MUNICIPAL COURT
VS.		<b>§</b>		CITY OF
		<b>§</b>		COUNTY, TEXAS
		ORDER DEFERRING FU	RTHER PROCEEDI	NGS
□ I h	The Defendant pled not guilty to eard the evidence, found the Def	the charge and requested a tria fendant guilty, and the jury ass	al by jury. The jury hav	ring been impaneled and sworn, and having; or
	The Defendant pled not guilty to uilty and assessed a fine of \$		by jury. After hearing	the evidence, the Court found the Defendan
	The Defendant pled guilty/no conine of \$		a trial by jury. The Cou	art found the Defendant guilty and assessed a
				ncy of the Defendant, and that an application of the Texas Health and Safety Code.
	t is Ordered that further disposite order, subject to the following term			guilt, for a period of 90 days from the date of
a E ti	nd appear in this Court on Defendant has been committed fo	, 20, at r and completed the treatment	o'clocko'relation o'clock	and Safety Code, at the cost of the Defendantm. to present satisfactory evidence that the apter 462, Health and Safety Code, at which will impose the fine assessed and enter a fina
Signe	<b>d</b> on	, 20		
(muni	icipal court seal)		Judge, Municip City of County, Texas	
		DECEME OF ORDE		
Order			estand my obligations.	I hereby agree to appear as required by thi agreed, a warrant ordering my arrest may be
Defer	ndant's Signature	Date	Employment	
Addre	ess and Telephone		Work Address	and Telephone
In cas	e of emergency, notify:			
Name	::		Telephone:	
Addre	ess:			
comp		nent in accordance with Cha		hat the Defendant was committed for and I Safety Code, this cause be DISMISSED
				Judge, Municipal Court

## TRIAL SETTINGS

### TRIAL SETTINGS

#### **Table of Contents**

Non-Jury Trial (Bench Trial) Setting Form: Defendant Appears by Mail	126
Non-Jury Trial (Bench Trial) Setting Form: Defendant Appears in Person	127
Jury Trial Setting Form: Defendant Appears by Mail	128
Jury Trial Setting Form: Defendant Appears in Person	
Election for Jury to Assess Punishment	
Pre-Trial Setting	131
Trial Date Reset Notice	
Order to Summon Venire	133
Jury Service Cover Letter	134
Juror Information Sheet	135
Official Model Jury Summons and Questionnaire	136
Jury Panel List (Venire Panel)	140
Other Jurors Summoned ("Pick Up Jury")	141
Jury List	142
Evidence Log Form	143
Allen Charge	144
Verdict: Election for Jury Punishment	
Verdict: Jury Sentence and Bench Punishment	146
Juror/Witness/Defendant Excuse Letter	147
Certificate of Appreciation for Jury Service	148

#### NON-JURY TRIAL (BENCH TRIAL) SETTING FORM (Defendant Appears by Mail Pursuant to Art. 27.16(b), C.C.P.)

C	AUSE NUMBER:	<u> </u>	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL	COURT
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COUNTY,	, TEXAS
YOU HAVE REQUESTED A TRIA	L BEFORE THE JUDGE.		
NOTICE IS HEREBY GIVEN of the day of, 20	non-jury trial court date of the abo	we numbered and styled cause. The c	late of trial is set on the
Failure to appear for this court date of for your arrest.	or any date that this case is schedu	led before this Court may result in	a warrant being issued
This notice mailed on	, 20		
	(Jı	ndge), (City) Municipal Court	Date
*Notice: To request a continuance to re continuance must be filed with this Courequirement may result in your motion	rt hours prior to the time and		
(municipal court seal)			

#### NON-JURY TRIAL (BENCH TRIAL) SETTING FORM (Defendant Appears in Person Pursuant to Art. 27.16(a), C.C.P.)

	CAUSE NUMBE	R:	
STATE OF TEXAS	<b>§</b>	IN	THE MUNICIPAL COURT
VS.	<b>§</b>	CI	TY OF
	§		COUNTY, TEXAS
NOTICE IS HEREBY GIVEN of the day of,			nd styled cause. The date of trial is s
I PROMISE TO APPEAR, in person, date for which this case is scheduled be case, a warrant may be issued for my arrangement.	efore this Court. I und	erstand that if I do not appear	anytime that I am required to appea
Defendant's Signature	Date	(Court Clerk) (Deputy Cler	k) Date
Defendant's Address			Telephone Number
*Notice: To request a continuance to recontinuance must be filed with this Courequirement may result in your motion	art hours prior to	the time and date of above co	
(municipal court seal)			

#### JURY TRIAL SETTING FORM (Defendant Appears by Mail Pursuant to Art. 27.16(b), C.C.P.)

C	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL	L COURT
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COUNTY	, TEXAS
YOU HAVE EXERCISED YOUR R	IGHT TO A JURY TRIAL.		
NOTICE IS HEREBY GIVEN of the day of day of for which this case is scheduled befor assessed the costs of summoning the juth this notice mailed on	, 20, ato'clock e this Court may result in a wa urors if you fail to appear.	ove numbered and styled cause. The datam.* Failure to appear for this contrant being issued for your arrest. Fu	ate of trial is set on the urt date or on any date rthermore, you may be
		(Judge), (City) Municipal Court	Date
	ert hours prior to the time a	n Motion for Continuance stating the rea and date of above court date. <b>Failure to</b>	
(municipal court seal)			

#### JURY TRIAL SETTING FORM (Defendant Appears in Person Pursuant to Art. 27.16(a), C.C.P.)

	CAUSE NUMBE	ER:	
STATE OF TEXAS	<b>§</b>		IN THE MUNICIPAL COURT
VS.	<b>§</b>		CITY OF
	<b>§</b>		COUNTY, TEXAS
NOTICE IS HEREBY GIVEN of day of			and styled cause. The date of trial is set on the
I PROMISE TO APPEAR, in perso date for which this case is scheduled be warrant may be issued for my arrest. F	n, in the perfore this Court. I under furthermore, I understand	Municipal Cour erstand that if I do not appe I that if I fail to appear, I m	t on or before the aforementioned date and on any ear anytime I am required to appear for this case, a ay be assessed the costs of summoning the jurors.
Defendant's Signature	Date	(Court Clerk)(Deputy Cle	erk) Date
Address			Telephone Number
	ourt hours prior to	o the time and date of abor	ontinuance stating the reason (good cause) for the ve court date. Failure to comply with this notice
(municipal court seal)			

#### ELECTION FOR JURY TO ASSESS PUNISHMENT (Art. 37.07, C.C.P.)

(municipal court seal)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
GREETINGS:		
According to Court records, you numbered cause.	have entered a plea of not guilty	and have requested a trial by jury in the above entitled and
		ry, you do not have a constitutional right to jury sentencing. te this statutory right, you must make a timely election of jury
If you do not make a timely elect punishment.	ion for the jury to assess punishmen	t, and are found guilty by the jury, the Court will assess the
For your election to be timely, yo	u are hereby <b>ordered</b> by the Court	to make your election in writing:
☐ At a pre-trial hearing (if one	is ordered by the Court); or	
☐ Prior to beginning the voir di	re examination of the jury panel.	
You may make your election by p	providing the Court with a copy of t	he attached motion.
	MOTION FOR THE JURY TO A	SSESS PUNISHMENT
To the Honorable Judge of said Court	:	
Procedure, and before the commence		use, and in accordance with Article 37.07, Code of Criminal of the jury panel, elects in writing that the punishment, if any,
in this cause be assessed by the jury.		Respectfully submitted,
		Defendant
		Attorney for Defendant
	ORDER	
On this day of timely filed is granted.	, 20, came on to	be heard the foregoing motion, and the same having been
		Judge Presiding

#### PRE-TRIAL SETTING (Art. 28.01, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
	that the above numbered and styled cause  Municipal Court at	•
	, 20, at o'clockm.*	
		(Court Clerk)(Deputy Clerk)
		Date:
continuance must be filed with this	reset the above court date, a written Motion for C Court hours prior to the time and date of the court motion for continuance being denied.	Continuance stating the reason (good cause) for the ne above court date. Failure to comply with this
(municipal court seal)		

#### TRIAL DATE RESET NOTICE

	CAUSE NUMBER: _		
STATE OF TEXAS	<b>§</b>	IN THE MUNIC	IPAL COURT
VS.	<b>§</b>	CITY OF	
	§	COU	NTY, TEXAS
Your continuance has been cause is rescheduled for the	n granted. NOTICE IS HEREBY	GIVEN that the trial date setting of the 20, ato'clockm.	ne above numbered and styled
	court date or any date for which	this case is scheduled before this Co	urt may result in a warran
being issued for your arrest.			
	(Co	urt Clerk)(Deputy Court Clerk)	Date
This continuance was requested b	oy: □ Defendant □ State		
(municipal court seal)			

#### ORDER TO SUMMON VENIRE (Art. 45.027, C.C.P.)

		CAUSE NUMBER:	
ST	ATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
	VS.	§	CITY OF
		<b>§</b>	COUNTY, TEXAS
го	(person ordered to summon juror	– GREETINGS:	
	You are hereby <b>Ordered</b> to summon	(number) persons who	o are qualified jurors in the city, to appear before this Court on the o'clockm., then and there to serve as jurors in the trial of
	Signed and entered this day of	, 20_	<del>.</del>
	(municipal court seal)	RETURN OF JUR	Judge Presiding  RY VENIRE
mail	Came into hand oning notice on	, 20, at	o'clockm. The following persons are summoned by:
	<u>Name</u>		ime Summoned
	4		
	5.		
	<ul><li>6.</li><li>7.</li></ul>		

Signature of Person Summoning Jury

<sup>\*</sup>Add additional pages as needed for more jurors.

#### JURY SERVICE COVER LETTER

To the City of

To the City of survis.
You have been selected for <b>jury service</b> in the Municipal Court of the City of Jury service is obligation of citizenship that is essential to the judicial process. It is an opportunity for you to make a meaningful contribution to ensure the justice is provided in our community.
The Judge of the Municipal Court recognizes that jury service entails an imposition on the citizens called for jury service. In order minimize the burden caused by your jury service, report promptly at the date and time indicated on the enclosed <b>JURG INFORMATION</b> form. The Municipal Court building is located
Parking information:
<b>JUROR INFORMATION FORM:</b> This information is needed for the jury selection process. Please complete this enclosed form a bring it with you when you report for jury service. Generally, your jury service will be for no longer than one day.
We hope that you will find the opportunity to serve to be a pleasant and rewarding experience. Your service as a juror is appreciated.
Municipal Court, City of

Inrore.

#### **NOTICES**

- 1. Failure to appear for jury service may result in a \$100 fine for contempt (Article 45.027 of the Code of Criminal Procedure).
- 2. If you fail to attend court in obedience to the notice without reasonable excuse or file a false claim of exemption, you can be fined not less than \$100 or more than \$500 (Section 62.111 of the Government Code).
- 3. If you do not comply with the summons or knowingly provide false information in a request for an exemption to be excused from jury service, you are subject to a contempt action punishable by a fine of not less than \$100 or more than \$1,000 (Section 62.0141 of the Government Code).
- 4. If you claim to be disqualified based on a lack of citizenship, you will no longer be eligible to vote if you fail to provide proof of citizenship. If you claim a disqualification or exemption based on lack of residence in this county, you may no longer be eligible to vote in this county (Sections 62.113 and 62.114 of the Government Code).

**Editor's Note:** Under Section 122.001 of the Texas Civil Practice & Remedies Code, an employer may not discharge, threaten to discharge, intimidate, or coerce any permanent employee because the employee serves as a juror, or for the employee's attendance or scheduled attendance in connection with the service, in any court in the United States. Violation of this section is a Class B misdemeanor. Sec. 122.001, C.P.R.C.

#### JUROR INFORMATION SHEET

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
Name:		
Address:		
City:	State:	Zip:
Home Telephone Number:	Length	of time at current address:
Date of Birth:	Place of	f Birth:
Driver's License Number:		
Place of Employment:		
		urrent job:
Employer's Address:		
Business Telephone Number:		
Name of Spouse or Nearest Living Relativ	/e:	Ages: Relationship:
Address:		2277
		Work:
Spouse's Employer's Address:		
Do you have any relatives or friends who	•	
		Where?
		erformed
☐ Criminal Case? When? Verdi		
☐ Civil Case? When? Verdi Been party to a lawsuit? ☐ Yes ☐ No A		Defendant?   Ves   No
• •	•	
		When? By a member of your family? □ Yes □ No
	• •	ant, victim, or witness? $\square$ Yes $\square$ No Where
•	ome of a criminal case as a Defend	
Date:		Juror's Signature

#### TEXAS MUNICIPAL COURTS EDUCATION CENTER

2210 Hancock Drive Telephone: (512) 320-8274
Austin, Texas 78756 Toll Free: (800) 252-3718
FAX: (512) 435-6118

TO: Municipal Judges, Clerks, and Court Administrators

FROM: Texas Municipal Courts Education Center

RE: Instructions for using the Official Model Jury Summons and Questionnaire

DATE: November 1, 2017

In September 2000, the Office of Court Administration (OCA) completed its work on the *Official Uniform Model Jury Summons & Questionnaire* mandated by Chapter 62 of the Government Code. All counties were required to conform their written jury summons and questionnaires to the *Official Uniform Model Jury Summons & Questionnaire* no later than January 1, 2001.

In May 2001, the Texas Municipal Courts Education Center adapted the *Official Uniform Model Jury Summons and Questionnaire* for use in municipal courts. There were three *Official Municipal Court Jury Summons & Juror Questionnaires*. The models differed only in respect to the population bracket exemptions:

- Applicable to cities with a county population of under 200,000 residents.
- Applicable to cities with a county population of at least 200,000 but fewer than 250,000 residents.
- Applicable to cities with a county population of at least 250,000 residents.

In August 2009, OCA revised the *Official Uniform Model Jury Summons and Questionnaire* to create one model that can be used by all counties, regardless of population. This form was revised in 2011 to incorporate changes in exemptions and disqualifications enacted by the 82nd Legislature, and again in 2015 to incorporate changes made by the 84th Legislature.

Pursuant to Sections 62.0131 and 62.0132, Government Code, each model includes: 1) a mandatory jury questionnaire that solicits basic demographic information about the juror; 2) notice regarding the juror's right to reemployment; 3) notice concerning the consequences to the juror for failure to obey the summons; 4) notice to the juror concerning appropriate dress in the courtroom; 5) notice to the juror concerning the statutory qualifications for jury service; and 6) notice to jurors concerning statutory exemptions from jury service, including active duty military deployment.

In adapting the Official Model Jury Summons and Questionnaire for municipal court use, the following modifications were made: 1) In addition to providing notice regarding a juror's right to reemployment, criminal penalties for employers are defined; 2) The consequences to the juror for failure to obey the summons refer to the specific provisions of Chapter 45 of the Code of Criminal Procedure; 3) The general qualifications for jury service are supplemented by the specific requirement that the juror be a resident of the municipality for which the Court is established.

Information contained in the completed juror questionnaire is confidential and not subject to the public information provisions contained in Chapter 552 of the Government Code. The information contained in the completed juror questionnaire may only be disclosed to: 1) a judge assigned to hear a cause of action in which the respondent to the questionnaire is a potential juror; 2) court personnel; and 3) a litigant and a litigant's attorney in a cause of action in which the respondent to the questionnaire is a potential juror. However, under Article 35.29 of the Code of Criminal Procedure, if a party in the trial or a bona fide member of the news media requests disclosure of personal information about jurors (including home address, home telephone number, social security number, and driver's license number) collected by the court or by a prosecuting attorney during the jury selection process, the court shall permit disclosure on a showing of good cause.

While the model forms provided contain statutorily mandated language, each model may be supplemented to meet the needs of your court (e.g., maps, parking information, internet access, etc.). Additional questions may be added to the juror questionnaire as deemed relevant by the trial judge. However, neither the OCA nor TMCEC is empowered to determine the efficacy of any supplemental information added to the summons or questionnaire.

#### **OFFICE OF COURT ADMINISTRATION**

TO: Texas Court Clerks, Court Administrators, Court Coordinators, Justices of the Peace, and Voter Registrars

FROM: Office of Court Administration

RE: Instructions Concerning the Official Model Jury Summons and Questionnaire

**DATE:** September 27, 2019

The Office of Court Administration (OCA) is required by Government Code §62.0131 and §62.0132 to develop and maintain a model for a uniform written jury summons and questionnaire. Your county is required to use a written jury summons and questionnaire that conforms with the OCA model. The model can be used by all counties regardless of their population.

The model is designed to be printed on an  $8\frac{1}{2}$ " by 11" card with a fold in the middle to result in an  $8\frac{1}{2}$ " by  $5\frac{1}{2}$ " mail piece. Page one of the model is designed to be on the front of the card while page 2 is designed to be on the back.

Please note the following instructions to ensure that you modify the model in an appropriate manner for your county:

- (1) The four blanks in the sentences on the top of page 2 should be filled in with the title of the appropriate clerk (e.g., district clerk);
- (2) Exemptions 8 and 9 should not be listed in counties with populations of less than 200,000;
- (3) Exemption 9 should not be listed in counties with populations of less than 250,000;
- (4) Exemption 8 should not be listed in any county in which the county uses a jury plan under Government Code, Section 62.011 and the period authorized under Section 62.011(b) exceeds two years;
- (5) Exemption 9 should not be listed in any county in which the county's jury wheel has been reconstituted prior to the time that a person who has previously served as a petit juror in the county has again been summoned for jury service; and
- (6) Complete the contact information in the area designated as "Clerk Contact Information" on the top of page two.

Understanding that each Texas county is different, OCA believes counties may format the text of the model to meet their particular needs. Maps, parking information, internet access information, and other similar information may be added to the model. The top portion of page one is especially flexible. Please feel free to adjust this portion of the form to your county's particular needs.

If you have any questions or suggestions concerning the Official Model Jury Summons and Questionnaire, please contact OCA: 512.936.7553.

	County, Tex	xas		
(Addres				
(Addres (Addres				
RY SUMM(	ONS NO.	<u> </u>		
Y	rospective Juror: You are hereby summon ury service as set out be			
me: ate: ace:			Forwarding Se POSTMASTER PLEASE DELI	
	G "JUROR QUESTIONNAIRI ONFIDENTIAL and may be disc			CODE, SECTION 62.0132. litigant, and the litigant's attorney.
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r answers are CO	ONFIDENTIAL and may be disc	closed only to the judg	ge, court personnel, the l	
PLEASE TYPE (  Male  Female  Your Name:	ONFIDENTIAL and may be discons on the print with INK ONLY	JUROR	ge, court personnel, the l	Are you a U.S. Citizen? $\Box$ Y $\Box$ N
PLEASE TYPE O  Male  Female  Your Name: Home Address:	ONFIDENTIAL and may be discons on the print with INK ONLY	JUROR	ge, court personnel, the l	Are you a U.S. Citizen? □ Y □ N (Please see "Note" below)  Please check highest level of education completed: □ No H.S. Diploma or GED □ GED
PLEASE TYPE O  Male  Female  Your Name: Home Address:	ONFIDENTIAL and may be disconnected by State Law):	JUROR	QUESTIONNAIRE  Date of Birth:	Are you a U.S. Citizen? ¬ Y ¬ N (Please see "Note" below)  Please check highest level of education completed:  No H.S. Diploma or GED GED H.S. Diploma 2yr College 4yr College/University
r answers are CO PLEASE TYPE O  Male  Female  Your Name: Home Address:  Mailing Address (if	ONFIDENTIAL and may be disconnected by State Law):  A different from home):	JUROR (	QUESTIONNAIRE  Date of Birth:	Are you a U.S. Citizen? □ Y □ N (Please see "Note" below)  Please check highest level of education completed: □ No H.S. Diploma or GED □ GED □ H.S. Diploma □ 2yr College
PLEASE TYPE O  Male   Female  Your Name: Home Address:  Mailing Address (if Primary Phone:  Your Occupation:	ONFIDENTIAL and may be disconnected by State Law):  A different from home):	JUROR (	QUESTIONNAIRE  Date of Birth:  Residence:	Are you a U.S. Citizen? ¬ Y ¬ N (Please see "Note" below)  Please check highest level of education completed: ¬ No H.S. Diploma or GED ¬ GED ¬ H.S. Diploma ¬ 2yr College ¬ 4yr College/University ¬ Post-Graduate
PLEASE TYPE O  Male  Female  Your Name: Home Address:  Mailing Address (if  Primary Phone:  Your Occupation:  Your Employer:	ONFIDENTIAL and may be disconnected by State Law):  A different from home):	JUROR (Age:	QUESTIONNAIRE  Date of Birth:  Residence:	Are you a U.S. Citizen? □ Y □ N (Please see "Note" below)  Please check highest level of education completed: □ No H.S. Diploma or GED □ GED □ H.S. Diploma □ 2yr College □ 4yr College/University □ Post-Graduate □ Other  Current Marital Status: □ Single □ Married
PLEASE TYPE O  Male  Female  Your Name: Home Address:  Mailing Address (if Primary Phone:  Your Occupation:  Your Employer:  Spouse's Name:	ONFIDENTIAL and may be disconnected by State Law):  Race (required by State Law):  Alternate Phone:	JUROR of Age:  County of F	QUESTIONNAIRE  Date of Birth:  Residence:	Are you a U.S. Citizen? □ Y □ N (Please see "Note" below)  Please check highest level of education completed: □ No H.S. Diploma or GED □ GED □ H.S. Diploma □ 2yr College □ 4yr College/University □ Post-Graduate □ Other  Current Marital Status: □ Single
PLEASE TYPE O  Male   Female  Your Name: Home Address:  Mailing Address (if Primary Phone:  Your Occupation:  Your Employer:  Spouse's Name:  Spouse's Employer	ONFIDENTIAL and may be disconnected by State Law):  Race (required by State Law):  Alternate Phone:	JUROR of Age:  County of F  How Lor  Spouse's Occupati	QUESTIONNAIRE  Date of Birth:  Residence:	Are you a U.S. Citizen? □ Y □ N (Please see "Note" below)  Please check highest level of education completed: □ No H.S. Diploma or GED □ GED □ H.S. Diploma □ 2yr College □ 4yr College/University □ Post-Graduate □ Other  Current Marital Status: □ Single □ Married □ Widowed

Effective 09/01/15

**Editor's Note:** To be eligible to serve on a jury of a municipal court, including a municipal court of record, a person must be resident of the municipality for which the court is established. Sec. 62.501, G.C.

 $NOTE: If you state that you are not a U.S.\ citizen, you will no longer be eligible to vote if you fail to provide proof of U.S.\ citizenship to your county voter registrar.$ 

Direction		ess you: (1) claim an <b>exemption</b> ; (2) are <b>disqualified</b> ; or (3) choose to <b>postpone</b> your service. Circle the exemption(s) that you claim. Sign the form. Mail or take the form to the
	To Claim an Exemption.	clerk's office. NOTE: You do not have to claim an exemption and may instead choose to serve.
	If You are Disqualified:	Circle the qualification(s) that you do not meet. Sign the form. Mail or take the form to the clerk. NOTE: If you claim to be disqualified because you are not a resident of
		this county, you may become ineligible to vote in this county. If you state that you are not
		a U.S. citizen, you will no longer be eligible to vote if you fail to provide proof of U.S.
		citizenship to your county voter registrar.
		Contact the clerk's office before your scheduled date of service.
		Please complete the juror questionnaire. Bring the questionnaire with you when you report.
(	Questions or Special Accommodations:	Please contact the clerk's office.
		(Clerk)
		(Contact Information)
	EXEMPTIONS FRO	OM JURY SERVICE (Texas Government Code, Section 62.106)
1.	You are over 70 years of age.	
2.		ildren younger than 12 years of age and service on the jury would require leaving the child or
	children without adequate supervision.	
	You are a student at a public or private	
	You are enrolled and in actual attendan	
	agency in the legislative branch of state	
	primary caretaker only in your capacity	
	out of your county of residence.	military forces serving on active duty and deployed to a location away from your home station and
		ty during the 24-month period prior to the date you are required to appear by this summons.
9.	You have been summoned for jury serv prior to the date you are required to app	rice in this county and you have served as a petit juror in this county during the three-year period pear by this summons.
	QUALIFICATIONS FOR JU	JRY SERVICE (Texas Government Code, Section 62.102, except where noted)
To b	be qualified to serve as a juror you must:	
1.	be at least 18 years of age;	
	be a citizen of the United States;	
3.		of the county in which you are to serve as a juror;
4.	be qualified under the Constitution and registered to vote to be qualified to vote	laws to vote in the county in which you are to serve as a juror ( <i>Note: You do not have to be</i> e);
5.	be of sound mind and good moral chara	icter;
6.	be able to read and write;	
7.	not have served as a juror for six days of district court;	during the preceding three months in the county court or during the preceding six months in the
		indictment or other legal accusation for, misdemeanor theft or a felony; and
9.	be a resident of the municipality for wh	ich the court is established (Government Code, Section 62.501; specific to municipal courts).
I certify	that I am exempt or disqualified from	jury service for the reasons circled above.

	J J		
Signature		Date	

Right to Reemployment: A private employer may not terminate the employment of a permanent employee because the employee serves as a juror. An employee whose employment is terminated in violation of this section is entitled to return to the same employment that the employee held when summoned for jury service if the employee, as soon as practical after release from jury service, gives the employer actual notice that the employee intends to return. (Civil Practice and Remedies Code, Section 122.001). Terminating an employee for performing jury duty is punishable by up to 180 days in jail and/or a fine not to exceed \$2,000. (Civil Practice and Remedies Code, Section 122.002).

Failure to Answer Summons and Provision of False Information: Any person summoned who fails to attend or who fails to remain in attendance until discharged by the Court may be fined an amount not to exceed \$100 for contempt (Code of Criminal Procedure, Article 45.027). A person shall be fined not less than \$100 nor more than \$500 if the person: (1) fails to attend court in obedience to this summons without reasonable excuse; or (2) files a false claim of exemption from jury service (Government Code, Section 62.111; see also Code of Criminal Procedure, Article 35.01). A person who fails to comply with this summons, or who knowingly provides false information in a request for an exemption or to be excused from jury service, is subject to a contempt action punishable by a fine of not less than \$100 nor more than \$1,000 (Government Code, Section 62.0141).

(	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
The following persons have been sele	ected as the jury panel (venire pa	nel): *
1		
2		
3		
4		
5		
6		
7		
8.		
9.		
10		
11		
12		
14		
15		
16		
17		

<sup>\*</sup>Add additional sheets as necessary.

#### OTHER JURORS SUMMONED ("PICK UP JURY") (Art. 45.028, C.C.P.)

	CAUSE NUMBER:		<u> </u>
STATE OF TEXAS	<b>§</b>		IN THE MUNICIPAL COURT
VS.	§		CITY OF
	<b>§</b>		COUNTY, TEXAS
TO SAID PEACE OFFICER,			- GREETINGS:
You are hereby Ordered to summe the day of of such cause or causes as are then set for	, 20 at	who are qualifi o'clock	ed jurors in the city, to appear before this Court onm., then and there to serve as jurors in the trial
You are further Ordered that the each person so summoned to proceed in Signed and entered this da	nmediately to this Court).	-	person so summoned (and that you shall command
(municipal court seal)			Judge Presiding
	RETURN OF JU	RY VENIRE	
Came into hand on verbally summoning each of them in per	, 20, at	o'clock	m. and executed as to the following persons by
<u>Name</u>	Date and	Time Summon	<u>ed</u>
1			
2			
3			
4			
5			
6			
8.			
9			
10			
11 12			
*Add additional pages as needed for m			Officer Executing Return

**Editor's Note:** Jurors summoned under Section 45.028, G.C., should be selected at random. As such, peace officers are discouraged from selecting standing volunteers or court personnel to attain a sufficient number of jurors.

Members of the "pick up jury" must still meet the juror qualifications of Sections 62.102 and 62.501, G.C.

(	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT	
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COUNTY, TEXAS	
2			
3			
4			
5			

1	r'i	7	m	TIME	CF	7 Т	$\mathbf{\Omega}$	$\boldsymbol{C}$	E/	'n	NΤ

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
	DOCUMENTARY EVIDEN	CE LOG FORM

#### DOCUMENTARY EVIDENCE LOG FORM

State Exhibits	<b>Defense Exhibits</b>	Exhibit #	Admitted	Description

SIGNED this the	day of	, 20	
			Judge Presiding

Signed this \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_\_.

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
the case with your fellow juror without being an advocate for you are unable to reach a unan charges will remain pending, a who will likely hear the same will find a decision in this case	s. It is your duty to consult with one side or the other. If after relimous verdict, I will have to defind it is reasonable to assume the evidence which you have heard any easier than you have.	ly after discussion and impartial consideration of th one another and consider each other's views, e-examining each of your own views you find that clare a mistrial and discharge the jury. The nat the case will be tried again before another jury, . There is no reason to hope that any future jury
Therefore, I ask you to if you can do so without doing		ort to reach a verdict that is acceptable to all jurors

Judge

#### **VERDICT: ELECTION FOR JURY PUNISHMENT**

C	AUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	§	COUNTY, TEXAS
	VERDICT	Γ
□ GUILTY		
, <b>JJ</b> ,	<b>9</b> ,	Jury Foreperson  Date:
□ NOT GUILTY		
We, the jury, find the above-named De	fendant <b>not guilty</b> .	
		Jury Foreperson
		Date:

**Editor's Note:** It is unclear whether the law allows a defendant in a municipal court who exercised the right to a jury trial to elect, in the event of conviction, whether the fine will be set by the jury or judge. The Court of Criminal Appeals said that Art. 37.07, C.C.P. can be read to support both a negative and positive answer to that question. See *In re Yeager*, 601 S.W.3d 356 (Tex. Crim. App. 2020).

#### VERDICT: JURY SENTENCE AND BENCH PUNISHMENT

	CAUSE NUMBER:	<u> </u>
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
	VERDICT	
□ GUILTY		
We, the jury, find the above-named Do	efendant <b>guilty</b> as charged in the cor	mplaint.
		Jury Foreperson
		Date:
□ NOT GUILTY		
We, the jury, find the above-named De	efendant <b>not guilty</b> .	
		Jury Foreperson
		Date:

**Editor's Note:** It is unclear whether the law allows a defendant in a municipal court who exercised the right to a jury trial to elect, in the event of conviction, whether the fine will be set by the jury or judge. The Court of Criminal Appeals said that Art. 37.07, C.C.P. can be read to support both a negative and positive answer to that question. See *In re Yeager*, 601 S.W.3d 356 (Tex. Crim. App. 2020).

#### JUROR/WITNESS/DEFENDANT EXCUSE LETTER

	(municipal court seal)	
Date:	-	
To Whom It May Concern:		
Please be advised that		was in our court the day or
, 20, from	o'clockm. untilo'clock	m. as a (Defendant)(witness)(juror).
	Thank you,	
		(Bailiff)(Clerk), Municipal Cour
		City of
		County, Texas

**Editor's Note:** Effective September 1, 1999, Section 122.002, Texas Civil Practice & Remedies Code makes terminating an employee because he or she performs jury duty a Class B misdemeanor

#### Certificate of Appreciation for Jury Service

"The right of trial by jury shall remain inviolate."

Constitution of the State of Texas, Article I, Section 15

"...we believe that trial by jury ... is fundamental to the American scheme of justice ... ."

"...trial by jury is more than an instrument of justice and more than one wheel of the Constitution: it is the lamp that shows that freedom lives ...."

Duncan vs. Louisiana, 391 U.S. 145 at 149 & 156 (1967)

This certificat	te is given in appreciation to
for service as a juror in the City of	Municipal Court on
(municipal court seal)	
	Judge, Municipal Court City of
	City ofCounty

**Editor's Note:** Section 662.155 of the Government Code designates the first seven days in May as Jury Appreciation Week in recognition of the outstanding and important contributions made by Texas citizens who serve as jurors.

# JUDGMENTS & ORDERS

# **JUDGMENTS & ORDERS**

## **Table of Contents**

Updated	Judgment: Jury Waived – Guilty	149
	Judgment: Jury Waived – Guilty (Juvenile)	151
Updated	Judgment: After Jury Verdict	
	Judgment: After Jury Verdict (Juvenile)	154
	Judgment: Forfeiture of Cash Bond in Satisfaction of Fine	155
	Judgment: Not Guilty (Adult and Juvenile)	
	Order to Refund Cash Bond	
Updated	Dismissal by the Court: Compliance Dismissal	158
	Judgment: Driving or Operating Watercraft Under the Influence of Alcohol by Minor -	-
	Guilty	160
	Judgment: Possession, Purchase, Consumption, or Receipt of Cigarettes,	
	E-Cigarettes, or Tobacco Products by Minor – Guilty	161
	Judgment: Purchase of Alcohol by Minor, Attempt to Purchase Alcohol by Minor,	
	Consumption by Minor, Minor in Possession of Alcohol, Misrepresentation of Age	by
	Minor - Guilty	
	Judgment: Electronic Transmission of Certain Visual Material Depicting Minor by 17	Year
	Old Defendant - Guilty	165
	Order of Driver's License Suspension for Failure to Complete Alcohol, Drug, or E-	
	Cigarette & Tobacco Awareness Program and/or Community Service	166
	Optional Orders Applicable to Juveniles	
	Community Service Addendum - Juveniles	
	Tutoring or Community Service Addendum - Juveniles	169
Updated	Judgment/Jail Credit Addendum (For Persons Age 17 and Older)	
	Order for Impoundment of In-State Motor Vehicle	171
	Order of Release for Impounded Motor Vehicle	
	Admonishment for Expunction on Acquittal	173
Updated	Order of Expunction	
	Order Denying Expunction	177
	, , ,	
	Notice of Expunction Hearing  Certification of Destruction of Records Subject to Expunction	178

		CAUSE NUMBER:	
ST	TATE OF TEXAS VS.	§ §	IN THE MUNICIPAL COURT CITY OF
		<b>§</b>	COUNTY, TEXAS
		JUDGMENT	
atto	On this theday oforney) (in person) (by mail) and enterdence and arguments, finds the Defendence	, 20, the Defendant in ed a plea of (guilty) (no contest) (not guilty dant <b>guilty</b> of the offense of	the above numbered and entitled cause appeared (by ) and waived a jury trial; and the Court, having heard the
Stat	The Defendant being found <b>guilty</b> te of Texas, for the use and benefit of fine in the amount of \$	and assessed a fine of \$, it is the fine City of, plus any and all costs required to b	herefore <b>Ordered and Adjudged</b> by the Court that the, Texas, does have and recover from the Defendant e paid, which as of this date are \$
	whether the defendant has sufficient that the Defendant:  DOES have sufficient resources		
	it is <b>hereby Ordered</b> that (check or □ The Defendant pay the fine and □ Judgment. □ The Defendant discharge the fine as part of this judgment.	ne or a combination of the following): costs by	come to immediately pay all or part of the fine and costs,   Installment Agreement Order incorporated as part of this ice. See attached Community Service Order incorporated yment of Fines and Costs for Certain Defendants and
	The Defendant is <b>hereby Ordered</b> □ immediately.  □ by  □ at designated intervals. See attacks	to pay the fine and costs:	rated as part of this judgment.
	(If sentence in addition to payment	of fine is authorized) It is further Order	ed that the Defendant shall
		no	later than, 20
	The Defendant is hereby <b>Ordered</b> in this case. Said restitution to be p	to pay restitution in the amount of \$aid by	to the victim
		fore the court. The Defendant is granted	another offense and the confinement occurred after the credit in the following amount (not less than \$150 per
	, pursuant to Article 45.048(b) of the		ults in the discharge of this judgment and is placed in specifies that, provided a commitment hearing is first fine and costs at the following rate:
	hours (not less than 8 or m (minimum dollar amount 8	ore than 24) to earn (150) to satisfy the fine and costs.	

#### JUDGMENT: JURY WAIVED – GUILTY (2 OF 2)

	Judge, Municipal Court	Date
(municipal court seal)	City of	
		County, Texas

**Editor's Note:** The judge may not require a defendant who is under the conservatorship of the Department of Family and Protective Services or in extended foster care to pay any amount of the fine and costs. The judge may require the defendant to perform community service. Article 45.041(b-6), C.C.P.

#### JUDGMENT: JURY WAIVED - GUILTY (JUVENILE)

		CAUSE NUMB	ER:			
STATE	OF TEXAS	<b>§</b>		IN TH	HE MUNICIPA	L COURT
V	YS.	<b>§</b>		CITY	OF	
		<b>§</b>			COUN	TY, TEXAS
		JU	DGMENT			
(representa heard	is theday of rent or guardian) (presence of ation by an attorney waived), the evidence and	and entered a plea of (guil arguments, finds	ty) (no contest) (not g the Defenda	uilty) and waived ant <b>guilty</b> 	l a jury trial; and of the	I the Court, having offense of
State of To the fine in	Defendant being found <b>guilty</b> exas, for the use and benefit the amount of \$ereby <b>Ordered</b> that <i>(check of the check of the chec</i>	of the City of, plus any and all c	osts required to be pai	ore <b>Ordered and</b> Texas, does have d, which as of thi	d Adjudged by e and recover fr is date are \$	the Court that the om the Defendant
jı 	The Defendant pay the fine and the Defendant pay the fine and udgment. The Defendant discharge the Community Service Addendur All) (Part) of the fine and cost Defendants and for Children The Defendant attend	fine and costs by perform n - Juveniles incorporated at ts in the amount of are want incorporated as part of the	ning community servi as part of this judgmen nived. See attached Was judgment.	ce or attending t t. Vaiver of Paymen	autoring. See attaint of Fines and	ached Tutoring or Costs for Certain
-		See attached Optional Or		unicipal Court	ated as part of th	his judgment.  Date
	(municipal court sea	9	City of			
						County, Texas

**Editor's Note:** The judge may order any of the general optional orders applicable to juveniles under Article 45.057 of the Code of Criminal Procedure and/or may allow the defendant to discharge the fines/costs through community service or tutoring under Article 45.0492 of the Code of Criminal Procedure. Attach to this Order the applicable Optional Orders Applicable to Juveniles form or Community Service/Tutoring Addendums.

The judge may not require a defendant who is under the conservatorship of the Department of Family and Protective Services or in extended foster care to pay any amount of the fine and costs. The judge may require the defendant to perform community service. Article 45.041(b-6), C.C.P.

		CAUSE NUMBER:	
S	TATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
	VS.	<b>§</b>	CITY OF
		<b>§</b>	COUNTY, TEXAS
		JUDGMENT	
and	On this the day of d entered a plea of not guilty and dem	, 20, the Defendant in the anded a jury trial; and the jury, having hear	e above numbered and entitled cause appeared in person of the evidence and arguments, found the Defendant:
	Guilty of the offense of	and the jury ass	sessed a fine of \$ .
	Guilty of the offense of	and the Court a	assesses a fine of \$
any	, Texas		of Texas, for the use and benefit of the City of ant the fine in the amount of \$, plus
	the defendant has sufficient resour Defendant:  DOES have sufficient resources		
	<ul> <li>it is hereby Ordered that (check of the Defendant pay the fine and judgment.</li> <li>□ The Defendant pay the fine and judgment.</li> <li>□ The Defendant discharge the fine as part of this judgment.</li> <li>□ (All) (Part) of the fine and cos</li> </ul>	ne or a combination of the following): It costs by, 20 It costs at designated intervals. See attached The and costs by performing community serv	come to immediately pay all or part of the fine and costs,  O  Installment Agreement Order incorporated as part of this vice. See attached Community Service Order incorporated and Waiver of Payment of Fines and Costs for Certain
	The Defendant is <b>hereby Ordered</b> □ immediately. □ by □ at designated intervals. See the	to pay the fine and costs:	t of this judgment.
	(If sentence in addition to paymen	t of fine is authorized) It is further <b>Order</b> onc	ed that the Defendant shall, 20
	The Defendant is hereby <b>Ordered</b> in this case. Said restitution to be p	I to pay restitution in the amount of \$	to the victim
			another offense and the confinement occurred after the credit in the following amount (not less than \$150 per

#### JUDGMENT: AFTER JURY VERDICT (2 OF 2)

It is further Ordered and Adjudged that in the event the Defendant defaults in the discharge of this judgment and is placed in jail, pursuant to Article 45.048(b) of the Code of Criminal Procedure, the Court specifies that, provided a commitment hearing is first conducted, the Defendant remain in jail a sufficient length of time to satisfy the fine and costs at the following rate:				
hours (not less than 8 or more than 24) to earn (minimum dollar amount \$150) to satisfy the fine and costs.				
	Judge, Municipal Court	Date		
(municipal court seal)	City of			
	Cou	ınty, Texas		

**Editor's Note:** The judge may not require a defendant who is under the conservatorship of the Department of Family and Protective Services or in extended foster care to pay any amount of the fine and costs. The judge may require the defendant to perform community service. Art. 45.041(b-6), C.C.P.

#### JUDGMENT: AFTER JURY VERDICT (JUVENILE)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
	JUDGMENT	
On this the day of (with a parent or guardian) (presence of (representation by an attorney waived); and arguments, found the Defendant:	, 20, the Defendant in the figure of guardian waived after diligence of and entered a plea of not guilty and demandant	ne above numbered and entitled cause appeared in person, used to obtain presence), (was represented by an attorney) unded a jury trial; and the jury, having heard the evidence
☐ Guilty of the offense of	and the jury as	ssessed a fine of \$
☐ Guilty of the offense of	and the Court	assesses a fine of \$
any and all costs required to be pa  It is hereby Ordered that (check of the check	one or a combination of the following):  ad costs by	0 d Installment Agreement Order incorporated as part of this v service or attending tutoring. See attached Tutoring or digment. hed Waiver of Payment of Fines and Costs for Certain
		e to Juveniles incorporated as part of this judgment.  dge, Municipal Court Date
(municipal court sea	ıl) City	v of
		County, Texas

**Editor's Note:** The judge may order any of the general optional orders applicable to juveniles under Article 45.057, C.C.P., and/or may allow the defendant to discharge the fines/costs through community service or tutoring under Article 45.0492, C.C.P. Attach to this Order the applicable Optional Orders Applicable to Juveniles form or Community Service/Tutoring Addendums.

The judge may not require a defendant who is under the conservatorship of the Department of Family and Protective Services or in extended foster care to pay any amount of the fine and costs. The judge may require the defendant to perform community service. Article 45.041(b-6), C.C.P.

#### JUDGMENT: FORFEITURE OF CASH BOND IN SATISFACTION OF FINE (Art. 45.044, C.C.P.)

	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE	MUNICIPAL COURT
VS.	<b>§</b>	CITY O	F
	<b>§</b>		COUNTY, TEXAS
	JUDGMENT		
This Court finds that on the opsted a cash bond with this Court and (his)(her) appearance according to the, 20, Defendar  Thereby, the Court finds the Defend conviction is hereby entered against the D is hereby forfeited to satisfy the fine and conviction.  Further, it is Ordered, that a copy of the court of the court finds the Defend conviction is hereby entered against the D is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited to satisfy the fine and conviction is hereby forfeited.	terms of the Defendant's release. In tailed to appear as ordered in the teleant guilty of the offense of Defendant. According to the terms of costs assessed against the Defendant.	Further, this Court finds, terms of (his)(her) release.  The Defendant's release, the ca	that on this the day of and ash bond posted with this Court
known address.  Defendant:			
You are hereby notified that on the bond has been entered against you in the forfeiture of the cash bond posted in this	day of above styled cause for the offense of case satisfies the fine and costs in this	, 20, a judgment of is case.	of conviction and forfeiture of The
You have the right to a new trial in t judgment and forfeiture were entered aga will be permitted to withdraw your previous	inst you. If you timely make this mo	otion for new trial, this Court si	
	<del></del>	Wall 10	
(munisimal sount1)	ě	ee, Municipal Court of	Date
(municipal court seal)	City	01	_
			County, Texas

#### JUDGMENT: NOT GUILTY (ADULT AND JUVENILE)

	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT	
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COUNTY, TEXAS	
	JUDGMENT OF ACQUIT	TAL	
On this the day of attorney) (in person) and entered a plea of and arguments, finds the Defendant <b>not</b> g		t in the above numbered and entitled cause appeared ury trial; and the (Court)(jury), having heard the evide	(by nce
	<b>idged</b> , that the Defendant, being found use and the Defendant may go hence with	not guilty, is immediately discharged from all furthout payment of costs.	ther
	Judge, M	Municipal Court Date	
(municipal court seal)	City of		
		County, Texas	

#### ORDER TO REFUND CASH BOND (Art. 17.02, C.C.P.)

	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT	
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COUNTY, TEXAS	
pond posted to secure the Defendant's appeare refunded to any person in the name of	arance in this cause. It is hereby Order whom a receipt was issued, in the am	ove styled case, has complied with the conditions of lered that the cash bond posted in the above styled comount reflected on the face of the receipt, including the person is able to produce a receipt for the funds.	case
	Judga Mi	Iunicipal Court Date	
(municipal count scal)		•	
(municipal court seal)	City of		

#### DISMISSAL BY THE COURT: COMPLIANCE DISMISSAL (1 OF 2)

		CAUSE NUMBER:	
STAT	TE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.		<b>§</b>	CITY OF
		<b>§</b>	COUNTY, TEXAS
		ORDER OF DISMIS	SSAL
On this and presthe reas		of	Defendant appeared in the above numbered and styled cause dand styled cause is dismissed on the Defendant's motion for
	appearance, wh	ented evidence of remedied expired driver's license ichever is later. (Sec. 521.026, T.C.) ordered that the Defendant pay a \$ reimbursement	within 20 working days or before the Defendant's first court nt fee/fine/fee* (up to \$20).
	than 20 working  The Defe	ented evidence of remedied driver's license by changing days after the date of the offense. (Sec. 521.054, T.C. endant paid a \$ reimbursement fee/fine/fee* (up is waived in the interest of justice.	
	was surgically	or otherwise medically corrected before the date of efore the Defendant's first court appearance; and the	ndorsement was imposed because of a physical condition that the offense, or was in error; DPS removed the restriction or Defendant paid a \$ reimbursement fee/fine/fee* (up to
	appearance, wh		thin 20 working days or before the Defendant's first court tion fee to the county assessor-collector. (Sec. 502.407, T.C.) and fee/fine/fee* ( <i>up to \$20</i> ).
	the vehicle was		motor vehicle that was attached to the vehicle establishing that s committed, and the Defendant paid a \$ reimbursement
		ered before the Defendant's first court appearance, and	and attached to the motor vehicle establishing that the vehicle d the Defendant paid a \$ reimbursement fee/fee* (up to
	is in effect for	ented evidence of remedied registration insignia that is the current period, before the Defendant's first court to \$10). (Sec. 502.475, T.C.)	s for the correct vehicle, issued by the correct department, and appearance, and the Defendant paid a \$ reimbursement
			orly displaying the required plates on the vehicle) before the reimbursement fee/fine/fee* (up to \$10). (Sec. 504.943, T.C.)
	before the Defe attached to the	ndant's first court appearance, the Defendant showed	the current period and not obscured or impaired in readability that the vehicle was issued a plate by the department that was r the period during which the offense was committed, and the ec. 504.945, T.C.)
			ore the Defendant's first court appearance, the offense did not reimbursement fee/fine/fee* (up to \$10). (Sec. 547.004,
	court appearance		placard within 20 working days or before the Defendant's first vas not expired for more than 60 days, and the Defendant paid

### DISMISSAL BY THE COURT: COMPLIANCE DISMISSAL (2 OF 2) Defendant presented evidence of a driver's license issued to the defendant, appropriate for the type of vehicle operated, that was valid at the time of the offense. (Sec. 521.025, T.C.) It is also ordered that the Defendant pay a \$ fee (up to \$10). Defendant presented satisfactory evidence to the Court of valid proof of financial responsibility under Section 601.053, T.C. that was valid and in effect at the time of the offense. (Sec. 601.193, T.C.) ☐ [For Offenses Committed before March 1, 2015] Defendant presented evidence of remedied expired inspection within 20 working days or before the Defendant's first court appearance, whichever is later. The inspection certificate was not expired for more than 60 days, and the Defendant paid a \$ fee (up to \$20). (Sec. 548.605, T.C.) □ Defendant presented evidence of a passing vehicle inspection report (1) within 20 working days after the date of citation (operating a vehicle without complying with inspection requirements as certified under Section 548.256, T.C.) or before the Defendant's first court appearance date, whichever is later and (2) within 40 working days after the applicable deadline provided by Chapter 548. T.C., Chapter 382, H.S.C., or the Texas Department of Motor Vehicle's administrative rules regarding inspection requirements. (Sec. 548.605, T.C.) It is also ordered that the Defendant pay a \$\frac{1}{20}\$ reimbursement fee/fine/fee (up to \$20). ☐ [For Offenses Committed on or after January 1, 2016] Defendant presented evidence of a [commercial learner's permit or driver's license] that was issued to the defendant and was valid when the offense was committed. (Sec. 522.011, T.C.) It is also ordered that the Defendant pay a \$ fee (up to \$10). Judge, Municipal Court Date

(municipal court seal)

City of

County, Texas

**Editor's Note:** With the few exceptions referenced in this form and under the provisions detailed in the Deferred Proceedings, local trial courts generally do not have the authority to unilaterally dismiss charges without a prosecutor's motion.

\*In 2019, Senate Bill 346 renamed 10 compliance dismissal fees as fines. In 2021, Senate Bill 1923 renamed many of the fines as reimbursement fees. Generally, if an offense was committed prior to January 1, 2020, the appropriate name for the money paid as part of a compliance dismissal is a fee; if the offense was committed on or after January 1, 2020 but before September 1, 2021, it is a fine; and if committed after September 1, 2021, it is a reimbursement fee.

# JUDGMENT: DRIVING OR OPERATING WATERCRAFT UNDER THE INFLUENCE OF ALCOHOL BY MINOR – GUILTY (Sec. 106.041, A.B.C.)

	•	CAUSE NUMBER:		
S	TATE OF TEXAS	§	IN THE	MUNICIPAL COURT
VS.		<b>§</b>	CITY O	F
		<b>§</b>		COUNTY, TEXAS
		(did not waive) a jury trial; and rating Watercraft Under the Infl	I the (Court)(jury), having heard uence of Alcohol by a Minor, Se	the evidence and arguments, finds ction 106.041, Alcoholic Beverage
for \$	The Defendant being found guilty and assessed at the use and benefit of the City of, plus any and all costs required to be	a fine of \$, it is there , Texas, does e paid, which as of this date are S	fore <b>Ordered and Adjudged</b> by shave and recover from the De	y the Court that the State of Texas, fendant the fine in the amount of
	The Defendant having entered a plea in open whether the defendant has sufficient resource that the Defendant:  DOES have sufficient resources or incom DOES NOT have sufficient resources or in	ces or income to immediatel e to immediately pay all or pa	ly pay all or part of the fine a art of the fine and costs.	
	Having determined that the Defendant does it is hereby Ordered that (check one or a column of the Defendant pay the fine and costs by The Defendant pay the fine and costs at design of the Defendant discharge the fine and costs by judgment.  (All) (Part) of the fine and costs in the amount for Children incorporated as part of this judgment.	ombination of the following):	tallment Agreement Order incorpore. See attached Community Service.	orated as part of this judgment.  see Order incorporated as part of this
	The Defendant is hereby <b>Ordered</b> to pay the fine immediately.  □ by		`this judgment.	
	It is further Ordered that the Defendant prescourse, or a drug and alcohol driving awarened date of final conviction. Sec. 106.115(c), A.B.C.	ess course] no later than	, 20 . (Enter a	date that is within 90 days of the
	The Court further finds that the Defendant is you the Defendant. (Optional) It is therefore Or alcohol driving awareness course with the property of the course of the course with the property of the course with the course	unger than 18 years of age and dered that	that attend the above- e Court evidence of completic	is the (parent)(guardian) of mentioned <i>alcohol/drug/drug and</i> on of the course no later than
	The Defendant is <b>further Ordered</b> to return to hours of alcohol-related community services.		, 20 with evidence	that the Defendant has completed
issu	If the Defendant fails to comply with the orders nance of any driver's license or permit issued to the		ourt shall order the Department o	f Public Safety to suspend or deny
			Judge, Municipal Court	Date
	(municipal court seal)		City of	· · · · · · · · · · · · · · · · · · ·
				County, Texas
Co	The Court finds that the Defendant completed turt. It is therefore <b>Ordered</b> that the fine ordered to that the fine ordered to that half of the initial fine assessed.			
			Judge, Municipal Court	Date
	(municipal court seal)		City of	
				County, Texas

 $\label{lem:possession} JUDGMENT: POSSESSION, PURCHASE, CONSUMPTION, OR RECEIPT OF CIGARETTES, E-CIGARETTES, OR TOBACCO PRODUCTS BY MINOR – GUILTY (Secs. 161.252 and 161.253, H.S.C.) (10f 2)$ 

		CAUSE NUMBER:	_
STATE OF TEX	AS	<b>§</b>	IN THE MUNICIPAL COURT
VS.		<b>§</b>	CITY OF
-	<u> </u>	<b>§</b>	COUNTY, TEXAS
		ORDER	
On this the appeared in perso (Court)(jury), ha	day of on, entered a plea of (g aving heard the evi		t in the above numbered and entitled cause (waived)(did not waive) a jury trial; and the e Defendant guilty of the offense o
The Defenda Court that the Sta recover from the	nt being found guilty ar te of Texas for the use Defendant the fine in the	and assessed a fine of \$, it and benefit of the City of, plu	is therefore <b>Ordered and Adjudged</b> by the, Texas, does have and s any and all costs required to be paid.
☐ It is further and the Defer	<b>Ordered</b> that the Defendant is <b>Ordered</b> to pre	endant pay all costs; however, the exsent to this Court evidence of comple	etion of this sentence (fine) is suspended etion of an e-cigarette and tobacco awareness, 20 (completion)
( <i>Optional</i> ) <b>It</b> and tobacco a	is therefore Ordered awareness program with	that	is the (parent)(guardian) of the Defendant attend the above-mentioned e-cigarette urt evidence of completion of the program not as for Defendant.)
therefore Or	dered that the Defenda	ant pay the court costs; however, exe	reness program is not readily available. It is ecution of this sentence is suspended and the, 20 with evidence that the Defendan obacco-related community service a
1	, T)	Judge, Municip	al Court Date
(municipal coi	rt seal)	City of	
			County, Texas
		FINAL JUDGMENT	
			n) (e-cigarette and tobacco-related community of the fine.
27.16(a)) and	the judge having inquire		open court as provided by Article 27.14(a) on resources or income to immediately pay al
		income to immediately pay all or part of ces or income to immediately pay all o	

JUDGMENT: POSSESSION, PURCHASE, CONSUMPTION, OR RECEIPT OF CIGARETTES, E-CIGARETTES, OR TOBACCO PRODUCTS BY MINOR – GUILTY (Secs. 161.252 and 161.253, H.S.C.) (2 of 2) ☐ The Defendant failed to complete (an e-cigarette and tobacco awareness program) (e-cigarette and tobacco-related community service) as ordered by this Court. It is therefore **Ordered and Adjudged** by the Court that the Defendant pay the fine:  $\square$  immediately. □ by at designated intervals. See the attached payment order incorporated as part of this judgment. □ as otherwise specified below. ☐ (Case filed as a subsequent offense) The Defendant completed the (e-cigarette and tobacco awareness program) (ecigarette and tobacco-related community service) as ordered by this Court. It is therefore Ordered and Adjudged by the Court the Defendant pay (the fine initially assessed) (the amount of \$ , which is not less than onehalf of the fine assessed): ☐ immediately. □ by at designated intervals. See the attached payment order incorporated as part of this judgment.  $\square$  as otherwise specified below. Having determined that the Defendant is 17 or older and **does not** have sufficient resources or income to immediately pay all or part of the fine and costs, it is **hereby Ordered** that (check one or a combination of the following): ☐ The Defendant pay the fine and costs by ☐ The Defendant pay the fine and costs at designated intervals. See attached Installment Agreement Order incorporated as part of this judgment. ☐ The Defendant discharge the fine and costs by performing community service. See attached Community Service Order incorporated as part of this judgment. ☐ (All) (Part) of the fine and costs in the amount of are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment. ☐ Having determined that the Defendant is under 17 years old, it is **hereby Ordered** that (check one or a combination of the following): as part of this judgment. ☐ The Defendant discharge the fine and costs by performing community service or attending tutoring. See attached Tutoring or Community Service Order incorporated as part of this judgment. ☐ (All) (Part) of the fine and costs in the amount of are waived. See attached Waiver of Payment of Fines and Costs for Certain Defendants and for Children incorporated as part of this judgment. ☐ The Defendant attend See attached Optional Orders Applicable to Juveniles incorporated as part of this judgment. If the Defendant fails to comply with the orders of this judgment, the Court shall order the Department of Public Safety to suspend or deny issuance of any driver's license or permit issued to the Defendant. Judge, Municipal Court Date (municipal court seal) City of County, Texas

Editor's Note: If the Defendant is 17 or older, attach a Judgment/Jail Credit Addendum.

Effective September 1, 2019, for the purposes of Subtitle H of the H.S.C. (Distribution of Cigarettes, E-Cigarettes, or Tobacco Products), "minor" means a person under 21 years of age.

JUDGMENT: PURCHASE OF ALCOHOL BY MINOR, ATTEMPT TO PURCHASE ALCOHOL BY MINOR, CONSUMPTION BY MINOR, MINOR IN POSSESSION OF ALCOHOL, MISREPRESENTATION OF AGE BY MINOR – GUILTY (Secs. 106.071 and 106.115, A.B.C.) (10f 2)

		CAUSE NUMBER:	
ST	TATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.		<b>§</b>	CITY OF
		<b>§</b>	COUNTY, TEXAS
		JUDGMENT	
	ered a plea of (guilty)(no contes	, 20, the Defendant t)(not guilty), and (waived)(did not waive t guilty of the offense of	in the above numbered and entitled cause appeared in person, e) a jury trial; and the (Court)(jury), having heard the evidence
Stat the	The Defendant being found go the of Texas, for the use and ben fine in the amount of \$	uilty and assessed a fine of \$, nefit of the City of, plus any and all costs require	it is therefore <b>Ordered and Adjudged</b> by the Court that the, Texas, does have and recover from the Defendant ed to be paid, which as of this date are \$
	the defendant has sufficient re	esources or income to immediately pay a	rovided by Article 27.14(a) or 27.16(a)) and inquired whether all or part of the fine and costs, the judge determines that the to immediately pay all or part of the fine and costs.
	it is hereby Ordered that (che ☐ The Defendant pay the find ☐ The Defendant pay the find ☐ Judgment. ☐ The Defendant discharge to as part of this judgment. ☐ (All) (Part) of the fine and	e and costs by e and costs at designated intervals. See attache fine and costs by performing communit	
	The Defendant is <b>hereby Ord</b> ☐ immediately.  ☐ by  ☐ at designated intervals. See	• •	as part of this judgment.
	awareness course, or a drug		nce of completion of [an alcohol awareness course, a drug] no later than, 20 (Enter a date that is
	(parent)(guardian) of the Defe mentioned <i>alcohol/drug/drug</i>	the Defendant is younger than 18 year endant. (Optional) It is therefore Order and alcohol driving awareness course ter than	rs of age and that is the ered that attend the abovewith the Defendant and present to the Court evidence of
	The Defendant is <b>further O</b> ld Defendant has completed	rdered to return to this Court no later hours of alcohol- or drug-related (as a	than, 20 with evidence that the pplicable) community service at
The	Department of Public Safety is	s hereby <b>Ordered</b> to: (select one)	
	suspend the Defendant's drive	r's license for days effective th	e 11th day after the date of this judgment.
	deny the issuance of a driver judgment.	s license or permit to the Defendant for	days effective the 11th day after the date of this
		J	Judge, Municipal Court Date
	(municipal court seal)	(	City of
			County Tayon

JUDGMENT: PURCHASE OF ALCOHOL BY MINOR, ATTEMPT TO PURCHASE ALCOHOL BY MINOR, CONSUMPTION BY MINOR, MINOR IN POSSESSION OF ALCOHOL, MISREPRESENTATION OF AGE BY MINOR - GUILTY (Secs. 106.071 and

JUDGMENT: ELECTRONIC TRANSMISSION OF CERTAIN VISUAL MATERIAL DEPICTING MINOR BY 17 YEAR OLD DEFENDANT - GUILTY (Art. 45.061, C.C.P.)

	CAUSE NUMBER: _		
STATE OF TEXAS	<b>§</b>	IN 7	THE MUNICIPAL COURT
VS.	§	CIT	Y OF
	<b>§</b>		COUNTY, TEXAS
	JUDGM	ENT	
On this theday of (with a parent or guardian) (presence contest)(not guilty) and (waived)(did Defendant guilty of the offense of	of parent or guardian waived after I not waive) a jury trial; and the (	diligence used to obtain presen Court)(jury), having heard the	evidence and arguments, finds the
The Defendant being found gui State of Texas, for the use and bene- the fine in the amount of \$	lty and assessed a fine of \$ fit of the City of, plus any and all costs re	, it is therefore <b>Ordered a</b> , Texas, does hat equired to be paid, which as of t	nd Adjudged by the Court that the eve and recover from the Defendant his date are \$
	e determines that the Defendant I		re sufficient resources or income to
it is hereby Ordered that (check  The Defendant pay the fir  The Defendant pay the fir this judgment.  The Defendant discharge incorporated as part of thi  (All) (Part) of the fine and	k one or a combination of the following and costs by	wing):, 20 See attached Installment Agre ng community service. See a	pay all or part of the fine and costs), rement Order incorporated as part of ttached Community Service Order ment of Fines and Costs for Certain
☐ The Defendant is <b>hereby Order</b> ☐ immediately. ☐ by ☐ at designated intervals. Se	red to pay the fine and costs:, 20 re the attached payment order incorp	porated as part of this judgment.	
Education Code, or an equiva depicting minors engaged in ser	lent educational program, design	ned to address the dangers o	gram described by Section 37.218, f students sharing visual material
☐ The Court further finds that _ therefore Ordered that		is the (parent)(guardian) of the above-mentioned alcohol a	the Defendant. (Optional) It is wareness course with the Defendant, 20
It is further Ordered and Adjail, pursuant to Article 45.048(b) o conducted, the Defendant remain in	f the Code of Criminal Procedure	, the Court specifies that, prov	
hours (not less than 8 or more (minimum dollar amount \$150			
(municipal court sea	1)	Judge, Municipal Cour	
, 1	,	-	County, Texas

ORDER OF DRIVER'S LICENSE SUSPENSION FOR FAILURE TO COMPLETE ALCOHOL, DRUG, OR E-CIGARETTE AND TOBACCO AWARENESS PROGRAM AND/OR COMMUNITY SERVICE (Sec. 106.115(d)(1), A.B.C., and Sec. 161.254, H.S.C.)

	CAUSE NUMBER:		
TATE OF TEX	KAS §	IN TH	HE MUNICIPAL COURT
VS.	§	CITY	OF
	<u> </u>		COUNTY, TEXAS
	ORDE	R	
On the	of, 20, Defendant failed to p	present to this Court evidence of	<u>:</u>
	attendance at an alcohol awareness program; attendance at a drug awareness program; attendance at a drug and alcohol driving awareness procompletion of the alcohol-related community service; completion of the drug-related community service; completion of an e-cigarette and tobacco awareness procompletion of the e-cigarette and tobacco-related community service; completion of the above noted Cause Number. It	rogram; and/or munity service;	Denartment of Public Safety shall
(suspend) (der	ny issuance of) the Defendant's driver's license for, 20, and end on	da	ys. The suspension is ordered to
		Judge, Municipal Court	Date
(munici	pal court seal)	City of	
			County, Texa

#### OPTIONAL ORDERS APPLICABLE TO JUVENILES (Art. 45.057, C.C.P.)

		CAUSE NUMBER	R:			
ST	ATE	E OF TEXAS	§		1	N THE MUNICIPAL COURT
VS.		VS.	§		(	CITY OF
			§			COUNTY, TEXAS
			ORDE	R		
foun	On 1 nd gu	this date appearedilty of a fine-only offense, this Court having jurisd	_, Defendant liction <b>ORDE</b>	in the above-st	yled and nu ng provision	mber cause, a child, who, having being as indicated:
	The	Defendant shall no later than	, 20f raining;	or hours	5;	_•
	The	above ordered program(s) shall be completed by	/		, 20	_•
		Court further finds that the Defendant is at risk and Crisis family intervention; Emergency short-term residential care for childre Family counseling; Parenting skills training; Youth coping skills training; Advocacy training; Mentoring; A parenting class or parental responsibility prog	ren 10 years o		:	
	The	above ordered program(s) shall be completed by	/		, 20	_•
	The	person required to attend this program submit pr	roof of attend	ance to the Co	urt.	
	The	parent, managing conservator, or guardian of the	child shall pa	y an amount no	t greater tha	an \$100 for the costs of the program.
	The	parents, managing conservators, or guardians re-	frain from co	nduct that may	encourage	the child to violate a Court order.
	The	parents, managing conservators, or guardians att	tend the child	's school class	es or functi	ons.
	The in th	Defendant is hereby <b>Ordered</b> to pay restitution is case. Said restitution to be paid by	in the amou	nt of \$		to the victim
	The This	child or the child's parents, managing conservators order applies specifically to the following individuals	rs, or guardia luals:	ns are referred t	for services	under Section 264.302, Family Code.
	Date	ed:				
						Judge, Municipal Court
		(municipal court seal)			Cit	y of
		(manicipal court seat)			Cit	County, Texas
					_	County, Texas

#### COMMUNITY SERVICE ADDENDUM - JUVENILES (Art. 45.0492, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	§	COUNTY, TEXAS
	ORDER	
On the of was assessed a fine and costs totaling numbered cause.	, 20, Defendant was convicted o	f the offense of and as ordered in the judgment of the above styled and
The Court finds that the Defendan Pursuant to Article 45.0492, Code of Cr		assessed a fine and costs for a Class C misdemeanor.
ORDERED, ADJUDGED, AND costs owed) by performing community s		e (all of the fine and costs owed) (part of the fine and
1. The Defendant shall perform a to	otal of hours (not to exceed 20	0 hours);
2. The Defendant's community serv	vice shall be completed no later than	, 20;
the high school equivalency ex program, a rehabilitation progra similar activity <b>OR</b> for a govern	amination administered under Section 7.1 um, a counseling program, including a sel	and job skills training program, a preparatory class for 11 of the Education Code, an alcohol or drug abuse f-improvement program, a mentoring program, or any nother organization that provides services to the general unity, or an educational institution);
4. The Defendant shall submit to, 20;	the court documentation verifying the	Defendant's completion of the community service by
and the Court having further found that hardship on the Defendant, it is further	performing more than 16 hours of commu	unity service per week (will)(will not) impose an undue
ordered community service. A defenda	nt is considered to have discharged \$	orm no more than hours per week of the above of fines or costs for each eight hours of community y paying at any time the fine and costs assessed.
Dated:		Judge, Municipal Court
		City of
		County, Texas
(municipal court seal)		

**Editor's Note:** A defendant is considered to have discharged not less than \$100 of fines or costs for each eight hours of community service performed under Article 45.0492 of the Code of Criminal Procedure.

#### TUTORING OR COMMUNITY SERVICE ADDENDUM - JUVENILES (Art. 45.0492, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	§	COUNTY, TEXAS
	ORDER	
On the of	, 20, Defendant was convicted of	f the offense of and
was assessed a fine and costs totaling numbered cause.	\$ a	f the offense of and as ordered in the judgment of the above styled and
	s of the primary or secondary school at	assessed a fine and costs for a Class C misdemeanor which the defendant was enrolled at the time of the
ORDERED, ADJUDGED, AND D costs owed) by (performing community se		(all of the fine and costs owed) (part of the fine and is satisfactory to the Court) as follows:
1. The Defendant shall perform or att	tend tutoring a total of hours;	;
2. The Defendant's community service	ce or tutoring shall be completed no later t	han, 20;
the high school equivalency examprogram, a rehabilitation program similar activity <b>OR</b> for a governm	nination administered under Section 7.1 a, a counseling program, including a self	and job skills training program, a preparatory class for 11 of the Education Code, an alcohol or drug abuse f-improvement program, a mentoring program, or any nother organization that provides services to the general unity, or an educational institution);
and the Court having further found that pe per week (will)(will not) work a hardship of		nity service or attending more than 16 hours of tutoring
hours per week. A defendant is cor	nsidered to have discharged \$ of fi	rm community service or attend tutoring no more than these or costs for each eight hours of community service. I a tutoring program by paying at any time the fine and
Dated:		Judge, Municipal Court
		City of
		County, Texas
(municipal court seal)		

**Editor's Note:** The Court may require the Defendant to discharge a fine and costs at not less than \$100 for every eight hours of community service performed or tutoring attended. Art. 45.0492(g), C.C.P.

#### JUDGMENT/JAIL CREDIT ADDENDUM (For Persons Age 17 and Older)

	CAUSE NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
In the event the Defendant defaults in the	e discharge of the judgment as ordered a commitment hearing is first con	ed of the offense of and was as ordered in the judgment of the above noted Cause ered, pursuant to Article 45.048(b), Code of Criminal aducted, the Defendant remain in jail a sufficient length
hours (not less than eight o	or more than 24) to earn (3150) to satisfy the fine and costs.	
This Addendum shall be attached and incorp	porated as part of the original judgmen	nt.
(municipal court seal)		ge, Municipal Court Date
	City	ofCounty. Texas

#### ORDER FOR IMPOUNDMENT OF IN-STATE MOTOR VEHICLE (Secs. 601.191 and 601.261, T.C.)

	CAUSE NUMBER:		
STATE OF TEXAS	§	Ι	N THE MUNICIPAL COURT
VS.	<b>§</b>	C	CITY OF
	<b>§</b>	_	COUNTY, TEXAS
		ORDER	
TO THE SHERIFF OF	COUNTY, TEX	XAS:	
WHEREAS IN THE ABO	VE STYLED CAUSE NU	MBER, THE COURT I	FINDS:
Code; 2. The conviction in this 3. The Defendant was th 4. The Defendant was th THE COURT IS REQUIF	cause is a second or subsected owner of the vehicle at the owner of the vehicle on the country of the vehicle on the RED TO ORDER:	quent conviction; e time of the offense; and ne date of the second or su	
and safekeeping the describe			
			Year:
License Number:	State:	VIN:	
Vehicle Operator:			
Vehicle Owner:			
Address of Owner:			
NOTICE TO VEHICLE O	OWNER:		
Texas law provides:			
1. The duration of impoun			
Sections 601.0 Court is requir b. A lien holder on th	the Court for release of the 053 and 601.262, Transport red to impose against you (\$\frac{3}{2}\$ to evehicle's certificate of tithholder establishing that the	ne vehicle, provide proof ation Code, and pay the r \$15 per day); or the presents the certificate	of financial responsibility in compliance with reimbursement fee for impoundment, which the of title and an accompanying affidavit from an ele is in default or matured, pursuant to Section
Transportation Code.	•	·	er punishment imposed under Chapter 601,
approve if it finds th Transportation Code.	e transfer is being made	in good faith and is r	the impounded vehicle, which the Court shall not being made to circumvent Chapter 601,
			e vehicle is impounded, title to the vehicle is sales contract, or judicial order.
Ordered, signed, and delivered	1 0 0		
	<b>d</b> on, 20	)	
	<b>d</b> on day of, 20		nicipal Court Date

JUDGMENTS & ORDERS 12/21 TMCEC 2022 FORMS BOOK 171

County, Texas

#### ORDER OF RELEASE FOR IMPOUNDED MOTOR VEHICLE (Secs. 601.191, 601.261, and 601.267, T.C.)

	CAUSE NUMBE	ER:	_
STATE OF TEXAS	<b>§</b>		IN THE MUNICIPAL COURT
VS.	<b>§</b>		CITY OF
	<b>§</b>		COUNTY, TEXAS
	0	RDER	
TO THE SHERIFF OF	COUNTY, TEXAS	<b>:</b> :	
WHEREAS:			
to Maintain Financia Section 601.261, Tra 2. The Defendant has a 3. The Defendant has p immediately followin 4. And the Court, by or than six months; IT IS ORDERED that the	al Responsibility); and the Counsportation Code; pplied to the Court for release of rovided evidence of financial reng the date the Defendant applieder, shall permit the Defendant	f the motor vehicle; esponsibility to the Co d for release of the im to provide evidence of	f insurability in increments of a period of not less
Make:	Model:	Color:	Year:
License Number:	State:	VIN:	
Vehicle Operator:			
Address of Owner:			
Ordered, signed, and delive	<b>red</b> on day of, 20_	·	Judge, Municipal Cour
(municipal c	court seal)	City of	Juage, Municipal Cour
(титери с	oom i soui)		County, Tex

**Editor's Note:** The 86th Legislature passed a large-scale overhaul of court costs, fines, and fees. A number of fees were renamed as "reimbursement fees." (S.B. 346, 86th Legislature (2019)).

#### ADMONISHMENT FOR EXPUNCTION ON ACQUITTAL (Chapter 55, C.C.P.)

	CAUSE NUMBE	R:
IN THE MATTER OF	<b>§</b>	IN THE MUNICIPAL COURT
	<b>§</b>	CITY OF
DEFENDANT	<b>§</b>	COUNTY, TEXAS
Offense Date:		Acquittal Date:
RIGHT TO EXPUNCTION		
You may have the right to expur orders may be obtained from a district cou obtained in a justice or municipal court of	nction of any records are art in this county. Expure record in the county in the be filed in the applica	has been entered in this proceeding.  In this proceeding.  In this diles relating to your arrest for this offense. Generally, expunction and the relate to an offense punishable by fine only may be a which the petitioner was arrested or the offense was alleged to have ble court pursuant to Chapter 55, Code of Criminal Procedure. You attorney.
		Judge, Municipal Cour

**Editor's Note:** Under Article 55.02, Section 1 of the Code of Criminal Procedure, upon acquittal, the trial court shall advise the defendant of the right to expunction.

order;

	CAUSE NUMBER:	<u> </u>
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT OF RECORD
VS.	<b>§</b>	CITY OF
(Petitioner)	<b>§</b>	COUNTY, TEXAS
(1 01101011)		
	ORDER OF EXPUNCTIO	N
other documents on file herein, and has governmental entity named in the peti procedural and substantive requirements	aving provided notice to the State (if a ition), the Court finds that it has juris	captioned cause. Having considered the pleadings and pplicable, notice to each official or agency or other sdiction over the cause and the parties; and that all I records have been met pursuant to Chapter 55 of the on under the following provision:
☐ Article 55.01(a)(1)(C) (convict section existed before that date	ed and subsequently pardoned, including ted of an offense committed before Sept	. 1, 2021, under Section 46.02(a), Penal Code, as that
Article 55.01(b) (tried, convict the person is tried, expunction offense for which the person was	is recommended by an office of the attoras arrested)	inal Appeals, court of appeals if applicable; or before rney representing the State authorized to prosecute the liance with an order of deferral of final disposition)
		nance with an order of deferral of final disposition)
Therefore, it is hereby Ordered, A	Adjudged, and Decreed that:	
		ANTED, and all records of the petitioner's arrest and f, Texas, are to be
The following information is provided t Full Name: Sex:	o identify the Defendant:	
Race:		
Date of Birth: Driver's License Number:		
Identification Card Number: Social Security Number:		
Address at the Time of Arrest:		
The following information is provided t Offense:	to identify the records pertaining to this cause	::
Date of Offense:		
Date of Arrest:		
County Where Arrested: Municipality Where Arrested:		
Arresting Agency:		
Case Number:		
Court of Offense: Cause Number:		
Date of Conviction:		
Tracking Incident Number (TRN)	Assigned by DPS:	
		the above specified arrest to this Court, or if removal itioner, including all computer entries, and notify this
Court of its action not later than		In cases described by Chapter 55, Section 1a, records
and files must be returned to the court.)		cases west rock by enuprier by section 14, records
(3) the respondents shall delete from	m their records all index references to the	ne records and files that are subject to this expunction

### ORDER OF EXPUNCTION (Chapter 55, C.C.P.) (Page 2 of 3) (4) the respondent, the Municipal Court of the City of \_\_\_\_\_\_\_, Texas, shall not permit inspection of the Court records concerning this expunction proceeding by any person other than the petitioner or petitioner's attorney herein, and shall obliterate all public references to this proceeding; (5) pursuant to Article 55.03, Code of Criminal Procedure, after entry of this Order, the release, maintenance, dissemination, or use of the expunged records and files for any purpose is prohibited; further, the petitioner may deny the occurrence of the expunged arrest and the existence of this expunction order, except that when questioned under oath in a criminal proceeding about an arrest for which the records have been expunged, the petitioner may state only that the matter in question has been expunged; (6) if the petitioner is entitled to expunction based on the expiration of a period described by Article 55.01(a)(2)(A)(i)(a), (b), or (c), but without the certification of the prosecuting attorney as described by Article 55.01(a)(2)(A)(i)(d), the applicable law \_\_\_\_\_, and prosecuting attorney, \_\_\_\_\_ enforcement agency, may retain the arrest records and files of the petitioner; (7) if the petitioner is entitled to expunction on the basis of an acquittal, the law enforcement agency, \_\_\_\_\_\_, and the prosecuting attorney, \_\_\_\_\_\_, may retain records and files if (1) the records and files are necessary to conduct a subsequent investigation and prosecution of a person other than the person who is the subject of this Order; or (2) the State establishes that the records and files are necessary for use in another criminal case, including a prosecution, motion to adjudicate or revoke community supervision, parole revocation hearing, mandatory supervision revocation hearing, punishment hearing, or bond hearing; or a civil case, including a civil suit or suit for possession of or access to a child. (8) the Texas Department of Criminal Justice shall send to the Court the documents delivered to the department under Section 8(a), Article 42.09 of the Code of Criminal Procedure on or before \_\_\_\_\_\_\_, 20\_\_\_\_; (9) the Department of Public Safety shall notify any central federal depository of criminal records by any means of this Order, together with an explanation to the effect of the order and a request that the records in possession of the depository that are subject to this Order, including any information with respect to this Order, be destroyed or returned to the Court on or before , 20 ; (10) the Department of Public Safety shall also provide notice to any private entity that is named in this order or that purchases criminal history record information from the department, together with an explanation to the effect of the order and a request that the entity destroy any information in the possession of the entity that is subject to this Order on or before , 20 ; (11) the Department of Public Safety and the Texas Department of Criminal Justice shall delete or redact, as appropriate, from their public records and files that are subject to this Order; (12) all respondents that are state agencies and that sent information concerning the arrest that is the subject of this Order to any central federal depository shall request that the records in possession of the depository be returned to the Court on or before (13) (if expunction is based on acquittal) This Order shall have a copy of the Judgment of Acquittal attached and such Judgment

Address:

(b) Texas Department of Public Safety
Attn: Expunction Unit, TxDPS Crime Records
P.O. Box 4143 Mail Stop (MSC-0234)

subdivision of this state and each private entity there is reason to believe has any record or file subject to this order):

of Acquittal is hereby incorporated by reference.

\_\_\_\_Court

Austin, TX 78765-4143

JUDGMENTS & ORDERS 12/21 TMCEC 2022 FORMS BOOK 175

(14) the Clerk of the Municipal Court of the City of \_\_\_\_\_\_\_, Texas, shall cause a certified copy of this Order to be delivered by secure electronic mail, electronic transmission, or facsimile transmission or otherwise by certified mail, return receipt requested, to the following respondents subject to this Order (include any official, agency, or other entity or political

#### ORDER OF EXPUNCTION (Chapter 55, C.C.P.) (Page 3 of 3)

(c)	Texas Department of Criminal Justice Address:	
(d)	Sheriff's Department	
	Address:	
(e)	Police Department	
	Address:	
(f)	District/County/City Attorney's Office	
	Address:	
(g)	Community Service Provider	
	Address:	
(h)	Pretrial Services and/or Juvenile Case Manager	
	Address:	
(i)	Other:	
<b>Signed</b> th	nis, 20	
(municipo	al court of record seal)	
		Judge, Municipal Court of Record
		City of
		County, Texas

Editor's Note: Effective September 1, 2017, municipal courts of record and justice courts have concurrent jurisdiction with the district courts to expunge fine-only offenses. A person who is eligible for an expunction under the process described in Article 55.02 may file in a municipal court of record or justice court in the county where either the petitioner was arrested or the offense was alleged to have occurred. Article 102.006, C.C.P., authorizes a \$100 fee for filing a petition for expunction. Any returned receipts received by the clerk shall be maintained in the file on the proceedings under Chapter 55. (H.B. 557, 85th Legislature (2017)).

At the request of the defendant, the court shall enter an order of expunction (if entitled to expunction under Article 55.01(a)(1)(A)), not later than the 30th day after the date of the acquittal. For a person entitled to an expunction under Article 55.01(a)(1)(B)(ii), the court shall enter an order of expunction not later than the 30th day after the date the court receives notice of the pardon or other grant of relief. If a petition for expunction is filed under Article 55.01(a)(1)(B)(i), 55.01(a)(2), or 55.01(b), the court shall set a hearing on the matter no sooner than 30 days from the filing and send notice to all entities listed in the petition.

See Chapter 55.02, Section 5, C.C.P., for detailed procedures on destruction by the clerk of files and records subject to expunction.

Non-record municipal courts have no authority to expunge under the amendments to Chapter 55 of the Code of Criminal Procedure.

#### ORDER DENYING EXPUNCTION (Chapter 55, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b> §	IN THE MUNICIPAL COURT
VS.		OF RECORD CITY OF
	<b>§</b>	COUNTY, TEXAS
(Petitioner)		
	ORDER DENYING EXPUNC	CTION
governmental entity named in the petit procedural and substantive requirements 55 of the Code of Criminal Procedure, sp	ion), the Court finds that it has jur for expunction of the specified crimin pecifically	applicable, notice to each official or agency or other isdiction over the cause and the parties; and that all nal records <b>HAVE NOT</b> been met pursuant to Chapter  The
petitioner is NOT entitled to or eligible f	or expunction.	The
Therefore, the petition for expunction file	led in the above-captioned cause is <b>DE</b>	NIED.
Signed this day of	, 20	
(municipal court of record seal)		
		Judge, Municipal Court of Record
		City of
		County, Texas

Editor's Note: Effective September 1, 2017, municipal courts of record and justice courts have concurrent jurisdiction with the district courts to expunge fine-only offenses. A person who is eligible for an expunction under the process described in Article 55.02 may file in a municipal court of record or justice court in the county where either the petitioner was arrested or the offense was alleged to have occurred. (H.B. 557, 85th Legislature (2017)).

See Chapter 55, Section 5 of the Code of Criminal Procedure for procedures on destruction by the clerk of files and records subject to expunction. See Article 55.02 for detailed expunction procedures.

Non-record municipal courts have no authority to expunge under the amendments to Chapter 55 of the Code of Criminal Procedure.

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT OF RECORD
VS.	<b>§</b>	OF RECORD CITY OF
	<b>§</b>	COUNTY, TEXAS
	NOTICE OF HEARI	NG
(you)(your agency) as an official, agensubject to expunction under Chapter 55  Munici	ncy, or other governmental entity the of the Code of Criminal Procedure. A sipal Court of Record, located at (a.m.)(p.m.).  at the petitioner is entitled to expunirecting expunction. Your entity may	You are receiving this notice because the petition names at there is reason to believe has records or files that are a hearing will be held on the petition for expunction at the
Signed this day of	, 20	
(municipal court seal)		
		Judge, Municipal Court
		City of
		County, Texas

**Editor's Note:** Effective September 1, 2017, municipal courts of record and justice courts have concurrent jurisdiction with the district courts to expunge fine-only offenses. A person who is eligible for an expunction under the process described in Article 55.02 may file in a municipal court of record or justice court in the county where either the petitioner was arrested or the offense was alleged to have occurred. (H.B. 557, 85th Legislature (2017)).

Under Article 55.02, section 2(c), C.C.P., the court shall set a hearing on the matter no sooner than thirty days from the filing of the petition and shall give to each official or agency or other governmental entity named in the petition reasonable notice of the hearing.

See Chapter 55, Section 5 of the Code of Criminal Procedure for procedures on destruction by the clerk of files and records subject to expunction. See Article 55.02 for detailed expunction procedures.

Non-record municipal courts have no authority to expunge under the amendments to Chapter 55 of the Code of Criminal Procedure.

#### CERTIFICATION OF DESTRUCTION OF RECORDS SUBJECT TO EXPUNCTION ORDER (Art. 55.02, Sec. 5(e), C.C.P.)

CAUSE N	UMBER:	
	§	IN THE MUNICIPAL COURT OF RECORD
	<b>§</b>	OF RECORD CITY OF
	§	COUNTY, TEXAS
CERTIFICATION OF DESTRUC	TION OF RECORDS SUBJ	ECT TO EXPUNCTION
I,	, Clerk of the the Code of Criminal Procedu d in accordance with Article	Municipal Court of are, do hereby certify that all case files, records, 55.02, Section 5(d) of the Code of Criminal
Date of Destruction:	-	
<b>Signed</b> this, 20	<u>.</u>	
(municipal court seal)		
		Clerk, Municipal Court
		City of
		County, Texas

**Editor's Note:** Effective September 1, 2017, municipal courts of record and justice courts have concurrent jurisdiction with the district courts to expunge fine-only offenses. A person who is eligible for an expunction under the process described in Article 55.02 may file in a municipal court of record or justice court in the county where either the petitioner was arrested, or the offense was alleged to have occurred. (H.B. 557, 85th Legislature (2017)).

See Chapter 55, Section 5 of the Code of Criminal Procedure for procedures on destruction by the clerk of files and records subject to expunction. See Article 55.02 for detailed expunction procedures.

Non-record municipal courts have no authority to expunge under the amendments to Chapter 55 of the Code of Criminal Procedure.



# **APPEALS**

# **Table of Contents**

Cash Appeal Bond	180
Personal Appeal Bond	
Surety Appeal Bond	
Certified Transcript of Proceedings (Court of Non-Record)	
Checklist for Record on Appeal (Court of Record)	

STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
Whereas, on the day of entered against the said Defendant, offense of	, 20, in the above style	ed and numbered cause, a judgment was rendered and convicting (him)(her) of the fine-only misdemeanor
upon complaint filed in said Municipal dollars	Court, that the State of Texas does hat (\$) in fine and all costs of	ave and recover from the said Defendant the sum of said prosecution from which judgment the Defendant y, Texas.
Now, if the conditions stated above are incurred by any peace officer in re-and the amount deposited herein shall be	bound to the State of Texas to insure its at the courthouse of said county instant quent proceedings that may be had relating in from day to day and term to term of sainst me, until this obligation shall become are violated, the sum of the bond shall	
Date		Defendant's Signature
Telephone		Address
Defense Attorney (if any)		
<ul> <li>Not approved; bond presented on _</li> <li>is past time allowed by statute.</li> <li>is incorrect amount.</li> </ul>	, 20, (Art. 45.0426(b), C.C.P.)	sited with the Court by (cash)(money order)(cashier's
☐ <b>Approved</b> on this day of	, 20	Judge, Municipal Court
		City of
Filed this the day of	, 20	County, Texas

CAUSE NUMBER:

**Editor's Note:** Under Article 45.0425, C.C.P., the amount of an appeal bond may not be less than two times the amount of the fine and costs adjudged against the defendant, payable to the State of Texas. The appeal bond may not in any case be for an amount less than \$50.

STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
Whereas, on the day of entered against me, the Defendant, convict Municipal Court, that the State of Texas do in fine and all costs of said prosecution, from County, Texas.	, 20, in the above styring me of the offense of oes have and recover from me the sum m which judgment I have appealed to the sum of the	yled and numbered cause, a judgment was rendered and upon complaint filed in said dollars (\$
Now, therefore, I am held and firmly penal sum of	dollars (\$) for the pages and expenses that may be incurred	in the ayment of said sum, well and truly to be made, and in d by peace officers in re-arresting me in the event the administrators, jointly and severally.
I swear that I will appear before the C Court, or pay to the Court the principal sur to appear.	County Court of, plus all necessary	County, Texas, instanter or upon notice by the and reasonable expenses incurred in any arrest for failure
transferred, and there remain from day to answer said accusation against me, and fur that may be had relative to said charge in otherwise to remain in full force and effect	day and term to term of said Court, arther shall well and truly make my pen the course of the criminal action be.	t as well as before any court to which the same may be until discharged by due course of law, then and there to rsonal appearance in any and all subsequent proceedings assed on said charge, this obligation shall become void
Address: Felephone: Place of Employment: Felephone:		Defendant's Signature
Telephone:		Name, Address, and Telephone of Nearest Relative:
Sworn to and subscribed before me, this		·
□ Not approved; bond presented on is past time allowed by statute. (A is incorrect amount.	, 20, Art. 45.0426(b), C.C.P.)	
☐ Approved on this day of	, 20	Judge, Municipal Court
		City of
Filed this the day of	, 20 .	County, Texas

CAUSE NUMBER:

	CAUSE NUMBER:	_
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
entered against the Defendant,	upon complaint filed in said M	d and numbered cause, a judgment was rendered and convicting (him)(her) of the misdemeanor offense of unicipal Court, that the State of Texas does have and) in fine and all costs of said prosecution, County, Texas.
Now, therefore, we, the said _	as I	Principal, and as
Surety (Sureties), are held and firm (\$ ).	mly bound unto the State of Texas in the	Principal, and as penal sum of dollars
any and all subsequent proceedings there to remain from day to day and	County, Texas instanter as well as before an that may be had relative to said charge in the	is)(her) appearance before the County Court of by court to which the same may be transferred and for a course of criminal actions based on said charge, and by due course of law, then and there to answer said remain in full force and effect.
Witness our hands this the	_ day of, 20	
Principal		Mailing Address
		Telephone Number
Surety		Mailing Address
		Telephone Number

Editor's Note: Insert additional surety signature blocks as necessary.

### **SURETY APPEAL BOND (Page 2 of 2)**

THE STATE OF TEXAS	
COUNTY OF	

We, the undersigned, do swear that we are very from our property all that which is exempt by the of every description, whether individual or secures; that we reside in the County of said sum or more:	e Constitution and laws of turity debts, and after satisfy	he state from forced sale and ing all encumbrances upon o	after the payment of all our debts ur property, which are known to
The said	the sum of	dollars or mo	re
The said	the sum of	dollars or mo	re
The said	the sum of	dollars or mo	re
The said	the sum of	dollars or mo	re
The said	the sum of	dollars or mo	re
The said	the sum of	dollars or mo	re
Sworn to and subscribed before me this			
□ Not approved; bond presented on is past time allowed by statute. (Art. 45 is incorrect amount.	5.0426(b), C.C.P.)		(Judge) (Clerk) (Sheriff)
☐ Approved on this day of	, 20		Judge, Municipal Court
		City of	
Filed this the day of	, 20 .		County, Texas

### CERTIFIED TRANSCRIPT OF PROCEEDINGS (COURT OF NON-RECORD)

	•	CAUSE NUMBER:	
STATE OF TEX	KAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.		<b>§</b>	CITY OF
	<u></u>	<b>§</b>	COUNTY, TEXAS
On the	day of case was (tried before	, 20, the Defendant,	, in the above styled and) (was tried before a jury) (entered a plea of guilty)
(entered a plea of n and adjudged to pa said Defendant has	olo contendere), and was  y a fine of  appealed to the County O	s convicted of the misdemeanor offe dollars (\$ Court of	, in the above styled and, in the above styled and, (was tried before a jury) (entered a plea of guilty) ense of, and all costs of prosecution, from which judgment County, Texas.
		in said criminal case, to wit:	
2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17.	Citation filed on:  Complaint filed on:  Magistrate's warning Appearance bond filed o Plea form Copy of letter notifying I State's application for su Defendant's application Writ summoning venire Jury waiver Venire Jury Verdict Certified copy of judgment Motion for new trial Notice of appeal Appeal Bond filed on:  Other:	Defendant of trial setting abpoena for subpoena ent of conviction	
		CERTIFICATE	
THE STATE OF COUNTY OF	TEXAS	\$ \$ \$	
			City of, in said county, hereby te and correct record of all the proceedings had before said, Cause Number
Witness my si	gnature this the da	ay of, 20	
			(Judge)(Court Clerk), Municipal Court
			County Texas

### CHECKLIST FOR RECORD ON APPEAL (COURT OF RECORD) (See generally Arts. 33.07 and 44.18, C.C.P.)

### RECORD OF APPEAL

1.	Upon written request of either party, the clerk shall prepare a certified record that includes copies of:
	☐ the complaint;
	☐ material docket entries made by the Court;
	☐ the jury charge and the verdict in a jury trial;
	□ the judgment;
	☐ the motion for a new trial;
	□ the notice of appeal;
	□ written motions and pleas;
	□ written orders of the Court; and
	□ any bills of exception filed with the Court.
2.	The reporter's record may include:
	□ any portions of the proceedings, if either party requests them;
	□ bills of exception;
	a statement of facts, which may be in the form of:
	• a partial transcription and the agreed statement of facts of the case;
	• a brief statement of the facts of the case proven at trial as agreed to by the parties, if testimony at trial was not recorded; o
	• a transcript of all or part of the proceedings shown by the notes to have occurred before, during, or after the trial, if

# INDIGENCE, COMMUNITY SERVICE, PAYMENT PLANS, & JAIL CREDIT

# INDIGENCE, COMMUNITY SERVICE, PAYMENT PLANS & JAIL CREDIT

### **Table of Contents**

Admonishment as to Financial Changes	186
Application for Time Payment, Extension, Community	
Service or Waiver	187
Installment Agreement Order	191
Schedule of Payments for Installment Agreement	192
Community Service Order	193
Community Service Time Sheet	194
Order Declining Reconsideration of Satisfaction of Fine or Costs	195
Waiver of Payment of Fine and Costs for Certain	
Defendants and for Children	196
Finding of Indigence for Purposes of Section 706.006, T.C.	
(OmniBase Administrative Fee)	197
Updated > Jail Credit Response Letter	198
Defendant's Motion to Lay Out Fine in Jail	199
Defendant's Refusal to Discharge	
Fine or Costs by Performing Community Service	200

### ADMONISHMENT AS TO FINANCIAL CHANGES

	CAUSE NUMBER(S):	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
ALL DEFENDANTS unable to pay CAREFULLY READ and ACKNO		TS WHEN SENTENCED are REQUIRED to
TODOS los DEFENDIENTES sin cap NECESITARAN LEER completamen		S, TARIFAS Y COSTOS despues de la sentencia,
Court of any changes in m		ts costs are paid in full, I agree to notify the vill likely interfere with my ability to pay the
acuerdo en notificar a este juzg		y costos son completamente pagados yo estoy de inanciera o personal que interfiera con mi capacidad
	keep the Court informed of my abili Court informed in the event of finance	ity to pay the fines, fees, and costs. It is my cial hardship.
	mar a este juzgado de mi capacidad de pa este juzgado en caso de dificultades econor	gar la multa, la tarifa, y los costos de la corte. Es mi nicas.
credit towards my fine, fe		be able to offer me other ways to pay or earn nsider such circumstances, and to avoid the and sufficient proof to the Court.
multa, la tarifa, y los costos de		e otras maneras de recivir or ganar credito hacia la nstancia, y para evitar la posibilidad de ser detenido,
		Defendant's Signature/Signatura de Defendiente
	(Co	Signature by Witness urt Clerk, Court Administrator, or Other Court Staff)
	This t	ne day of, 20

### APPLICATION FOR TIME PAYMENT, EXTENSION, COMMUNITY SERVICE, OR WAIVER (Page 1 of 4)

	CAUSE NUMBER(S): _		
STATE OF TEXAS	_		IN THE MUNICIPAL COURT
VS.	_		CITY OF
	_		COUNTY, TEXAS
INITIAL ALL THAT APPLY.			
The Court has advised	me that I am responsible for satisfy	ring the judgment and sentend	ce:
in the amount of \$	in Cause Number	;	
in the amount of \$	in Cause Number	;	
in the amount of \$	in Cause Number	; and	
in the amount of \$	in Cause Number	·	
	able to pay the fine and costs i resources or income to pay today.	mmediately and that the fo	ollowing information is documentation
I request that the Court	extend the payment to a later date.		
I request that the Court	grant a time payment plan.		
I request that I be able and I am unable to pay		erforming community service	e, because I have no resources to pay
	I to be indigent by the federal governe of program:	<u> </u>	I am eligible to receive assistance under
	E PAYMENT, EXTENSION, CO		
Name:		_ Telephone Number:	
			·
Marital Status (Check One):	•	ivorced   Widowed	
			per
		_	
List the source and amount of	any other income you receive: \$ _		
	r ages, and their relationship to you:		
Your residence is (Check One	e): Rented  Owned	Rent-Free □	
LIGHTALL DANG A GOODS	TO IN MOVID MANUE OF FROM		DAW EVINDS
Name of Institution	TS IN YOUR NAME OR FROM V		
rianie of mshinnon	Address of Institution	Type of Account	Account Balance

### APPLICATION FOR TIME PAYMENT, EXTENSION, COMMUNITY SERVICE, OR WAIVER (Page 2 of 4)

### ESTIMATE YOUR AVERAGE CURRENT MONTHLY EXPENSES FOR YOU AND YOUR FAMILY: Home mortgage payment, rent, or lot rental for trailer: Routine home maintenance: b. Utilities (electricity, water, gas, telephone): c. Food and sundries: Clothing: e. f. Laundry and cleaning: Newspapers, periodicals, & books, including schoolbooks: \$ g. Medical, dental, and drug expenses: \$ h. Insurance (auto, life, medical, homeowners/renters): Transportation, including auto payments: j. Taxes not deducted from wages or included in mortgage: k. Alimony or support payments: 1. m. Religious/charitable contributions: \$\_ Other expenses (use reverse side if necessary): \_\_\_\_\_ \$\_\_\_\_ \$ LIST ALL REAL ESTATE OWNED BY YOU AND YOUR SPOUSE: LIST THE ESTIMATED VALUE FOR ALL PERSONAL PROPERTY OWNED BY YOU OR YOUR SPOUSE: Deposits in financial institutions and cash on hand: \$\_\_\_ Household goods and supplies (use reverse side if necessary): \_\_\_\_\_\_ \$\_\_\_\_\_ \$\_\_\_\_\_ \$\_\_\_\_\_ \$\_\_\_\_\_ \_\_\_\_\_\$\_\_\_\_ c. Household furniture and furnishings (use reverse side if necessary): \$\_\_\_\_\_\$ d. Jewelry (use reverse side if necessary): \_\_\_\_\_ \$\_\_\_\_ \$\_\_\_\_ \$\_\_\_\_ \$\_\_\_\_ \$\_\_\_\_\_\$ \$\_\_\_\_\$ \$\_\_\_\_

### APPLICATION FOR TIME PAYMENT, EXTENSION, COMMUNITY SERVICE, OR WAIVER (Page 3 of 4) e. Sports equipment and musical instruments (use reverse side if necessary): \_\_\_\_\_\$\_\_\_ f. Television, home theater, media, and stereo equipment (use reverse side if necessary): \_\_\_\_\_\$\_\_\_\_ \_\_\_\_\$\_\_\_\_\_ g. Household appliances (use reverse side if necessary): \_\_\_\_\_ \$\_\_\_\_ \$\_\_\_\_\_ \$\_\_\_\_ \_\_\_\_\_\$\_\_\_\_ h. Automobiles, trucks, trailers, boats, and accessories (use reverse side if necessary): \_\_\_\_\_\$\_\_\_ \$ i. Machinery and tools, lawn and garden equipment (use reverse side if necessary): \_\_\_\_\_\$\_\_\_\_ \_\_\_\_\_\$\_\_\_\_ j. Office equipment, supplies, furniture, and inventory (use reverse side if necessary): \$ k. Farming equipment, supplies, livestock, and other animals (use reverse side if necessary): \_\_\_\_\_\$\_\_\_\_ 1. Any other property not listed above (use reverse side if necessary):

\_\_\_\_\_\$\_\_\_\_

\_\_\_\_\_ \$\_\_\_ \$\_\_\_ \$\_\_\_ \$\_\_\_ \$\_\_\_\_ \$\_\_\_\_

### APPLICATION FOR TIME PAYMENT, EXTENSION, COMMUNITY SERVICE, OR WAIVER (Page 4 of 4)

(Use reverse side if necessary):		\$	
\$\$		\$	
		\$\$	
\$\$			
\$\$		\$	
\$\$		\$	
\$		\$	
UNDERSTAND IT, AND AGREE		l of any changes of my address on talanhama nu	mbar at tha
		l of any changes of my address or telephone numerical within five (5) days of the change.	mber at the
· ·	,		
	continuing obligation to notify the Cou dgment or help me satisfy the judgment	ort of any changes in my financial status that n	nay hinder
my ability to satisfy the jud  I understand that if I pay	dgment or help me satisfy the judgment any part of the fine, costs, or restitution		gment was
my ability to satisfy the jude.  I understand that if I pay a entered that I am responsible.  I understand that submit governmental record, puni	any part of the fine, costs, or restitution of for paying a \$15 time payment reimburse fitting false financial information to ishable by incarceration and/or the imp	(if applicable) on or after the 31st day after jud	gment was cedure).
my ability to satisfy the jude.  I understand that if I pay a entered that I am responsible.  I understand that submit governmental record, puni	any part of the fine, costs, or restitution of for paying a \$15 time payment reimburse fitting false financial information to ishable by incarceration and/or the imp	(if applicable) on or after the 31st day after judgment fee (Article 102.030, Code of Criminal Procedure Court constitutes the crime of tamperitosition of a fine (Section 37.10, Penal Code). I	gment was cedure).
my ability to satisfy the jude.  I understand that if I pay a entered that I am responsible.  I understand that submit governmental record, puni	any part of the fine, costs, or restitution e for paying a \$15 time payment reimburse fitting false financial information to ishable by incarceration and/or the impapplication is true, correct, and complete	(if applicable) on or after the 31st day after judgment fee (Article 102.030, Code of Criminal Procedure Court constitutes the crime of tamperitosition of a fine (Section 37.10, Penal Code). I	gment was cedure).

### INSTALLMENT AGREEMENT ORDER

CAUSE	E NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	§	COUNTY, TEXAS
	ORDER	
total amount owed at this time is \$	However, if any portion after the date of judgment	the Defendant, having been found guilty by the pay the fine, fees, and costs at designated intervals. The pay of the fines, fees, or costs is paid on or after the date of the Defendant shall pay an additional \$15 reimbursement
	to the court. If the Defe	as scheduled by this Order. Each payment will be due and endant is unable to make a payment, the Defendant should ourt of any change of address.
		and may cause the issuance of a capias pro fine. Article pay a \$50 warrant reimbursement fee for the execution or
	SCHEDULED PAYM	ENTS
IT IS HEREBY ORDERED that the Defend hours ofm. andm. on the f	dant,following dates and in the	, pay the fine and court costs between the following amounts until the total fine and costs are paid:
Due Dates of Payments		Amounts Due
_		
SIGNED AND RENDERED on this day o	of, 20	
(municipal court seal)		Judge, Municipal Court
(municipal court seat)		City of
has the ability to fully comply with this Order. changes in his/her financial situation that may hind	Further, the Defendant uder his/her ability to satisfy terminates only upon s	ne Defendant understands the provisions of this Order and understands his/her responsibility to inform the Court of by either the judgment or any other order of the Court. The atisfaction of the judgment. The Defendant understands
Date:		Defendant's Signature

**Editor's Note:** In 2019, the Texas Legislature made sweeping changes to the court costs structure, including renaming a number of costs as reimbursement fees. (*See* S.B. 346, 86th Legislature (2019)).

### SCHEDULE OF PAYMENTS FOR INSTALLMENT AGREEMENT

CAUSE NUMBER:			
STATE OF TEXAS		§	IN THE MUNICIPAL COURT
VS.		§ §	CITY OFCOUNTY, TEXAS
Cause Number	Date to be Paid	Further Extensions	Date Paid/Receipt Number

Date

Defendant's Acknowledgement by Signature

	CAUSE NUMBER:	_
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
	ORDER	
20, (and the Court having determined the Defendant has insufficient resources or	that the Defendant has failed to pay such income to pay such fine and costs), it is he	•
costs owed) by performing community ser		all of the fine and costs owed) (the remaining fine and
1. The Defendant shall perform a tota	al of hours;	
2. The Defendant's community service	ce shall be completed no later than	
3. The Defendant shall perform the c	ommunity service:	
<ul> <li>□ by attending an alcohol or drug ab</li> <li>□ by attending a rehabilitation program</li> <li>□ by attending a counseling program</li> <li>□ for a governmental entity, non-pro</li> </ul>	r the high school equivalency examination use program; am; ı, including a self-improvement program, a	mentoring program, or any similar activity; at provides services to the general public that enhance
4. The Defendant shall submit to to, 20;	the court documentation verifying the D	pefendant's completion of the community service by
and the Court having further found that pe hardship on the Defendant, it is further	erforming more than 16 hours of commun	nity service per week (will)(will not) impose an undue
the above-ordered community service. A	defendant is considered to have discharge	m no more than hours per week in discharging ged \$ of fines or costs for each eight hours on the service by paying at any time the fine and costs.
Dated:		Judge, Municipal Court
		City of
(municipal court seal)		County, Texas

**Editor's Note:** The judge may require the Defendant to discharge a fine and costs at not less than a minimum of \$100 for every eight hours of community service performed. Art. 45.049(e), C.C.P.

For community service orders on children under Article 45.0492 of the Code of Criminal Procedure, see the Judgments & Orders chapter.

### COMMUNITY SERVICE TIME SHEET \_\_\_\_\_ Municipal Court Address: \_\_\_\_\_ \_\_\_\_, Texas \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ **COMMUNITY SERVICE TIME SHEET** This documentation must be submitted to the court by , 20 . Community Service Provider: \_\_\_\_\_ Telephone: \_\_\_\_\_ Date Assigned: \_\_\_\_\_ DOB: \_\_\_\_\_ \_\_\_\_\_ DOB: \_\_\_\_\_ Total Hours Assigned: \_\_\_\_\_ To be completed by: \_\_\_\_\_ Complete \_\_\_\_ hours by \_\_\_\_ ; and then \_\_\_\_ hours by \_\_\_\_\_ Cause number(s): Date Time In Time Out **Total Hours Subtotal Hours Defendant's Initials Supervisor Initials Community Service Rules** While performing community service, I will: Contact the provider I choose to arrange community service Not deliberately destroy or deface any tools or property; as soon as possible; Never accept any tips or cash from anyone in association Arrive on time: with my community service; Obey the site supervisor; Wear appropriate clothing; Not leave the site without permission; Apply for authorization for extension of time if needed; Not carry any sort of weapon; Contact the Municipal Court with any questions.

Approved by:

Community Service Provider Representative

Signature of Defendant Performing
Community Service

I certify that the above record is a true representation of the number of hours performed for the above period by \_\_\_\_\_\_.

WARNING: Filing false information with the Court is a Class A misdemeanor punishable by up to one year in jail and a maximum fine up to \$4,000.

Not use abusive language;

### ORDER DECLINING HEARING ON RECONSIDERATION OF SATISFACTION OF FINE OR COSTS (Art. 45.0445(d), C.C.P.)

	CAUSE NUMBER:	_
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	OF CITY OF
	§	COUNTY, TEXAS
ORDER DECLIN	NING HEARING ON RECONSIDERA	TION OF FINE OR COSTS
		445, C.C.P., regarding whether the fines and costs defendant. The Court finds that a hearing is not
	hearing that the portion of the judgm	riminal Procedure, with respect to the case and is able ent regarding the fine and costs does not impose an
		adgment imposes an undue hardship on the defendant; ods listed under Article 45.041(a-1) Code of Criminal
Signed this day of	, 20	
(municipal court of record seal)		
		Judge
		City of
		County, Texas

**Editor's Note:** Effective September 1, 2019, if a defendant notifies the court that the defendant has difficulty paying the fine and costs in compliance with the judgment, the court shall hold a hearing to determine whether that portion of the judgment imposes an undue hardship on the defendant. (Art. 45.0445(a), C.C.P.)

### WAIVER OF PAYMENT OF FINES AND COSTS FOR CERTAIN DEFENDANTS AND FOR CHILDREN (Art. 45.0491, C.C.P.)

	CAUSE NUMBER:		
STATE OF TEXAS	§	IN THE MUNICIPA	L COURT
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COUNT	Y, TEXAS
	ORDER		
	, hereinafter called I	be heard Cause Number	anor offense to
judgment, the Court determines as follo	9	ing the Defendant's ability to satisfy the	aforementioned
	sufficient resources or income to pay was committed, a child as defined by	all or part of the fine or costs; or Article 45.058, Code of Criminal Procedu	re.
And discharging the fine or cos Chapter 45, would impose an ur		of Criminal Procedure or as otherwise	authorized by
With regard to <b>costs</b> , the Defendant:			
	sufficient resources or income to pay was committed, a child as defined by	all or part of the fine or costs; or Article 45.058, Code of Criminal Procedu	re.
Accordingly, pursuant to Article 45.0 Defendant.	491, Code of Criminal Procedure, the	e Court waives the (stated) (remaining) fin	e and costs for
ORDERED, ADJUDGED, AND DE	CREED.		
Entered this day of	, 20		
(municipal court seal)		_	Municipal Court
		City of	
		, <del></del>	_County, Texas

**Editor's Note:** The 86th Legislature amended Art. 45.0491, C.C.P., by separating the waiver determinations for fines and costs. (S.B. 346, 86th Legislature (2019)). Judges have the discretion to waive all or part of the fines imposed on defendants who (1) are indigent or do not have sufficient resources or income to pay all or part of the fine or (2) were children at the time the offense was committed, if discharging the judgment through alternative means would be an undue hardship, regardless whether the defendant has defaulted in discharging the judgment. S.B. 346, also included a list of factors a court may consider in an undue hardship determination. Finally, the bill moved the requirements for waiver of costs to subsection (d), which largely tracks the requirements for waiver of fines but does not require a determination of "undue hardship."

Generally, a defendant is presumed to be indigent or to not have sufficient resources or income to pay all or part of the fine or costs if the defendant is in the conservatorship of the Department of Family and Protective Services (or was at the time of the offense) or is designated as a homeless child or youth or an unaccompanied youth, as those terms are defined by 42 U.S.C. Section 11434a (or was at the time of the offense).

### FINDING OF INDIGENCE FOR PURPOSES OF SEC. 706.006, T.C. (OMNIBASE REIMBURSEMENT FEE)

	CAUS	E NUMBER:		
STATE OF TEXA	AS	8	IN TH	IE MUNICIPAL COURT
VS.		<b>§</b>	CITY	OF
	_	§		COUNTY, TEXAS
		FINDING		
		, hereinafter called	Defendant, was convicted	wherein of a misdemeanor offense to
wit:fine and costs in the	amount of \$	on the , of which \$	day of has no	, 20 and ordered to pay the ot been satisfied.
defendant indigent.				mentation provided, <b>FINDS</b> the ay not be required to pay an
		:	Judge, Municipal Court	Date
(municipa	ıl court seal)		City of	
				County, Texas

Editor's Note: For purposes of Section 706.006(d) of the Transportation Code, a person is presumed to be indigent if the person: (1) is required to attend school full time under Section 25.085 of the Education Code; (2) is a member of a household with a total annual income that is below 125 percent of the applicable income level established by the federal poverty guidelines; or (3) receives assistance from: (A) the financial assistance program established under Chapter 31 of the Human Resources Code; (B) the medical assistance program under Chapter 32 of the Human Resources Code; (C) the supplemental nutrition assistance program established under Chapter 33 of the Human Resources Code; (D) the federal special supplemental nutrition program for women, infants, and children authorized by 42 U.S.C. Section 1786; or (E) the child health plan program under Chapter 62 of the Health and Safety Code. (H.B. 351/S.B. 1913, 85th Legislature (2017)).

### JAIL CREDIT RESPONSE LETTER

Name Address City and State
Date
Dear Sir or Madam:
The Court has received your letter requesting jail credit.
According to the Court's records, your request for jail credit is for the following cause number(s):
To consider your request, the Court requires the following:
1. A plea of either guilty or nolo contendere (no contest) in the cause(s) for which you are seeking jail credit.
<ul> <li>OFFICIAL DOCUMENTATION stating:</li> <li>The offense for which you are or were incarcerated;</li> <li>The specific name of the facility and location where you are or were incarcerated;</li> <li>When you began your incarceration; and</li> <li>The date your incarceration is scheduled to end or did end.</li> </ul>
In response to your request:
☐ AT THIS TIME, YOUR REQUEST CANNOT BE CONSIDERED, for the following reason:
☐ The Court has not received a plea of guilty or nolo contendere (no contest) in the cause(s) for which you are seeking jail credit. Please submit the enclosed form entitled <i>Plea Form: By Mail or Delivery to the Court</i> . Upon receipt of the form, your request shall be considered.
☐ The Court has not received OFFICAL DOCUMENTATION (described above).
$\Box$ The court finds that you are entitled to jail credit and GRANTS your request for the following reason:
<ul> <li>□ Pursuant to Article 42.03 of the Code of Criminal Procedure, you spent time in jail for this case prior to sentence by this court.</li> <li>□ Pursuant to Article 45.041(c-1) of the Code of Criminal Procedure, you spent time in jail or prison while serving a sentence for another offense, the time was served after the commission of the offense now before the court and prior to sentencing. The credit will be indicated on the judgment for the charge now before this court.</li> <li>□ Pursuant to Article 45.048 of the Code of Criminal Procedure, you were placed in jail on account of failure to pay the fines and costs in the case before this court.</li> <li>□ The court finds that your request calls for discretionary jail credit that you are not entitled to. Your request for discretionary jail credit is:</li> <li>□ GRANTED in the following amount: (not less than \$150 per day or period of time (8-24 hours))</li> <li>□ DENIED</li> </ul>
Municipal Judge
City of

### DEFENDANT'S MOTION TO LAY OUT FINE IN JAIL

	C	CAUSE NUMBER:		
STATE OF TEXAS VS.		<b>§</b>		IN THE MUNICIPAL COURT CITY OF
		<b>§</b>		COUNTY, TEXAS
	DEFENDA	ANT'S MOTION TO I	LAY OUT FINE IN JAIL	
On the day				and was assessed a
fine and court costs totaling \$	dollars, e	of which \$	is unpaid.	and was assessed a
all or part of the fine and co		extension to pay, I Do	O NOT WANT a payment	nity service to discharge the fine and costs for plan, and I DO NOT WANT to perform CRED BY THE COURT.
	ask the Court to consider my NOT claim that I am indige			Court finds me indigent, I cannot be jailed to indigent.
granted, I will be given jail o		s or more than 24 hours	s as the period I must remain	der me to jail immediately. If my request is in jail to satisfy not less than a minimum of
of a monetary fine, not by a		request to discharge the	e fine and costs through cor	of an offense punishable by the imposition nmitment to jail has not been influenced by
I have read this entire order me to jail.	motion, I understand it, an	nd I agree to sign it ar	nd present it to the Judge.	I want the Judge to grant this motion and
Date				Defendant's Signature
	occ.			
Timed hame and addre				
Telephone number(s):			_	
	☐ Motion granted	☐ Motion denied	I	
	Date			Judge, Municipal Court
	(municipal court seal)			City of
		COMMITM		
	, 20, the			ion to Lay Out Fine in Jail. <b>THE COURT</b> anted.
It is therefore <b>ORDER</b> Marshal) of the City of been discharged as provided	ED that the Defendant,	f of nd Commitment be kep	, is committed to County), Texas until so t with the papers of this cause	to the custody of the [(Chief of Police)(City such time as Defendant's fine and costs have e.
	ied in the judgment or senten jail a sufficient length of time			de of Criminal Procedure, the Court specifies
hours (not less	than 8 or more than 24) to ea	ırn		
(minimum dolla	ar amount \$150) until such til	me as Defendant's fine	and costs have been discharg	ed.
It is <b>ORDERED</b> that th	is Motion and Commitment b	be kept with the papers of	of this cause.	
ENTERED this	day of, 2	20		Indea Manistral C
			City of	Judge, Municipal Court
(municipal court seal	)		<b>y</b>	County Tevas

**Editor's Note:** Courts are strongly urged to be aware that there are inherent dangers to letting defendants lay out their fine in jail and should be mindful of possible legal consequences as well as better alternatives to this practice.

### DEFENDANT'S REFUSAL TO DISCHARGE FINE OR COSTS BY PERFORMING COMMUNITY SERVICE (Art. 45.049, C.C.P.)

	CAUSE NUMI	BER:	
STATE OF TEXAS	§		IN THE MUNICIPAL COURT
VS.	\$ \$		CITY OF
	8		COUNTY, TEXAS
DEFENDANT'S REF	USAL TO DISCHARGE FINE	OR COSTS BY PERFORM	ING COMMUNITY SERVICE
	osts totaling \$, 20, I was	found guilty of the offense of _dollars, of which \$	and is unpaid.
(check one):			
	ine and/or costs stated above.		
☐ I have been determ	ined by the court to have insufficient	nt resources or income to pay the	e fine and/or costs stated above.
I understand that the judge	is permitted to require me to discha	arge all or part of the fine or cost	s by performing community service.
_	or costs without experiencing ar	ny undue hardship.	
AND			
I DO NOT WANT to dis	charge any or all of said fine and	l/or costs by performing comn	nunity service.
	when I committed the offense. I a osts by performing community serv		not encouraged me to refuse to discharge
I WANT to discharge the	fine and costs by:		
acknowledge my refusal and	refusal, I understand it, and I grant my request to discharge th		
Date			Defendant's Signature
Printed name and address	:		
Telephone number(s):			
	☐ Refusal Acknowledged		
	Date		Judge, Municipal Court
	(municipal court seal)		City of

# ENFORCEMENT

# **ENFORCEMENT**

### **Table of Contents**

Capias Pro Fine	
Clerk's Affidavit for Capias Pro Fine	201
Show Cause Notice Prior to Issuing a Capias Pro Fine	
Capias Pro Fine	203
Order of Commitment	204
Contempt	
Show Cause Notice: Adult Defendant Contempt	205
Show Cause Notice: Adult Contempt (Not a Defendant)	206
Show Cause Notice: Juror Contempt	207
Show Cause Notice: Peace Officer	208
Show Cause Notice: Witness Contempt	209
Contempt: Adult Plea	210
Judgment of Direct Contempt: Adult	
Judgment of Indirect Contempt: Adult	212
Judgment of Contempt: Failure to Appear for Jury Service	
Judgment of Contempt: Peace Officer Failure to Serve Process	
Judgment of Contempt: Witness Refusal to Obey Subpoena	215
Civil Collection	
Abstract of Judgment	216
Writ of Execution	217

## CHRONOLOGICALLY DISTINGUISHING THE WARRANT, CAPIAS, AND CAPIAS PRO FINE IN THE TEXAS CODE OF CRIMINAL PROCEDURE

Purpose	Prior to Formal Charging	After Formal Charging but	After Judgment and Sentence
rurpose	Frior to Formar Charging	Prior to Judgment	Arter Judgment and Sentence
Bond Forfeiture or Surrender of Principal	"Arrest Warrant" by Magistrate  - Article 17.19	"Chapter 23 Capias" by <i>Trial Court</i>	
To Procure Custody	"Arrest Warrant" upon oath of affirmation & determination of probable cause by <i>Magistrate</i> - Specific Provision: Article 45.014 "Arrest Warrant" by <i>Municipal Court</i> or <i>Justice Court</i>	"Chapter 23 Capias" by <i>Trial Court</i> - Specific Provision: Article 45.014 "Arrest Warrant" by <i>Municipal</i> Court or Justice Court	"Chapter 43 Capias" by <i>Trial Court</i> - Article 43.015(1)  - Article 43.04
To Enforce Judgment for Unpaid Fines and/or Costs			"Capias Pro Fine" by <i>Trial Court</i> ❖ General Provisions  - Article 43.015(2)  - Article 43.021  - Article 43.05  - Article 43.06  - Article 43.07  ❖ Specific Procedures in Chapter 45 Courts  - Article 45.045  - Article 45.046  ❖ Specific Procedures in Other Trial Courts  - Article 43.03

### CLERK'S AFFIDAVIT FOR CAPIAS PRO FINE

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	§	COUNTY, TEXAS
day of court costs. My belief is base	, being duly sworn, upon oath, state that I have go, 20,ed upon the following:	ood reason to believe and do believe that on or about the, Defendant, defaulted in payment of a fine and
I am the Municipal Co	ourt Clerk and custodian of records for the, County, Texas. On	Municipal Court, City of, 20, I personally that the Defendant in the above styled and numbered
cause was charged with the was found guilty of the offer make (a payment) (certain production).  The records indicate the an extension as ordered by costs to satisfy the judgment.  I sent notice to the Defe 20 The records indicate to form, 20  The Defendant failed OR	e offense of: day of, 20  prescribed payments) on the fine and costs imposed  at the Defendant did not appear on the day of _ the Court. The records show that said Defendant ow  t.  endant as required by Article 45.045 of the Code of Cr hat the court held a hearing as required by Article 45.  at o'clockm. at the	and The records indicate that the Defendant was ordered to in the above mentioned case on the following date(s):
Sworn to and subscrib	<b>Ded</b> before me on day of, 20	Affiant
		(Judge) (Clerk) (Deputy Clerk) City of
		County, Texas

**Editor's Note:** Before a court may issue a capias pro fine for the defendant's failure to satisfy the judgment according to its terms: (1) the court must provide notice that includes a statement that the defendant has failed to satisfy the judgment according to its terms; and a date and time when the court will hold a hearing on the defendant's ability to satisfy the judgment according to its terms; and (2) either the defendant fails to appear at the hearing; or based on evidence presented at the hearing, the court determines that the capias pro fine should be issued.

If the defendant failed to bring appropriate documentation to the hearing, that could be noted in the affidavit as well.

### SHOW CAUSE NOTICE PRIOR TO ISSUANCE OF CAPIAS PRO FINE (Art. 45.045, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
	SHOW CAUSE NOTIO	CE
according to its terms. The court wi	ill hold a hearing on your ability to sa	t rendered against you on, 20 atisfy the terms of the judgment on the day of Municipal Court, located at
The hearing scheduled on the date completed on time.	e and time above is your opportunity to	explain why all the terms of the judgment have not been
believe will help the judge determine	whether the judgment imposes an undu	y, bring any documents with you to the hearing that you le hardship, including pay stubs, bills, letters regarding de enough information for the Judge to be able to fully
	nunity service. The judge shall determine	natives to full payment of the fine and costs are available, whether the fine and costs should be satisfied through one
Failure to appear on this date an judgment under Article 45.046 of the	nd time may result in the issuance of a c Code of Criminal Procedure. Addition	apias pro fine and commitment to jail to discharge the al fees by law may result.
If you are unable to appear at the h	earing, contact the court immediately. You	a can reach the court by calling
Signed on this day of	, 20	
(municipal court seal)		
		Judge, Municipal Court
		City of
		County, Texas

**Editor's Note:** Under Article 45.045(a-2), C.C.P., a court may not issue a capias pro fine for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing to determine whether the judgment imposes an undue hardship on the defendant, and the defendant fails to: (1) appear at the hearing; or (2) comply with an order issued under Subsection (a-3) as a result of the hearing. (S.B. 346, 86th Legislature (2019)).

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	8	CITY OF
	<b>§</b>	COUNTY, TEXAS
TO THE CHIEF OF POLI – GREETINGS:	CE OF THE CITY OF OR A	NY PEACE OFFICER OF THE STATE OF TEXAS
Whereas on the da of convicted of the offense of:	ny of, 20, before Judge , Texas, and a judgment w	of the Municipal Court of the City, the Defendant, date of birth, was as rendered by said Court in favor of the State, against said d unpaid the amount of \$
	045 of the Code of Criminal Procedure, the Coheld a hearing at o'clockm., on the rmined that the Defendant failed to:  issued under Subsection (a-4) as a result of the hear	
You are therefore CON Texas immediately [or before until (he)(she) can be brought	MMANDED to bring said Defendant before the Ne a municipal court located in the same municipal	wholly satisfy the judgment in the above styled case.  Municipal Court of the City of
	ORDERED to notify the Court IMMEDIATELY ERED to notify the Court IMMEDIATELY upon	upon arrest of the Defendant. If the Defendant is placed in placement of the Defendant in jail.
In witness whereof, I h Texas this day of		nicipal Court of the City of,
(municipal court seal)		Judge, Municipal Court
	OFFICER'S RETUR	N
Came to hand the, 20, at Defendant.	day of, 20, at o'clockm. the same by arre	o'clockm. and executed on the day of esting, the named
Notice was provided to the Co at o'clockm	ourt on the day of, 20,	
		Arresting Officer

**Editor's Note:** The importance of the communication by the arresting officer and/or the jail to the court that issued the capias pro fine cannot be overstated. A capias pro fine is not commitment, which requires specific procedural safeguards under the U.S. Constitution and Art. 45.046, C.C.P. Effective September 1, 2019, a court may not issue a capias pro fine for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing to determine whether the judgment imposes an undue hardship on the defendant, and the defendant fails to: (1) appear at the hearing; or (2) comply with an order issued under Subsection (a-3) as a result of the hearing. (S.B. 346, 86th Legislature (2019))

		CAUSE NUMBER:	
STATE OF TEXAS		<b>§</b>	IN THE MUNICIPAL COURT
VS.		<b>§</b>	CITY OF
		<b>§</b>	COUNTY, TEXAS
TO ANY PEACE OFF	ICER OF THE ST	ATE OF TEXAS – GREETINGS	:
who was, on the	, day of County	stody and commit to the jail of you, 20, con, Texas of the offense of which \$ is unpaid.	ur County(Municipality) the above-named Defendant, nvicted before the Municipal Court in the City of and was assessed a fine
(2) the Defendant h (3) the Defendant is  OR  (1) the arrestee is th (2) the Defendant h (3) the Defendant is (a) has failed to (community serv (b) could have	the same person as the as intentionally faile is not indigent and have esame person as the as intentionally faile is indigent and:  I make a good faith vice);	e Defendant in the cause described and to make a good faith effort to pay a failed to make a good faith effort to be Defendant in the cause described and to make a good faith effort to pay effort to discharge the fine and cost	said fine and costs; and to discharge said fine and costs; above;
otherwise discharged by	y law. Unless other dure, the Court spec	wise specified in the judgment or	um of \$ is fully paid or the Defendant is sentence in said cause, pursuant to Article 45.048(b), jail a sufficient length of time to satisfy the remaining
	ss than 8 or more the ollar amount \$100) t	an 24) to earn o satisfy the fine and costs.	
In the event the Defenda	ant is committed for	defaulting in more than one judgme	ent, jail credit is to be assessed:
☐ Concurrently (a	at the same time, per	judgment until jail credit exceeds or	equals the sum total of fine and costs); or
			her until jail credit exceeds or equals the sum total of fine of judgment(s), offense(s), and fine and costs total(s)
Ordered on this	day of	, 20	
(municipal court seal)			
			Judge, Municipal Court City of
			County, Texas

### SHOW CAUSE NOTICE: ADULT DEFENDANT CONTEMPT (Sec. 21.002(c), G.C.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	§	COUNTY, TEXAS
	ORDER TO SHOW CAU	USE
Name:	Offense:	
Address:		
	ically, you are accused of failing to:	by the terms of the judgment rendered against you on the
		eing made against you, the Court imposing a fine of up warrant to enforce the judgment of contempt.
		Judge, Municipal Court
		City of
(municipal count as =1)		County, Texas
(municipal court seal)		

### SHOW CAUSE NOTICE: ADULT CONTEMPT (Not a Defendant) (Sec. 21.002(c), G.C.)

	CAUSE NUMBER:	_
IN THE MATTER OF	§	IN THE MUNICIPAL COURT
	§	CITY OF
(Contemnor)	<b>§</b>	COUNTY, TEXAS
	ORDER TO SHOW CAUS	Е
You are hereby ordered to day of, 20	o appear before the!, 20, to show cause why you failed to ab Specifically, you are accused of failing to:	Municipal Court at o'clockm., on the bide by an order of the Court imposed on you on
	and time will result in a finding of contempt bein to three (3) days in jail, and the issuance of a wa	ng made against you, the Court imposing a fine of up arrant to enforce the judgment of contempt.
		Judge, Municipal Court
		City of
		County, Texas
(municipal court seal)		

### SHOW CAUSE NOTICE: JUROR CONTEMPT (Art. 45.027(c), C.C.P.)

	CAUSE NUMBER:	
IN THE MATTER OF	§	IN THE MUNICIPAL COURT
	§	CITY OF
(Contemnor)	§	COUNTY, TEXAS
	ORDER TO SHOW CAU	JSE
day of, 20, to	o show cause why you failed to appea	_ Municipal Court at o'clockm., on the ar for jury service in Cause Number, Texas, which said conduct did then and there constitute
Failure to appear on this date and time to \$100, and the issuance of a warrant to		eing made against you, the Court imposing a fine of up
		Judge, Municipal Court
		City of
		County, Texas
(municipal court seal)		

### SHOW CAUSE NOTICE: PEACE OFFICER CONTEMPT (Art. 2.16, C.C.P.)

(municipal court seal)

	CAUSE NUMBER:		
IN THE MATTER OF	<b>§</b>	IN THE	E MUNICIPAL COURT
	<b>§</b>	CITY	)F
(Contemnor)	§		COUNTY, TEXAS
	ORDER TO SHOW CAU	USE	
You are hereby ordered to appear bed day of, 20, to summons, subpoena, attachment, or other lecivil contempt of Court.  Failure to appear on this date and time word less than \$10 nor more than \$200.	show cause why you willfully refuse egal process when so ordered by this	ed or failed from neglect Court, which said condu	to execute the below described act did then and there constitute
			Judge, Municipal Court
		City of	
		<u> </u>	County, Texas

### SHOW CAUSE NOTICE: WITNESS CONTEMPT (Art. 24.05, C.C.P.)

(municipal court seal)

	CAUSE NUMBER:		
IN THE MATTER OF	§	IN THE M	UNICIPAL COURT
	§	CITY OF	
(Contemnor)	<b>§</b>		_COUNTY, TEXAS
	ORDER TO SHOW C.	AUSE	
You are hereby ordered to appear bed day of, 20, to stestify in Cause Number constitute civil contempt of Court.	show cause why you failed to appe	ear in this Court on	, 20, to
Failure to appear on this date and time wito \$100.	ill result in a finding of contempt	t being made against you, the (	Court imposing a fine of up
			Judge, Municipal Court
		•	County, Texas

CONTEMPT: ADULT PLEA

Date

IN THE MATTER OF	§	IN THE MUNICIPAL COURT
	§	CITY OF
(Contemnor)	§	COUNTY, TEXAS
	CONTEMPT OF COURT—PLE	A FORM
represent me in this matter or to request an	attorney represent me if I cannot affor	ight to have a hearing and the right to hire an attorney to right one. I understand that a plea of true will result in me in the county jail and/or fined up to one hundred dollars
I fully understand the proceedings again accusation of contempt of Court.	nst me and my rights outlined above ar	nd voluntarily enter a plea of (true)(not true) to the
☐ I waive the right to a hearing before	e the Court.	
☐ I waive my right to have an attorne	y represent me in a hearing before the	Court.

Contemnor's Signature

### JUDGMENT OF DIRECT CONTEMPT: ADULT (Secs. 21.001 and 21.002(c), G.C.)

	•	CAUSE NUMBER:	-
IN THE MATTER	OF	<b>§</b>	IN THE MUNICIPAL COURT
		§	CITY OF
(Contemnor)		<b>§</b>	COUNTY, TEXAS
		JUDGMENT OF CONTEM	PT
authority granted by S	ection 21.002, Gove		Court has exercised its inherent authority and the ags be conducted with dignity and in an orderly and edings that justice is done).
The Court fire	ds	in d	irect contempt of Court for (describe conduct):
conduct presented suf disrupted proceedings Court further finds that finds that the contemn	Ficient exigent circur before the court so the timposition of contection or is not an officer of	instances as to merit a summary finding the could not be conducted with distinct is necessary to control the proceed the Court.	bed actions were in contempt of court and that the ag of contempt in that the actions of the contemnor gnity and in an orderly and expeditious manner. The dings so that justice may be done. The Court further
☐ Confined in _		_ County Jail for a period of	(not to exceed three days).
☐ Fined the sur	n of \$	(not to exceed	1 \$100).
			Judge, Municipal Court  City of
			County, Texas
(municipal court seal)			

### JUDGMENT OF INDIRECT CONTEMPT: ADULT (Secs. 21.001 and 21.002(c), G.C.)

	CAUSE NUMBER:	
IN THE MATTER OF	<b>§</b>	IN THE MUNICIPAL COURT
	<b>§</b>	CITY OF
(Contemnor)	<b>§</b>	COUNTY, TEXAS
	JUDGMENT OF CONTEMPT	Γ
granted by Government Code, Se	y of, 20, the Court has ction 21.001, to require the proceedings be conduct of court orders and to so control the proceedings that	ted with dignity and in an orderly and expeditious
The Court finds that a m, 20, and day of, 20, as set theld in contempt.	otice of contempt was made to(did) In that(did) In the notice. The Court finds that Contemnor of	day of the day of did not) attend a show cause hearing on the did not show good cause why he/she should not be
The Court finds that Contemp	or violated an order of the Court to wit:	
The Court finds that a finding	of contempt is necessary to compel obedience of Co	urt orders.
IT IS THEREFORE ORDERE is in contempt of court and shall be	D, ADJUDGED, AND DECREED that	
☐ Confined in	County Jail for a period of	(not to exceed three days).
☐ Fined the sum of \$	(not to exceed \$	100).
		Judge, Municipal Court
		City of
		County, Texas
(municipal court seal)		

### JUDGMENT OF CONTEMPT: FAILURE TO APPEAR FOR JURY SERVICE (Art. 45.027(c), C.C.P.)

		CAUSE NUMBER:	
IN	N THE MATTER OF	§	IN THE MUNICIPAL COURT
		<b>§</b>	CITY OF
	(Contemnor)	§	COUNTY, TEXAS
		JUDGMENT OF CONTE	МРТ
ven			45.027, Code of Criminal Procedure, and ordered a contemnor to appear as a venire person so that a jury
Γh	e Court finds that:		
		ervice, and Contemnor failed to appea ent cause for failing to appear for jury	r after due notice for a show cause hearing on civil service.
	Contemnor failed to appear for jury seasons for failing to appear for jury seasons.		show cause hearing and failed to present sufficient
	Contemnor failed to appear for jury s failing to appear for jury service.	ervice, and Contemnor appeared for a	show cause hearing and presented sufficient cause for
Гh	erefore,		
	The Court finds	in contempt of court for	failing to appear for jury service.
	It is therefore ordered, adjudged, a for jury service and is fined the sum of	nd decreed that(r	is in contempt of court for failure to appear naximum \$100) for contempt.
			e for failing to appear for jury service. This contempt from any civil liability for failing to appear for jury
			Judge, Municipal Court
			County, Texas

ENFORCEMENT 12/21 TMCEC 2022 FORMS BOOK 213

(municipal court seal)

#### JUDGMENT OF CONTEMPT: PEACE OFFICER FAILURE TO SERVE PROCESS (Art. 2.16, C.C.P.)

		CAUSE NUMBER:	_
IN '	THE MATTER OF	<b>§</b>	IN THE MUNICIPAL COURT
		<b>§</b>	CITY OF
(	(Contemnor)	§	COUNTY, TEXAS
		JUDGMENT OF CONTEM	ІРТ
		, 20, this Court issued legals of Texas to execute the process.	l process to, a
Purs	uant to Article 2.16, C	ode of Criminal Procedure, this Court finds that:	
	Contemnor willfully re	efused or failed from neglect to execute the process	described as:
		o appear after due notice for a show cause hearing on refusal to execute the process.	a civil contempt and failed to present sufficient cause
	Contemnor willfully re	efused or failed from neglect to execute the process	described as:
	and Contemnor appeare the process.	ed for a show cause hearing and failed to present suffi	cient cause for (his)(her) failure or refusal to execute
	Contemnor failed to e	execute the process described as:, and Contemnor appeared for	r a show cause hearing and presented sufficient cause
f	for (his)(her) failure.		
Ther	efore,		
	The Court finds	in contempt of court pursu	ant to Article 2.16, Code of Criminal Procedure.
]	It is therefore ordere	ed, adjudged, and decreed thatnd is fined the sum of	is in contempt of court for failure to (minimum \$10, maximum \$200) for contempt.
	The Court finds charge is thereby dismi	showed sufficient cause for ssed and the above named person is discharged from a	or the failure to execute legal process. This contempt any civil liability for this failure.
			Judge, Municipal Court City of
			County, Texas
(mun	icipal court seal)		

ENFORCEMENT 12/21 TMCEC 2022 FORMS BOOK 214

#### JUDGMENT OF CONTEMPT: WITNESS REFUSAL TO OBEY SUBPOENA (Art. 24.05, C.C.P.)

		CAUSE NUMBER:		
IN THE MATTER OF		§	IN THE MUNICIPAL COURT	
		§	CITY OF	
(	(Contemnor)	<b>§</b>	COUNTY, TEXAS	
		JUDGMENT OF CONT	ГЕМРТ	
On in t	the day of this Court on the I to there remain from da	, 20, this Court issued a v day of, 20, then an ay to day, and from term to term, until discharged	witness subpoena to the above named contemnor to appear and there to testify in Cause Number by this Court.	
Th	e Court finds that:			
		obey the witness subpoena, and Contemnor failed ed to present sufficient cause for the refusal to obe	to appear after due notice for a show cause hearing on ey the subpoena.	
		obey the witness subpoena, and Contemnor appear refusal to obey the subpoena.	red for a show cause hearing and failed to present	
	Contemnor refused to obey the witness subpoena, and Contemnor appeared for a show cause hearing and presented sufficient cause for the refusal to obey the subpoena.			
Th	erefore,			
	The Court finds	in contempt of court f	for refusing to obey a witness subpoena.	
	It is therefore ordered the witness subpoena a	d, adjudged, and decreed that	is in contempt of court for refusing to obey (maximum \$100) for contempt.	
	The Court finds contempt charge is the witness subpoena.	showed sufficient or reby dismissed and the above named person is dis	cause for the refusal to obey a witness subpoena. This scharged from any civil liability for the refusal to obey the	
			Judge, Municipal Court City of	
			County, Texas	
(mı	unicipal court seal)			

ENFORCEMENT 12/21 TMCEC 2022 FORMS BOOK 215

#### ABSTRACT OF JUDGMENT

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
Judgment was rendered in ravo	, Municipal Court Clerk for the City of, 20, in the, Cause or of the State of Texas, for the use and benefit of the court of the state o	the Defendant, who resides at
Social Security Number is amount of is \$		whose birthdate is, whose ase number is, in the udes court costs. The balance due on said judgment
Signed this day of  (municipal court seal)		Municipal Court Clerk
		City of County, Texas
Subscribed, sworn to, an Clerk for the City of	d acknowledged before me, the undersigned authorized on the	ity, by, Court his day of, 20
After recording, return to:		Notary Public in and for the State of Texas

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
TO ANY SHERIFF OR A	NY CONSTABLE WITHIN THE STA	TE OF TEXAS:
On the day of Municipal Court of the City	, 20,	Municipal Court recovered a judgment in the County, Texas agains the minutes of said Court. Said judgment is for the sum of Courts.
\$, of which \$	, which judgment is recorded in is actually due.	the minutes of said Court. Said judgment is for the sum of
You shall execute this writeshowing how you have execute City of	it according to its terms, and according to	le the sum of \$, together with the costs of executing law, and have the said sums of money, together with this writ in the County, Texas, within 90 days from the date of this
writ. <b>Witness</b> , this day of	, Municipal Court Cle, 20	erk for the City of, Texas
(municipal court seal)		Attest:
		Municipal Court Clerk

# JUVENILES

### **JUVENILES**

#### **Table of Contents**

Expunction	
Alcoholic Beverage Code Offenses	
Application for Expunction: Alcoholic Beverage Code Offenses	218
Order for Expunction of Records: Alcoholic Beverage Code Offenses	219
E-Cigarette and Tobacco Offenses	
Application for Expunction: E-Cigarette and Tobacco Offenses	221
Order for Expunction of Records: E-Cigarette and Tobacco Offenses	
Failure to Attend School Offenses	
Order for Expunction of Records: Failure to Attend School	224
Penal Offenses	
Notice of Expunction Rights: Penal Offenses/Deferred Disposition/Teen Court	225
Application for Expunction: Penal Offenses	
Order for Expunction of Records: Penal Offenses	
Parent Contributing to Non-Attendance Cases	
Affidavit for Complaint: Parent Contributing to Non-Attendance	229
Dismissal of Parent Contributing to Non-Attendance Charge	
General Forms	
Order to Take into Nonsecure Custody – Offender under Age 17	231
Report to Juvenile Court of Complaint Filed	
Waiver of Jurisdiction and Transfer to Juvenile Court	233
Waiver of Jurisdiction and Transfer to Juvenile Court: Child with Mental Illness,	
Disability, or Lack of Capacity	234
Order Dismissing Complaint for Child with Mental Illness, Disability, or Lack of Capacity	235
Optional Orders Applicable to Juveniles	236
Youth Accountability & Enforcement	
Notice of Continuing Obligation to Inform Court of Child's Residence	237
Statement/Change of Residential Address	238
Complaint: Violation of Continuing Obligation to Inform Court of Child's Address	239
Judgment Addendum: Child Contempt Warning	
Contempt Show Cause Notice: Child	241
Judgment of Contempt by a Child	242
Order Referring Child to Juvenile Court for Delinquent Conduct	243
Notice of Continuing Obligation to Appear: JNA	
Complaint: Violation of Continuing Obligation to Appear	245
Clerk's Affidavit for Capias Pro Fine: JNA	246
Show Cause Notice Prior to Issuing a Capias Pro Fine: JNA	247
Capias Pro Fine: JNA	
Order of Commitment: JNA	249

For forms related to civil cases for truant conduct, see the *Texas Truancy Resource Manual* for truancy courts.

#### APPLICATION FOR EXPUNCTION: ALCOHOLIC BEVERAGE CODE OFFENSES (Sec. 106.12, A.B.C.)

IN THE MATTER OF		§		IN THE MUNICIPAL COURT
		<b>§</b>		CITY OF
		§		COUNTY, TEXAS
	DEFENDANT'S	APPLICATION F	OR EXPUNCTIO	)N
Now, comes		convicted	of the offense of	
	Municipal Court in Cause N	on the Number	day of	
Petitioner is now at least other violation of the Alcohol			states under oath th	hat he/she has not been convicted of any
and the Court order	expungement of a from all of an or made known in any materials.	ll documents, lisabilities resulting anner for any purpo	records, and g from said convict	06.12 of the Alcoholic Beverage Code, references thereof and release ion. Petitioner further requests that said is petition is a list of agencies, officials,
Sworn and subscribed b	perfore me on this the	day of		, 20
		(Deputy	Clerk)(Clerk)(Not	tary Public in and for the State of Texas)
(municipal court seal or notary public seal if swood before a notary public)	rn			

**Editor's Note:** The court shall charge an applicant a reimbursement fee of \$30 for each application for expunction filed under this section to defray the cost of notifying state agencies of orders of expunction under this section. Sec. 106.12(e), A.B.C.

JUVENILES 12/21 TMCEC 2022 FORMS BOOK 218

#### ORDER FOR EXPUNCTION OF RECORDS: ALCOHOLIC BEVERAGE CODE OFFENSES (Sec. 106.12, A.B.C.) (Page 1 of 2)

	CAUSE NUMBER:	<u></u>	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT	
VS.	§	CITY OF	
	<b>§</b>	COUNTY, TEXAS	
(Petitioner)			
	ORDER OF EXPUNGEM	ENT	
the pleadings and other documer	nts on file herein, the Court finds that it has	filed in the above captioned cause. Having considered jurisdiction over the cause and the parties; and that all nal records have been met pursuant to Section 106.12,	
Therefore, it is hereby Ord	ered, Adjudged, and Decreed that:		
		cause is GRANTED, and all records of the petitioner's of, Texas, are to be	
Name: Sex: Race: Date of Birth: Driver's License Number: Identification Card Numbe Social Security Number:	ovided to identify the records pertaining to this cause	se:	
(2) the respondents listed her is impracticable, obliterate all po		ng the above specified arrest to this Court, or if removal etitioner, including all computer entries, and notify this	
(3) the respondents shall del order;	ete from their records all index references to	the records and files that are subject to this expunction	
(4) the respondent, the Mun Court records concerning this ex obliterate all public references to	icipal Court of the City of	Texas, shall not permit inspection of the the petitioner or petitioner's attorney herein, and shall	
disabilities resulting from the cor		of this Order, the applicant shall be released from all a or made known for any purpose; further, the petitioner his expunction order;	
federal depository of criminal re-	ecords that there is reason to believe has any	certified mail, return receipt requested, to any central of the records subject to this Order, together with an sion of the depository, including any information with	

#### ORDER FOR EXPUNCTION OF RECORDS: ALCOHOLIC BEVERAGE CODE OFFENSES (Sec. 106.12, A.B.C.) (Page 2 of 2)

cen witl	the Texas Alcoholic Beverage Commission shall send a copy of this Order by certified mail, return receitral and regional depository of criminal records that there is reason to believe has any of the records subject to an explanation of the effect of the order and a request that the records in possession of the depository, include respect to this proceeding, be destroyed, deleted, or returned to the Court on or before	o this Order, together ding any information
	(8) the Clerk of the Municipal Court of the City of, Texas, shall cause a copvered, by certified mail, return receipt requested, to the following respondents subject to this Order (include any not listed, that are applicable):	y of this Order to be any of the following,
(a)	Texas Alcoholic Beverage Commission 5806 Mesa Drive Austin, TX 78731	
(b)	Texas Department of Public Safety Attn: Expunction Unit, TxDPS Crime Records P.O. Box 4143 Mail Stop (MSC-0234) Austin, TX 78765-4143	
(c)	County Juvenile Court  Address:	
(d)	Sheriff's Department	-
(e)	Address:Police Department	
( )	Address:	-
(f)	City Attorney's Office Address:	
(g)	Alcohol Awareness Course Provider	-
(h)	Address:Community Service Provider	-
	Address:	-
(i)	Pretrial Services and/or Juvenile Case Manager	
(j)	Address: Other:	-
	Signed this day of, 20	-
	(municipal court seal)	
		dge, Municipal Court
		County, Texas

#### APPLICATION FOR EXPUNCTION: E-CIGARETTE AND TOBACCO OFFENSES (Sec. 161.255, H.S.C.)

IN THE MATTER OF	§	IN THE MUNICIPAL COURT
	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
D	DEFENDANT'S APPLICATION FOR EX	XPUNCTION
Now, comes	convicted of the	offense of, 20 in the
Municipal	on the l Court in Cause Number	day of, 20 in the
	s under oath that he/she is at least 21 years of	
	•	
Petitioner requests that all records the Court order expungement	of said conviction be expunged pursuant to nt of all documents, records,	Section 161.255 of the Health and Safety Code, and and references thereof and release
	from all disabilities resulting from	said conviction. Petitioner further requests that said
conviction may not be shown or made and others who may have records or file		tached to this petition is a list of agencies, officials,
and others who may have records of the	es regarding this conviction.	
		Defendant-Petitioner
Sworn and subscribed before me	on this the day of	20
Sworn and subscribed before me	on this the day of	,20
	(Deputy Clerk	)(Clerk)(Notary Public in and for the State of Texas)
(municipal court seal or		
notary public seal if sworn before a notary public)		
before a notary public)		

**Editor's Note:** The court shall charge an applicant a reimbursement fee of \$30 for each application for expunction filed under this section to defray the cost of notifying state agencies of orders of expunction under this section. Sec. 106.12(e), A.B.C.

Effective September 1, 2019, defendants seeking expunction will no longer need to show that they satisfactorily completed the e-cigarette and tobacco awareness program or an e-cigarette- and tobacco-related community service ordered by the court. They will only need to show that they are at least 21 years of age (S.B. 21, 86th Legislature (2019)).

JUVENILES 12/21 TMCEC 2022 FORMS BOOK 221

#### ORDER FOR EXPUNCTION OF RECORDS: E-CIGARETTE AND TOBACCO OFFENSES (Sec. 161.255, H.S.C.) (Page 1 of 2)

	CAUSE NUMBER:	_
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
(Petitioner)		
	ORDER OF EXPUNGEME	LN I
the pleadings and other documen	ts on file herein, the Court finds that it has j	filed in the above captioned cause. Having considered urisdiction over the cause and the parties; and that all al records have been met pursuant to Section 161.255,
Therefore, it is hereby Ordo	ered, Adjudged, and Decreed that:	
(1) the application and motionarrest and conviction, including the expunged;	n for expunction filed in the above-captioned the records in the Municipal Court of the City	cause is GRANTED, and all records of the petitioner's of, Texas, are to
The following information is pro Name: Sex: Race: Date of Birth: Driver's License Number: Identification Card Number Social Security Number:		
The following information is pro Offense: Date of Offense: Date of Arrest: County Where Arrested: Municipality Where Arrested Arresting Agency: Case Number: Court: Cause Number: Date of Conviction:	evided to identify the records pertaining to this cause	e:
is impracticable, obliterate all por		g the above specified arrest to this Court, or if removal titioner, including all computer entries, and notify this
(3) the respondents shall delegate;	te from their records all index references to the	he records and files that are subject to this expunction
(4) the respondent, the Muni Court records concerning this exp obliterate all public references to	cipal Court of the City of nunction proceeding by any person other than this proceeding;	, Texas, shall not permit inspection of the the petitioner or petitioner's attorney herein, and shall
disabilities resulting from the con		If this Order, the applicant shall be released from all or made known for any purpose; further, the petitioner is expunction order;
federal depository of criminal rec explanation to the effect of the o	cords that there is reason to believe has any	certified mail, return receipt requested, to any central of the records subject to this Order, together with an ion of the depository, including any information with perfore

#### ORDER FOR EXPUNCTION OF RECORDS: E-CIGARETTE AND TOBACCO OFFENSES (Sec. 161.255, H.S.C.) (Page 2 of 2) (7) the Clerk of the Municipal Court of the City of \_\_\_\_\_\_\_, Texas, shall cause a copy of this Order to be delivered, by certified mail, return receipt requested, to the following respondents subject to this Order (include any of the following, and any not listed, that are applicable): Texas Department of Public Safety Attn: Expunction Unit, TxDPS Crime Records P.O. Box 4143 Mail Stop (MSC-0234) Austin, TX 78765-4143 Juvenile Court of \_\_\_\_\_ County, Texas (b) Address: (c) Sheriff's Department Police Department (d) Address: \_\_\_\_\_ City Attorney's Office (e) Address: \_\_\_\_\_ E-Cigarette and Tobacco Awareness Course Provider (f) Address: Community Service Provider (g) Address: Other: (h)

(municipal court seal)

**Signed** this \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_.

Ju	dge, Municipal Court
City of	

\_\_\_\_\_ County, Texas

#### ORDER FOR EXPUNCTION OF RECORDS: FAILURE TO ATTEND SCHOOL (Art. 45.0541, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF
☐ SEE ATTACHED LIST	<b>§</b>	COUNTY, TEXAS
	ORDER OF EXPUNCTI	ION
nas had a complaint dismissed for Failu	re to Attend School (Section 25.09	tached list of individuals) has either been convicted of or 4, E.C., repealed September 1, 2015), and per Article on, complaint, and records relating to the conviction or
Therefore, it is hereby Ordered, Adjudgelating to the offense of Failure to Attend		ns, complaints, verdicts, sentences, and other documents dual's record.
Upon entry of this order, any individual na and the conviction or complaint may not b		Il disabilities resulting from the conviction or complaint, pose. Art. 45.0541, C.C.P.
Γhis order applies to all records relating to enforcement agency.	a Failure to Attend School case, inc	cluding those in the possession of a school district or law
Signed this day of	, 20	
(municipal court seal)		
		Judge, Municipal Court
		City of
		County, Texas

#### NOTICE OF EXPUNCTION RIGHTS: PENAL OFFENSES/ DEFERRED DISPOSITION/ TEEN COURT (Art. 45.0216, C.C.P.)

	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUNICI	PAL COURT
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COU	INTY, TEXAS
	NOTICE OF EXPUNCTION PENAL OFFENS		
ATTENTION DEFENDANT AND PAR	RENT:		
ordinance, the Court must inform the chi		r a misdemeanor punishable by fine only or the child's parent in open court of the child's ch reads as follows:	
Art. 45.0216. EXPUNCTION OF CER	RTAIN CONVICTION RECORDS OF	CHILDREN	
(a) In this article, "child" has the meaning	g assigned by Section 51.02, Family Code	<b>).</b>	
(b) A person may apply to the court in person's 17th birthday if:	which the person was convicted to have t	the conviction expunged as provided by this	s article on or after the
child; or	ed of not more than one offense described ed only once of an offense under Section 4	d by Section 8.07(a)(4) or (5), Penal Code, v43.261, Penal Code.	while the person was a
(c) The person must make a written requ	est to have the records expunged. The requ	uest must be under oath.	
	s statement that the person was not conviribed by Subsection $(f)(1)$ or $(2)$ , as applic	cted of any additional offense or found to hatable.	ive engaged in conduct
(e) The judge shall inform the person and	d any parent in open court of the person's	expunction rights and provide them with a co	opy of this article.
	together with all complaints, verdicts, seexpunged from the person's record if the c	entences, and prosecutorial and law enforce court finds that:	ment records, and any
person was not convicted of (2) for a person applying for	any other offense described by Section 8. For the expunction of a conviction for an of	n offense described by Section 8.07(a)(4) or .07(a)(4) or (5), Penal Code, while the persor ffense described by Section 43.261, Penal Coescribed by Section 51.03(b)(7), Family Code	n was a child; and ode, the person was not
(f-1) After entry of an order under Subse be shown or made known for any purpos		lisabilities resulting from the conviction and	the conviction may not
(g) This article does not apply to any offer	ense otherwise covered by:		
(1) Chapter 106, Alcoholic I (2) Chapter 161, Health and			
(h) Records of a person under 17 years o	f age relating to a complaint may be expun	nged under this article if:	
<ul><li>(1) the complaint was dismit</li><li>(2) the person was acquitted</li></ul>	ssed under Article 45.051 or 45.052 or oth of the offense.	ner law; or	
	equire a person who requests expungement cies of orders of expunction under this arti	t under this article to pay a reimbursement feicle.	e in the amount of \$30
(j) The procedures for expunction provide	ded under this article are separate and distr	inct from the expunction procedures under C	hapter 55.
ISSUED AND RECEIVED BY THE	E UNDERSIGNED:	Signature of Municipal Judge	Date
Signature of Defendant	Date	Signature of Parent	Date
(municipal court seal)			

JUVENILES 12/21 TMCEC 2022 FORMS BOOK 225

Editor's Note: This form is inapplicable to traffic offenses.

#### APPLICATION FOR EXPUNCTION: PENAL OFFENSES (Art. 45.0216, C.C.P.)

before a notary public)

IN THE MATTER OF	<b>§</b>	IN	THE MUNICIPAL	COURT
	§	C	TITY OF	
	§	_	COUNTY	, TEXAS
	DEFENDANT'S APPLICATION	ON FOR EXPUNCTION		
Now, comes	on the		convicted of th	e offense of
N	on the Municipal Court in Cause Number	day of		in the
	17 years of age. Petitioner, being duly sw			
	nvicted of more than one offense under S		al Cada while a shild	ı
ine/site thas flot been con	ivicted of more than one offense under S	(3), Felia	ai Code, willie a cillid	
	eted once of an offense under Section 43 by Section 51.03(b)(6), Family Code (i blication).			
and the Court order expunger	I records of said conviction be expunged ment of all documents, records, and ref from said conviction. Petitioner further r	ferences thereof and release		
	se. Attached to this petition is a list of			
			Defend	lant-Petitioner
Sworn and subscribed, 20	before me by	, a credible p	erson, on this	day of
	_			
	(De	eputy Clerk)(Clerk)(Notary F	Public in and for the S	tate of Texas)
(municipal court seal or	n			

**Editor's Note:** The court shall charge an applicant a reimbursement fee of \$30 for each application for expunction filed under this section to defray the cost of notifying state agencies of orders of expunction under this section. Sec. 106.12(e), A.B.C.

#### ORDER FOR EXPUNCTION OF RECORDS: PENAL OFFENSES (Art. 45.0216, C.C.P.) (Page 1 of 2)

	CAUSE NUMBER:	_
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
(Patition on)	<b>§</b>	COUNTY, TEXAS
(Petitioner)		
the pleadings and other documents on f	file herein, the Court finds that it has just	led in the above captioned cause. Having considered risdiction over the cause and the parties; and that all records have been met pursuant to Article 45.0216,
Therefore, it is hereby Ordered, A	Adjudged, and Decreed that:	
		nuse is GRANTED, and all records of the petitioner's, Texas, are to be
The following information is provided to Name: Sex: Race: Date of Birth: Driver's License Number: Identification Card Number: Social Security Number:	to identify the Defendant:	
The following information is provided to Offense: Date of Offense: Date of Arrest: County Where Arrested: Municipality Where Arrested: Arresting Agency: Case Number: Court: Cause Number: Date of Conviction:	to identify the records pertaining to this cause:	
	of the record or file that identify the petit	the above specified arrest to this Court, or if removal tioner, including all computer entries, and notify this
(3) the respondents shall delete from order;	m their records all index references to the	e records and files that are subject to this expunction
(4) the respondent, the Municipal Court records concerning this expunction obliterate all public references to this pro-	Court of the City ofon proceeding by any person other than the occeeding;	Texas, shall not permit inspection of the ne petitioner or petitioner's attorney herein, and shall
disabilities resulting from the conviction		f this Order, the applicant shall be released from all r made known for any purpose; further, the petitioner expunction order;
federal depository of criminal records explanation to the effect of the order a	that there is reason to believe has any or	rtified mail, return receipt requested, to any central f the records subject to this Order, together with an on of the depository, including any information with fore

#### ORDER FOR EXPUNCTION OF RECORDS: PENAL OFFENSES (Art. 45.0216, C.C.P.) (Page 2 of 2)

(a)	Juvenile Court of	County, Texas	
	Address:		
(b)	Texas Department of Public Stattn: Expunction Unit, TxDPS P.O. Box 4143 Mail Stop (MS Austin, TX 78765-4143	S Crime Records	
(c)	Sheriff's Department		
	Address:		
(d)	Police Dep	artment	
	Address:		
(e)	City Attorn	ney's Office	
	Address:		
(f)	Community	Service Provider	
	Address:		
(g)	Pretrial Services and/or Juveni	ile Case Manager	
	Address:		
(h)	Other:		
ianed tl	nis day of	20	
igneu a	iis day of	, 20	
nunicip	al court seal)		
			Judge, Municipal Cour

#### AFFIDAVIT FOR COMPLAINT: PARENT CONTRIBUTING TO NON-ATTENDANCE (Sec. 25.093, E.C.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
In the Name and by the Authority of the S	tate of Texas:	
(parent/or other person in parental relation of 20 and	n), hereinafter called the Defer	to believe and do believe that dant, heretofore, on or about the da of this complaint, in the territorial limits of the City of Texas, did then and there with criminal negligence fave-referenced date to attend school for or mor
This failure to attend was determined by:		
$\square$ Reviewing attendance records of the scho	ol,	
☐ Interviewing		, or
☐ Other		<u> </u>
foregoing absences was provided to t	he school by the custodial of student); and he/she failed to tion 25.085, Education Code, an	parent or individual standing in parental relation to of, 20 No reason for the parent or other person in parental relation to require
Against the peace and dignity of the State.		t:
Sworn to and subscribed before me on this th	ne day of	, 20
		(Notary Public in and for the State of Texas) (Clerk)(Deputy Clerk)(Municipal Court Judge) City of
		County, Texas

**Editor's Note:** Effective September 1, 2015, an offense under Section 25.093(a), E.C. is punishable by fine only, in an amount not to exceed: (1) \$100 for a first offense; (2) \$200 for a second offense; (3) \$300 for a third offense; (4) \$400 for a fourth offense; or (5) \$500 for a fifth or subsequent offense. Also effective September 1, 2015, Section 25.094, E.C. (Failure to Attend School), was repealed and is no longer a criminal offense. For forms related to civil cases for truant conduct, see the Texas Truancy Resource Manual for truancy courts.

#### DISMISSAL OF PARENT CONTRIBUTING TO NON-ATTENDANCE CHARGE (Art. 45.0531, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
	ORDER OF DISMISSA	AL .
		e defendant committed an offense under Section d be in the interest of justice because:
	of recidivism by the defendant. ists for the failure to attend school.	
THE COURT ORDERS:		
The charge in the above referenced ca	ause number is HEREBY DISMIS	SED.
	Judge,	Municipal Court Date
(municipal court seal)	City of	f
		County, Texas

#### ORDER TO TAKE INTO NONSECURE CUSTODY: OFFENDER UNDER AGE 17 (Art. 45.058, C.C.P.)

	CAUSE NUMBER:	_
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	§	COUNTY, TEXAS
TO ANY PEACE OFFICER OF	THE STATE OF TEXAS - GREETING	GS:
You are hereby <b>COMMANDED</b> thring (him)(her) before the Court to be offense of:  of the State of Texas (against the city or other)	to take into nonsecure custody dealt with according to law. Said Deferminances of this city).	the Defendant, and immediately adant has been accused of the fine-only misdemeanor ,which is against the laws
Defendant's date of birth isdesignated place of non-secure custody,	Defendant is to be or as otherwise provided by Article 45.058	taken immediately before a Judge of this Court, to a (b), Code of Criminal Procedure.
HEREIN FAIL NOT but make due se	rvice and return of this Order of Nonsecur	re Custody, showing how you executed the same.
Signed this day of	, 20	
(municipal court seal)		(Magistrate)(Judge), Municipal Court
	City of _	
		County, Texas
	OFFICER'S RETURN	
Came to hand the day of	. 20 . at o	clock,m. and executed on the day of
	o'clock,m. by	
		Peace Officer

#### REPORT TO JUVENILE COURT OF COMPLAINT FILED (Sec. 51.08(c), F.C.)

CA	USE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COUR	RT
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COUNTY, TEXA	AS
☐ Offense alleged:			
☐ Juvenile's birthdate:			
☐ Complaint filed:			0
☐ Reported to Juvenile Court:			0
☐ Final Disposition entered:			0
☐ Reported to Juvenile Court:		,2	0
☐ Certified Copy of Final Disposition Attached	1:		0
Signed and entered this day of	, 20		
(municipal court seal)			
		Judge, Municip	
		City of Count	y, Texas

**Editor's Note:** It is suggested that this form be in triplicate; (1) the top copy would report to the Juvenile Court the filing of a complaint against a juvenile in Municipal Court and would record the docket number, the juvenile Defendant's name, birthdate, and the offense alleged; (2) the second copy would then accompany the copy of the final disposition to the Juvenile Court; and (3) the third copy would be retained in the Municipal Court's file to document that the required reports were made. This form would be used only in cases where the Municipal Court does not waive its jurisdiction.

#### WAIVER OF JURISDICTION AND TRANSFER TO JUVENILE COURT (Sec. 51.08(b), (f), F.C.)

	CAUSI	E NUMBER:	<u></u>
STAT	TE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
	VS.	§	CITY OF
		§	COUNTY, TEXAS
Defend	lant's Birthdate:		
TO:	Juvenile Court		
the case traffic than tra	e to the Juvenile Court named. The case was violation. The case does allege an offense cl	not transferred to the Municipassified as a misdemeanor pu	ove <b>waives</b> its jurisdiction in the case set out and transfers pal Court by the Juvenile Court, nor is it a case alleging a nishable by fine only or violation of city ordinance other
	-		
	No prior case filed No prior conviction	Offense:	
	One previous conviction	Punishment Assessed:	
☐ Two previous convictions		Final Disposition:	
	Dismissal under Sec. 51.08(b)(1)(A), F.C.		
	Dismissal under Sec. 8.08, P.C.	Docket Number:	
		Offense:	
		Punishment Assessed:	
		Final Disposition:	
(C	heck only what is applicable. Add as many p	rior convictions as your reco	rds show except traffic or tobacco offenses.)
	ne following marked documents are enclose e Court.	d to effect this waiver of Mu	nicipal Court jurisdiction and transfer of the case to the
П	Citation	☐ Appearance Bond	
	Complaint	☐ Order Dismissing Comp	laint for Child with
	Magistrate's Warning Certificate	Mental Illness, Disability	
	Juvenile Confession/Voluntary		
	Statement Warnings		
	Waiver of Rights by a Juvenile		
	Magistrate's Certification and		
	Acknowledgment of Voluntary		
	Statement of Juvenile		
Sig	gned and entered this day of	, 20	
	(municipal court seal)		
	·		Judge, Municipal Court
			City of
			County, Texas

Editor's Note: Check only those items that are available in a particular case. Not every case will have every item. In transferring the case, the municipal court should send all original papers to the juvenile court, but it should keep copies in its own case file. A municipal court that implements a juvenile case manager under Article 45.054, C.C.P., may—but is not required to—waive its original jurisdiction, except in sexting cases against children. Sec. 51.08(b)(1)(A), F.C. Under Sec. 51.08(f), F.C., transfer is mandatory if the complaint alleges a non-traffic offense against a child and this court or another court has previously dismissed a complaint against the defendant child under Sec. 8.08, P.C. for lack of capacity.

#### WAIVER OF JURISDICTION AND TRANSFER TO JUVENILE COURT: CHILD WITH MENTAL ILLNESS, DISABILITY, OR LACK OF CAPACITY (Sec. 51.08(f), F.C.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	§	COUNTY, TEXAS
Defendant's Birthdate:	_	
TO: Juvenile Court		
the case to the Juvenile Court named. T as a misdemeanor punishable by  Section 8.08, Penal Code. The details of	fine only, other than a traffic of has previously dismissed the dismissal are listed below and the o	ove waives its jurisdiction in the case set out and transfers, an offense classified offense, and this court or another court, to with ed a complaint against the defendant child under order of dismissal is enclosed herein.
(municipal court seal)		
		Judge, Municipal Court
		City of
		County, Texas

**Editor's Note:** The mandatory transfer to juvenile court created by Section 51.08(f) of the Family Code applies regardless of whether the court employs a juvenile case manager.

#### ORDER DISMISSING COMPLAINT FOR CHILD WITH MENTAL ILLNESS, DISABILITY, OR LACK OF CAPACITY (Sec. 8.08, P.C.)

	CAUSE NUMBER:		
STATE OF TEXAS	<b>§</b>	IN THE MUNIC	IPAL COURT
VS.	<b>§</b>	CITY OF	
	<b>§</b>	cou	INTY, TEXAS
	ORDER		
On this the day of child, as defined by Article 45.058(h), Coo		the Defendant, ne above numbered and styled cause.	, a
This court, having jurisdiction of n subdivision,	nisdemeanors punishable by fine only	and of violations of a penal ord	inance of a political
Upon motion by (the state) (the defendance)	dant) (a person standing in parental rel	ation to the defendant) (the court),	
Finds probable cause exists to believe	that said Defendant: (Check One)		
☐ Lacks the capacity to under proceed.	stand the proceedings in criminal cour	et or to assist in the child's own defe	ense and is unfit to
☐ Lacks substantial capacity e conduct to the requirement	either to appreciate the wrongfulness of law.	f the child's own conduct or to con	form the child's
Having provided notice to the Stat	e, it is hereby ORDERED that the a	bove styled and numbered cause	is DISMISSED.
It is FURTHER ORDERED that TRANSFERRED TO:	t all subsequent NON-TRAFFIC	cases filed against said Defenda	nt in this court be
Juvenile Court			
	_		
		Judge, Municipal Court	Date
(municipal court seal)		City of	
			County, Texas

**Editor's Note:** The 83rd Legislature amended Chapter 8 of the Penal Code to add Section 8.08, providing that on motion of the state, the defendant, or a person standing in parental relation to the defendant, or on the court's own motion, the court shall determine whether probable cause exists to believe that a child lacks capacity in one of the two ways stated in the statute. If the court so finds, it may dismiss the complaint after providing notice to the state. Such a dismissal may be appealed as provided by Article 44.01 of the Code of Criminal Procedure.

#### OPTIONAL ORDERS APPLICABLE TO JUVENILES (Art. 45.057, C.C.P.)

	(	CAUSE NUMBER:		_	
S	TATE OF TEXAS	<b>§</b>			IN THE MUNICIPAL COURT
VS.		§			CITY OF
		<b>§</b>			COUNTY, TEXAS
fou	On this date appeared	, Defendant in the having jurisdiction <b>ORDERS</b> the	e abov ne folk	e-styled and nowing provision	number cause, a child, who, having been ns as indicated:
	The Defendant shall no later than Attend a rehabilitation program; Attend counseling; Attend self-esteem and leadership of Attend work and job skills training Attend job interviewing and work program and work program attend self-improvement training; Attend parenting class; Attend manners training; Attend violence avoidance training Get tutoring; Attend parental responsibility train Attend sensitivity training; Perform community service at Participate in an advocacy or mental Other: Others.	class; ;; preparation training; ;; ing; oring program;			
	The above ordered program(s) shall be	completed by		, 20	·
	The Court further finds that the Defendar  □ Crisis family intervention; □ Emergency short-term residential council. □ Family counseling; □ Parenting skills training; □ Youth coping skills training; □ Advocacy training; □ Mentoring; □ A parenting class or parental response.	care for children 10 years of age	or old	der;	
	The above ordered program(s) shall be	completed by		, 20	·
	The person required to attend this progr	ram submit proof of attendance	to the	Court.	
	The parent, managing conservator, or gu	ardian of the child shall pay an	ımoun	t not greater th	nan \$100 for the costs of the program.
	The parents, managing conservators, or	guardians refrain from conduc	that r	nay encourage	e the child to violate a Court order.
	The parents, managing conservators, or	guardians attend the child's sci	100l cl	lasses or funct	ions.
	The Defendant is hereby <b>Ordered</b> to pain this case. Said restitution to be paid by	ay restitution in the amount of \$			to the victim
	The child or the child's parents, managi Code. This order applies specifically to	ing conservators, or guardians a the following individuals:	re refe	erred for servi	ces under Section 264.302, Family
	Dated:				
					Judge, Municipal Cour
	(municipal court seal)				City of
					County Toyo

#### NOTICE OF CONTINUING OBLIGATION TO INFORM COURT OF CHILD'S RESIDENCE (Art. 45.057(h), (i), and (j), C.C.P.)

		CAUSE NUMBER:		
STATE OF TEX	AS	<b>§</b>	IN THE MU	NICIPAL COURT
VS.		§	CITY OF _	
		<b>§</b>		COUNTY, TEXAS
	T	NOTICE OF CONTINUING OB O INFORM COURT OF CHILD'S		
THE FOLLOWIN	NG NOTICE IS BEIN	G PROVIDED TO (check either o	r both):	
□ The Defendan	<b>nt</b> , namely, /Age:	, a child		
		any person standing in parental relation	on, a managing conservator, o	r a custodian),
DOB/	_/ Age:			
ATTENTION: Pu sections from Artic		7(j), Code of Criminal Procedure, y	ou are being providing writte	en notice of the following
and residence date the child parent shall no arrest and is	of the child. The oblig or parent changes resitify the court of the curr a Class C misdemea	before the court have an obligation to ation does not end when the child reduce (any place where the child liverent address in the manner directed by nor. The obligation to provide no quiring a finding of guilt. (Explanation	reaches age 17. On or before es or resides for a period of at y the court. A violation of this tice terminates on discharg	the seventh day after the least 30 days), the child or subsection may result in
(i) If an appellate appellate court		l for a trial de novo, the child and pa	arent shall provide the notice u	nder Subsection (h) to the
CHANGES IN AI	DDRESS: Changes in	the Defendant's address shall be pro-	ovided in writing to the Court	in the following manner
QUESTIONS: Fo	r additional information	n about your obligation you may call	or visit the Court.	
A C Z T	Municipal Court Address City, Texas Cip Code Celephone Number Vebsite			
Defendant's Signat	ure	Parent's Signature		dge, Municipal Court
(municipal court se	eal)		City of	
-			Date	

**Editor's Note:** A written copy of this notice must be provided to each individual placed under the obligation. A separate copy must be retained with the records of the case in the event of Juvenile-Now-Adult (JNA) enforcement.

#### STATEMENT/CHANGE OF RESIDENTIAL ADDRESS (Art. 45.057(h), C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	§	COUNTY, TEXAS
According to the records of the Coun	rt, the following is the residential address of	of the Defendant named above:
Check, sign, and date beneath ONE	of the following:	
written notice of my continuir	ng obligation to keep the Court informe tion of my obligation is a Class C misdem	the Defendant named above. The Court has given med as to changes in the Defendant's correct residential eanor punishable by a fine not to exceed \$500.00 dollars
Signature	Date	
		the Defendant named above. I understand that knowingly demeanor. The CORRECT residential address for the
	tand that violation of my obligation is a C	p the Court informed as to changes in the Defendant's Class C misdemeanor punishable by a fine not to exceed
Signature	Date	
Received, this the day of	, 20	
		(Judge) (Clerk) (Deputy Clerk), Municipal Court
		(1 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1

# CAUSE NUMBER: STATE OF TEXAS \$ IN THE MUNICIPAL COURT VS. \$ CITY OF COUNTY, TEXAS In the Name and by the Authority of the State of Texas: I, the undersigned affiant, do solemnly swear that I have good reason to believe and do believe that

## JUDGMENT ADDENDUM: CHILD CONTEMPT WARNING (Art. 45.050(c), C.C.P.) CAUSE NUMBER: \_\_\_\_\_

STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
On this day of hat failure or refusal to comply with the Cou	20, the Defendant in the about it's order may result in the Defenda	ove numbered and entitled cause is warned by the Courant being held in contempt of court.
Violation of this Court's order shall result	t in the Defendant being taken into	custody by a peace officer and either:
. <b>REFERRAL</b> to Juvenile Court for delin	quent conduct for contempt of a mu	unicipal court order;
OR		
<ol> <li>RETENTION of jurisdiction by this Co</li> <li>A. the imposition of a fine not to excee</li> <li>B. the suspension or denial of a driver</li> </ol>	ed \$500; and/or	dant has <b>fully complied</b> with the orders of this Court.
Acknowledged by Defendant,		
Defendant's Signature		
		Admonished by,
		Judge, Municipal Cou
		County, Tex

(municipal court seal)

#### CONTEMPT SHOW CAUSE NOTICE: CHILD (Art. 45.050(c), C.C.P.)

	CAUSE NUMBER:		
STATE OF TEXAS	§	IN THE MUNICIPAL COUR	T
VS.	<b>§</b>	CITY OF	
	<b>§</b>	COUNTY, TEXA	.S
	ORDER TO SHOW CA	USE	
Name:	Offense:		
Address:			
day of, 20, 20, 20, 20, 20, 20	ear before the, to show cause why you failed to abide fically, you are accused of failing to:	Municipal Court at o'clockm., by the terms of the judgment rendered against you	on the
	WARNING	································	
you taken into custody and refer you \$500 and/or deny you the ability to p contempt stems from an offense occ	ossess a Texas driver's license until you curring on or after September 1, 2003,	ccurs <b>prior to your 17th birthday</b> , the Court may uct. Alternatively, the Court may impose a fine of fully comply with the Court's orders. If an allegate and if you have already been found guilty, you refully comply with all of the Court's orders.	of up to ation of
(municipal court seal)			
		Judge, Municipa	
		City of	
		County	, Texas

#### JUDGMENT OF CONTEMPT BY A CHILD (Art. 45.050, C.C.P.)

	CAUSE N	TUMBER:	-
STATE OF TEXAS		<b>§</b>	IN THE MUNICIPAL COURT
VS.		<b>§</b>	CITY OF
		<b>§</b>	COUNTY, TEXAS
	JU	UDGMENT OF CONTEMP	Γ
	(name) who was ordered	by the Court to:	gainst
After personally rece	iving in writing the above la		did then and there fail to comply
that such failure or refusal	was unlawful contempt of co	ourt on	der was warned by the Court
After receiving a write lawful order by	itten warning,(munic	did then and the pipal judge).	ere willfully and contemptuously refuse to obey the
			on the day of, 20  ring on the day of, 20, as set ould not be held in contempt.
		ssary to compel obedience of o	
			nquent conduct for violating a lawful order of the ald constitute contempt of Court.
☐ The Court hereby		case and finds that this	refusal constitutes contempt of court and that
☐ It is hereby on amount not to exceed		pay a fine in the	ne amount of \$ (an
			the child's driver's license or deny the issuance of a complied with the orders of this Court.
Rendered and entered	I this day of	, 20	
(municipal court seal	)		
			Judge, Municipal Court City of
			County, Texas

#### ORDER REFERRING CHILD TO JUVENILE COURT FOR DELINQUENT CONDUCT (Art. 45.050(c)(1), C.C.P.)

	CAUSE NUMBER:	<del></del>
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
The Judge of the Municipal Cou having examined the records in the r	art of the City of natter of the above-named Defendant, makes	s the following findings:
1. The Defendant's date of bir	th is	
2. The Defendant was previous of the City of 20	usly convicted in this Court for the offense Munici	e of, docket number pal Court on the day of,
		_, 20 ordered Defendant to
no later than	, 20	
4. Defendant has disobeyed th	e above order by:	
51.02(12), Family Code), for deline the Clerk of this Court shall forwa official.	quent conduct as defined in Section 51.03(	is <b>ORDERED</b> that the Defendant is referred to er title of appropriate juvenile court official. See Section (a)(2), Family Code. <b>IT IS FURTHER ORDERED</b> that ds of this case, including this Order, to the above named
		Judge, Municipal Court
		City of
		County, Texas

**Editor's Note:** Before referring a child to the appropriate juvenile court for delinquent conduct for contempt of the justice or municipal court order, the justice or municipal court must first provide the child notice and an opportunity to be heard.

#### NOTICE OF CONTINUING OBLIGATION TO APPEAR: JUVENILE NOW ADULT (Art. 45.060, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
N	OTICE OF CONTINUING OBLIGAT	TION TO APPEAR
CRIMINAL OFFENSE AND HAVE ADULT, YOU ARE NOTIFIED	E FAILED TO MAKE AN APPEARANG THAT YOU HAVE A CONTINUIN RED BY THIS NOTICE MAY BE AN A	17TH BIRTHDAY YOU WERE ACCUSED OF A CE OR ENTER A PLEA IN THIS MATTER. <b>AS AN G OBLIGATION TO APPEAR IN THIS CASE.</b> ADDITIONAL CRIMINAL OFFENSE AND RESULT
YOU ARE HEREBY ORDERED T  County, Texas at answer to the State of Texas for the form	O APPEAR before the Municipal Court o'clockm., on the day of bllowing misdemeanor(s):	of the City of, 20, then and there to
THE COURT'S ADDRESS:		
WITNESS my official signature this  (municipal court seal)	day of	
		Judge, Municipal Court
		City of, County, Texas
	OFFICER'S RETURN	N
Came to hand the day of, 20	, 20, at _ ato'clockm. by:	o'clockm., and executed the day of
☐ Delivering a copy of this <i>Notice of</i>	Continuing Obligation to Appear to the I	Defendant personally.
☐ Mailing a copy of this <i>Notice of</i> 45.057 and 45.060, Code of Criminates		ne Defendant's last known address pursuant to Article
Address:	Signature of Ind	lividual Serving Process

Date: \_\_\_\_\_

#### COMPLAINT: VIOLATION OF CONTINUING OBLIGATION TO APPEAR (Art. 45.060, C.C.P.)

'	CAUSE NUMBER:	<del>_</del>
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
In the Name and by the Authority of	f the State of Texas:	
State of Texas, the Defendant did then and continuing obligation to appear at a designation	there intentionally, knowingly, or reclated time, place, and date to answer thing obligation under Article 45.057 ar	ritorial limits of the City of, and the klessly fail to appear after being given notice of his/her are allegations detailed in the notice and after previously and given notice in accord with Article 45.060, Code of
		Affiant
Sworn and subscribed before me by a credible person, this day of	, 20	
(municipal court seal)		
		(Judge) (Clerk) (Deputy Clerk), Municipal Court
		City of
		County, Texas

#### CLERK'S AFFIDAVIT FOR CAPIAS PRO FINE: JNA

	CAUSE NU	MBER:			
STATE OF TEXAS		<b>§</b>		IN THE	E MUNICIPAL COURT
VS.		§		CITY (	OF
		<b>§</b>			COUNTY, TEXAS
					lieve and do believe that on or efendant, defaulted in paymen
I am the Municipal Cour records of this Municipal Cou offense of	t Clerk and custodian of County rt. The records indicate the	the records for Texas. On at the Defend	ant in the above sty	ourt, City of , 20, I p yled and numbe	ersonally examined the official red cause was charged with the , and
Defendant was ordered to make	te, on the day of te (a payment) (certain pr	escribed payn	ients) on the fine ar	id costs impose	• , ,
At the time of default, Defend	dollars (\$ant, a child, was at least 1	) in fine a	and court costs to sate and younger than	tisfy the judgme	, 20 to make a payment that said Defendant owes ent.  c. As required by law, the Course judgment. According to course
records, the Defendant is of dat			•	J	
					Affian
Sworn to and subscribed	before me on day o	of	, 20		
					(Judge) (Clerk) (Deputy Clerk)
				City of	

#### SHOW CAUSE NOTICE PRIOR TO ISSUANCE OF CAPIAS PRO FINE: JUVENILE NOW ADULT (Art. 45.045, C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	§	COUNTY, TEXAS
	ORDER TO SHOW CAUS	SE
Name:	Offense:	
Address:		
according to its terms. You are ho'clockm, on the day Specifically, you are accused of faili	ereby ordered to appear before the	municipal Court at , 20 Municipal Court at on your ability to satisfy the terms of the judgment.
and time ordered above to show ca that the judgment imposes an unc	ause why a capias pro fine should not be issudue hardship, bring documentation with yo a capias pro fine and commitment to jail to	ordered above, the defendant must appear on the date ued. If the reason for failure to satisfy the judgment is ou to the hearing. Failure to appear on this date and o discharge the judgment under Article 45.046 of the
		Judge, Municipal Court
		City of
		County, Texas
(municipal court seal)		

**Editor's Note:** Effective September 1, 2019, A court may not issue a capias pro fine for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing to determine whether the judgment imposes an undue hardship on the defendant, and the defendant fails to: (1) appear at the hearing; or (2) comply with an order issued under 43.05(a-3), C.C.P., as a result of the hearing (S.B. 346, 86th Legislature (2019)).

JUVENILES 12/21 TMCEC 2022 FORMS BOOK 247

### CAPIAS PRO FINE: JUVENILE NOW ADULT (Art. 45.045, C.C.P.)

(	CAUSE NUMBER:	<u> </u>
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
TO THE CHIEF OF POLICE OF THE ( - GREETINGS:	CITY OFOR AN	NY PEACE OFFICER OF THE STATE OF TEXAS
Whereas on the day of, Tex convicted of the offense of: and a	as, and a judgment was all costs of Court; and there is due and	of the Municipal Court of the, Defendant, date of birth, was s rendered by said Court in favor of the State, against said d unpaid the amount of \$
According to court records, the Defendant de	faulted in discharging the judgment of	of the Court on or about/
proceeded under Article 45.050, Code of C	riminal Procedure, to compel the in of age or older. According to court r	nger than 17 years of age. As required by law, the Court adividual to discharge the judgment. According to Court records, the amount of \$ remains unpaid. The ase is now an adult.
The Court held a hearing at o'cl at the hearing.) (□Based on evidence present	ockm., on the day of ed at the hearing, the court determine	, 20 (□The Defendant failed to appear ed that a capias pro fine should be issued.)
<ol> <li>The Court hereby finds that the issuand</li> <li>The sophistication and maturity of t</li> <li>The criminal record and history of t</li> </ol>	te of a capias pro fine is justified. In rate individual; the individual; and	wholly satisfy the judgment in the above styled case. making such a finding, the Court has considered: ment through the use of procedures and services currently
Texas immediately [or before a municipal countil the next business day following the dat You are commanded to notify the Court IMMED are ORDERED to notify the Court IMMED	ourt located in the same municipality of the Defendant's arrest if the De IMEDIATELY upon arrest of the De DIATELY upon placement of the Desertion	cipal Court of the City of, ty if this Court is unavailable] or place him or her in jail efendant cannot be brought before the court immediately. The Defendant is placed in jail, jail personnel fendant in jail.  The property of the City of,
Texas this day of, 2		
(municipal court seal)		Judge, Municipal Court City of
		County, Texas
	OFFICER'S RETURN	
Came to hand the day of	o'clock, 20, at	o'clockm. Executed on the day of, the named
Defendant.		
		Arresting Officer

**Editor's Note:** Effective September 1, 2019, A court may not issue a capias pro fine for the defendant's failure to satisfy the judgment according to its terms unless the court holds a hearing to determine whether the judgment imposes an undue hardship on the defendant, and the defendant fails to: (1) appear at the hearing; or (2) comply with an order issued under 43.05(a-3), C.C.P., as a result of the hearing (S.B. 346, 86th Legislature (2019)).

### ORDER OF COMMITMENT: JUVENILE NOW ADULT (Art. 45.046, C.C.P.)

	C	AUSE NUMBER:	<u> </u>
STATE OF TEXAS	3	<b>§</b>	IN THE MUNICIPAL COURT
VS.		§	CITY OF
	_	<b>§</b>	COUNTY, TEXAS
TO THE SHERIFF	OF	COUNTY, TEXAS -	GREETINGS:
You are command on the, da Coutotaling \$	nded to take into custory of unty, Texas of the offor, of which \$	ody and commit to the jail of your of, 20, was convicted before the sense of is unpaid.	County the Defendant, in the above styled case, who, he Municipal Court in the City of, and was assessed a fine and court costs
Court proceeded unde Court records, the Det	r Article 45.050, Code fendant is of this day 1	of Criminal Procedure, to compel to	younger than 17 years of age. As required by law, the the individual to discharge the judgment. According to to Court records, the amount of \$ remains case is now an adult.
<ol> <li>the sophistica</li> <li>the criminal r</li> </ol>	tion and maturity of the ecord and history of the	individual; and	the use of procedures and services currently available to
☐ (1) the arrestee is (2) the Defendant	has intentionally faile	k the applicable one): Defendant in the cause described a d to make a good faith effort to pay s failed to make a good faith effort to	said fine and costs; and
(2) the Defendant (3) the Defendant (a) has failed (community so (b) could have	has intentionally failed is indigent and: to make a good faith dervice);	-	
otherwise discharged	by law. Unless otherwood	vise specified in the judgment or s	sum of \$ is fully paid or Defendant is tentence in said cause, pursuant to Article 45.048(b), jail a sufficient length of time to satisfy the fine and
	less than 8 or more the dollar amount \$100) to	an 24) to earn satisfy the fine and costs.	
In the event Defendan	t is committed for defa	aulting in more than one judgment, ja	ail credit is to be assessed:
☐ Consecutivel	ly ("stacked," one sente	nce of confinement is to follow anoth	equals the sum total of fine and costs).  there until jail credit exceeds or equals the sum total of fine date(s) of judgment(s), offense(s), and fine and costs
Ordered on this	day of	, 20	
(municipal court s	real)		Judge, Municipal Court
			City of County, Texas

## ANIMAL HEARINGS

### **ANIMAL HEARINGS**

### **Table of Contents**

Cruelly Treated Animal(s)	
Affidavit for Warrant to Seize Cruelly Treated Animal(s)	250
Seizure Warrant for Cruelly Treated Animal(s)	251
Order: Cruelly Treated Animal(s) Hearing	253
Appeal Bond: Cruelly Treated Animal(s) Case	
Dogs that Attack Persons	
Affidavit for Warrant to Seize Dog that Caused Serious Bodily Injury or	
Death	
Seizure Warrant for Dog that Caused Serious Bodily Injury or Death	256
Notice of Hearing for Dog that Caused Serious Bodily Injury or Death	257
Order: Dog Caused Serious Bodily Injury or Death	258
Dangerous Dogs	
Complaint: Dangerous Dog Incident	259
Notice of Dangerous Dog Complaint Filed	
Seizure Warrant for Dangerous Dog	
Notice of Dangerous Dog Hearing	
Dangerous Dog Judgment	263
Application: Dangerous Dog Owner Failed to Comply	265
Notice of Hearing: Owner Failed to Comply	
Dangerous Dog Judgment: Owner Failed to Comply	
Seizure Warrant for Dangerous Dog: Owner Failed to Comply	
Notice of Appeal and Appeal Bond: Dangerous Dog	260

### AFFIDAVIT FOR WARRANT TO SEIZE CRUELLY TREATED ANIMAL(S) (Sec. 821.022, H.S.C.)

STATE OF TEXAS COUNTY OF CITY
BEFORE ME, the undersigned authority, on this day personally appeared the affiant, who after being by me duly sworn, deposes and makes the following statements and accusations:
Affiant is, who is an Animal Control Officer or Peace Officer for the City of, and makes the following statements for legal seizure under Section 821.022, Health and Safety Code: Seizure is requested of an/all animal(s) that is/are being cruelly treated, in particular,
[list manner(s) of cruel treatment or check any of the following]
torturedseriously overworkedunreasonably abandonedunreasonably deprived of necessary food, care, or sheltercruelly confinedcaused to fight with another animalsubjected to conduct prohibited by Section 21.09, Penal Code;
Specifically including but not limited to:
. [list type(s) of animal(s) and name(s) of animal(s), if known.]
This/These animal(s) is/are currently located in the City of, County, Texas at
under the control of [owner's name]. The description of the premises is as follows:
My belief of the foregoing is based on the following facts: [list specifically how the animal(s) was/were being cruelly treated].
Wherefore, Affiant requests a warrant to seize said animal(s) in accordance with Section 821.022, Health and Safety Code, and requests that a hearing be set within 10 calendar days in order to determine whether said animal(s) has/have been cruelly treated.
Signed on this the day of
Affiant
Subscribed and sworn to before me the undersigned authority on this the day of, 20
Judge, Municipal Court

### SEIZURE WARRANT FOR CRUELLY TREATED ANIMAL(S) (Sec. 821.022, H.S.C.) (Page 1 of 2)

CA	AUSE NUMBER:	<del></del>
IN RE:	<b>§</b>	IN THE MUNICIPAL COURT
	§	CITY OF
(Name or Description of Animal(s))	§	COUNTY, TEXAS
TO THE ANIMAL CONTROL AUTHORITY OFFICER OF THE STATE OF TEXAS - GRE		, TEXAS OR ANY OTHER PEACE
the below described animal(s) is/are being or has	s/have been cruelly treated, a t le a part hereof, and said affida	[name of Affiant], alleging the true and exact copy of which application is attache vit having stated facts and information in my opinio
		a seizure warrant may be issued to a peace officer of reason to believe that an animal has been or is bein
presence of the below described animal(s) and S	<b>HALL SEIZE</b> the same and a ings, to take photographs of a	he below described location and to there verify the any other found animals that have been or are being animals alleged to be/have been cruelly treated an
Animal(s) Description:		
Address Where Animal Kept:		
Purported Owner and Address:		
in accordance with So	ection 821.022, Health and Sat	d held in the custody and control of the City of fety Code, for the purpose of a hearing to determin
whether the animal(s) has/have been cruelly treate	d as defined under the laws of t	the State of Texas.
It is further ordered that you give written alleged owner(s) of said animal(s), that the hearin later than 10 days from the date of issuance of day of, 20	g to determine whether said an this warrant in the City of	[name(s) of owner(s)] the imal(s) has/have been cruelly treated will be held not be determined at ipal court].
HEREIN FAIL NOT, but make due serv	vice and return of this warrant,	showing how you executed the same.
<b>Signed</b> this day of, 20		
(municipal court seal)		
		Judge, Municipal Court City of
		County Tayas

### SEIZURE WARRANT FOR CRUELLY TREATED ANIMAL(S) (Sec. 821.022, H.S.C.) (Page 2 of 2)

	CAUSE NUMBER:			
IN RE:	<b>§</b>		IN THE MUNICIPAL	COURT
	<b>§</b>		CITY OF	
(Name or Description of Animal(s))	<b>§</b>		COUNTY,	TEXAS
	NOTICE OF HE	ARING		
NOTICE IS HEREBY GIVEN	•			, in the City
of Municipal Court lo	cated at:			at:
:_	M, ON THE I	OAY OF	, 20	
	(within 10 calendar days of i	ssuing the warrant)		
(municipal court seal)				
			•	nicipal Court
			C	ounty, Texas
	OFFICER'S RE	TURN		•••••
Came to hand the day of	, 20, at o'clockm. by	o'clockr	n. and executed on the	day of
				·
			Peac	ce Officer

**Editor's Note:** Certain procedural hurdles must be met before issuing a warrant for seizure of a cruelly treated animal. A peace officer or an officer who has responsibility for animal control in a county or municipality may apply to a justice court, a magistrate in the county, or to a municipal court in the municipality in which the animal is located for a warrant to seize the animal. On a showing of probable cause to believe that the animal has been or is being cruelly treated, the court or magistrate shall issue the warrant and set a time within 10 calendar days of the date of issuance for a hearing in the appropriate justice court or municipal court to determine whether the animal has been cruelly treated.

### ORDER: CRUELLY TREATED ANIMAL(S) HEARING (Sec. 821.023, H.S.C.)

	CAUSE NUMBER:	
IN RE:	<b>§</b> <b>§</b>	IN THE MUNICIPAL COURT CITY OF
(Name or Description of Animal(s))	§	COUNTY, TEXAS
	ORDER	
On this theday of determined that it has jurisdiction over the subje- pleadings on file with the Court, and having cons		dered the above-referenced matter. This Court, having nue was proper, heard the evidence, and considered all
THIS COURT FINDS that Respond described animal(s):		, as owner(s) of the following
	and therefore, IT IS ORDERED the	nat the animal(s) be returned to the owner(s).
$\Box$ did cruelly treat the animal(s) by _		(describe the cruel treatment),
and IT IS THEREFORE ORDER	<b>RED</b> that said owner(s) be divested	of ownership of said animal(s).
IT IS FURTHER ORDERED (ch	heck one)	
☐ that said animal(s) be sold the costs ordered below.	d by public auction, with the proce	eds from the sale of the animal to be first applied to
☐ Optional: <b>It is f</b> party.	further ordered that the animal(s)	be spayed or neutered at the cost of the receiving
	en to a municipal or county anima	l shelter or a nonprofit animal welfare organization,
☐ Optional: <b>It is f</b> party.	<b>further ordered</b> that the animal(s)	be spayed or neutered at the cost of the receiving
	nanely destroyed, as the Court finds ld be best served by doing so.	that it is in the best interest of the animal or that the
IT IS FURTHER ORDERED that	at the owner pay costs in the amoun	t of \$
The Respondents have the right to app Law) of County for the impounded animal during the appeal necessary to perfect an appeal is \$	peal this Order divesting the owner, Texas. The Court finds that the esprocess is \$ It (sum of the ordered costs and	of ownership to the (County Court) (County Court at stimated costs likely to be incurred to house and care is therefore <b>ORDERED</b> that the amount of bond d costs likely to be incurred).
(municipal court seal)	Judge	, Municipal Court Date
	City	
	7 _	County, Texas

### APPEAL BOND: CRUELLY TREATED ANIMAL(S) CASE (Sec. 821.025, H.S.C.)

C	CAUSE NUMBER:	
IN RE:	<b>§</b>	IN THE MUNICIPAL COURT
	<b>§</b>	CITY OF
(Name or Description of Animal(s))	<b>§</b>	COUNTY, TEXAS
[owner's name], former owner of	fter, "the animal(s)," dives	ting ownership of the animal(s) from the stion 821.023, Health and Safety Code, in the sum of [owner's name] desires to appeal to the County
court (at Law) of	County, Texas, and	
Whereas, appellant desires to suspend of ☐ I, as principal, am hereby depdollars	positing in cash in lieu of s	sureties with the Municipal Court the sum of
$\square$ WE, (name of s business in Texas, or	(name of appellant), as prince surety company), a corporate sure (name) and e ourselves bound to pay	ripal, and [either rety company duly qualified and authorized to do (name), two good and sufficient to the Municipal Court, the sum of
however, that the above-named principal shall pr	rosecute the appeal with effect and	impounded during the appeal process, conditioned, d shall pay off and satisfy:  Safety Code, that may be rendered against Appellant
(2) the estimated expenses of housing a Appellant on appeal;	and caring for the animal(s) during	ng the appeal process, that may be rendered against
of which sum I am held and bound to the State of	f Texas.	
☐ The sum of doll check) and bond filed on the day of	lars (\$) was deposited, 20	with the Court by (cash)(money order)(cashier's
☐ Witness our hands this the day of	, 20	
Signature of Principal		Mailing Address
Signature of Surety		Mailing Address
Signature of Surety		Mailing Address
Approved on this day of,	20	
	Ci	Judge, Municipal Court ty of
		County, Texas

### AFFIDAVIT FOR WARRANT TO SEIZE DOG THAT CAUSED SERIOUS BODILY INJURY OR DEATH (Sec. 822.002, H.S.C.)

STATE OF TEXAS COUNTY OF CITY	
BEFORE ME, the undersigned authority, on this day personally appeared the affiant, who after being by me makes the following statements and accusations:	duly sworn, deposes and
Affiant, (any person, including the county attorney, city attomakes the following statements under Section 822.002, Health and Safety Code:	orney, or peace officer),
Affiant has good reason to believe and does believe that the below described dog has caused the death of or person by attacking, biting, or mauling him/her within the territorial limits of the City of County, Texas, with serious bodily injury defined as an injury characterized by severipping and tearing of muscle that would cause a reasonably prudent person to seek treatment from a medical require hospitalization without regard to whether the person actually sought medical treatment.	re bite wounds or severe
My belief of the foregoing is based on the following facts:	
(insert facts about what the affiant saw or knows)	
The dog, described as one	(location), which is (name of owner) (victim's name)
Wherefore, Affiant requests a warrant to seize said animal in accordance with Section 822.002, Health and S that a hearing be set within 10 days in order to determine whether the dog caused the death of or serious bootattacking, biting, or mauling the person.	
Signed on this the day of, 20	
Subscribed and sworn to before me the undersigned authority on this the day of	Affiant
	Judge, Municipal Court

### SEIZURE WARRANT FOR DOG THAT CAUSED SERIOUS BODILY INJURY OR DEATH (Sec. 822.002, H.S.C.)

	CAUSE NUMBER:	
IN RE:	§ §	IN THE MUNICIPAL COURT CITY OF
(Name or Description of Dog)	§	COUNTY, TEXAS
TO THE ANIMAL CONTROL AUTHORIT	Y FOR THE CITY OF	, TEXAS - GREETINGS:
	ing, biting, or mauling him or	the below described dog has caused the death of, or her within the territorial limits of the City of
undersigned judge, that probable cause exists to	believe that the below described on the below the below	ions contained in the affidavit sworn before the dog has caused serious bodily injury to or the death [name of nformation sufficient to establish probable cause for I Safety Code;
another peace officer or other law enforcement a	agent so ordered by the Animal Co uspected place and premises descri	as designated by the City of, or ntrol Authority under the laws of the State of Texas bed in said affidavit and to there verify the presence
the disposition of the dog in accordance with S	Section 822.002, Health and Safety	ecure and humane conditions until the Court orders y Code, in a hearing to determine whether the dog uling the person. The hearing shall be held not later
You are therefore commanded to forthy	with enter and seize:	
Dog Description (breed and color):		
Address Where Animal Kept:		
Purported Owner and Address:		
HEREIN FAIL NOT, but make due so	ervice and return of this warrant, sh	nowing how you executed the same.
<b>Signed</b> this day of, 20		
(municipal court seal)		
	•	Judge, Municipal Court
	-	County, Texas
	OFFICER'S RETURN	
Came to hand the day ofo'o	, 20, at o'c	lockm. and executed on the day of
	-	Peace Officer

### NOTICE OF HEARING FOR DOG THAT CAUSED SERIOUS BODILY INJURY OR DEATH (Sec. 822.003, H.S.C.)

		CAUSE NUMBER	R:			
IN RE:			§		IN THI	E MUNICIPAL COURT
			§		CITY (	OF
(Name or Description of Do	og)		§			COUNTY, TEXAS
		NOTICE O	F HEARING			
NOTICE IS HER	EBY GIVEN	N, that the above style	d and numbered	d cause is	set for hea	ring as provided by law, to
determine whether the above	described do	g caused the death of or	serious bodily is	njury to a pe	erson by att	acking, biting, or mauling the
person, in the City of					I	Municipal Court located at:
						at:
	<b>:</b>	M, ON THE	DAY OF _		, 20	
		(within 10 days of	issuing the warr	ant)		
(municipal court seal)						
						Judge, Municipal Court
				City of _		
						County Texas

**Editor's Note:** Notice must be given to (1) the owner of the dog or the person from whom the dog was seized; and (2) the person who made the complaint. Sec. 822.003(a), H.S.C.

### ORDER: DOG CAUSED SERIOUS BODILY INJURY OR DEATH (Sec. 822.003, H.S.C.)

,	CAUSE NUMBER:	
IN RE:	§	IN THE MUNICIPAL COURT
	§	CITY OF
(Name or Description of Dog)	§	COUNTY, TEXAS
	ORDER	
On this theday of	, came to be considered the above- y and that venue was proper, heard th	referenced matter. This Court, having determined that it e evidence, and considered all pleadings on file with the
THIS COURT FINDS that the following described	dog	<b>-</b>
□ caused the death of a person by attacking, biting authorized by Section 822.004, Health and Safe		EREFORE ORDERED that said dog be destroyed as
caused serious bodily injury, as defined by Se person.	ection 822.001(2), Health and Safety	Code, to a person by attacking, biting, or mauling the
The Court further finds (check condition of	only if applicable):	
enclosure in which the dog was being	ng kept; and the enclosure was real otice of the presence of a dog, and the	property, the attack, bite, or mauling occurred in an sonably certain to prevent the dog from leaving the ne injured person was at least 8 years of age, and was
	g kept, and the injured person was	s property, the attack, bite, or mauling occurred in an at least eight years of age and was trespassing in the
☐ that the attack, bite, or mauling occurr dog for law enforcement purposes.	red during an arrest or other action o	f a peace officer while the peace officer was using the
☐ that the dog was defending a person fr	om an assault or a person's property	from damage or theft by the injured person.
		ite, or mauling occurred in an enclosure in which the rson younger than eight years of age from entering.
IT IS THEREFORE ORDERED (check	t one)	
☐ that said dog be destroyed as authorize	ed by Section 822.004, Health and Sa	afety Code (if none of the above conditions exist).
☐ that as a condition exists that prohibits from whom the dog was seized; or any	<u> </u>	n and that said dog be released to its owner; the person session of the dog.
☐ that said dog be released to its own possession of the dog.	er; the person from whom the dog	was seized; or any other person authorized to take
		oiting, or mauling the person. IT IS THEREFORE by was seized; or any other person authorized to take
(municipal court seal)	Judge,	Municipal Court Date
	City	
		County, Texas

**Editor's Note:** As of September 1, 2021, notwithstanding any other law or local regulation, any order to destroy a dog is stayed for a period of 10 calendar days from the date the order is issued, during which period the dog's owner may file a notice of appeal. Additionally, a court (including a justice court) may not order the destruction of a dog during the pendency of an appeal under Section 822.0424, H.S.C. (H.B. 3340, 87th Legislature (2021)).

### COMPLAINT: DANGEROUS DOG INCIDENT (Sec. 822.0422, H.S.C.)

COUN	C OF TEXAS FY OF	_				
The Cit Health	y Council for the Cit and Safety Code. As s	y of such, any person may	has adopted a report an incident as desc	n ordinance electing ribed below to the	ng to be governed municipal court.	by Section 822.0422,
			day personally appeared the under Section 822.0422, He			ly sworn, deposes and
I have g	good reason to believe	and do believe that	the below described dog:			
			that caused bodily injury as bly certain to prevent the d			
		e dog from leaving t	other than an enclosure in the enclosure on its own and that person.			
My beli	ef of the foregoing is	based on the followi	ng facts:			
(insert j	facts about what the a	ffiant saw or knows)				
current		he City of _		,		County, Texas at (location), which is
under ti	ne control of					(name of owner).
defined to the a	by Section 822.041(2	2), Health and Safety ity as ordered by this	for a hearing to determine Code. Furthermore, if the is Court, Affiant requests	owner of the abov	e described dog do	oes not deliver the dog
Signed	on this the	day of	, 20			
						Affiant
Subscri	bed and sworn to before	ore me the undersign	ed authority on this the	day of		_, 20
				(Judge	e)(Clerk)(Deputy C	lerk), Municipal Court

### NOTICE OF DANGEROUS DOG COMPLAINT FILED (Sec. 822.0422, H.S.C.)

	CAUSE NUMBER:	-
IN RE:	§	IN THE MUNICIPAL COURT
	§	CITY OF
(Name or Description of Dog)	<b>§</b>	COUNTY, TEXAS
	NOTICE OF COMPLAINT FILED	
	dangerous dog as defined by Section 822.0	pal Court alleging that the below described dog 41(2), Health and Safety Code, set out below. A
the dog was being kept and the b) Commits unprovoked acts in	nat was reasonably certain to prevent the dog a place other than an enclosure in which to m leaving the enclosure on its own and tho	ccurs in a place other than an enclosure in which g from leaving the enclosure on its own; or the dog was being kept and that was reasonably see acts cause a person to reasonably believe that
		to the Animal Control Authority for the City of owner receives this notice that a report has been
	og as required, this Court shall order the Ani e owner will be required to pay any cost inc	imal Control Authority to seize the dog and shal urred in seizing the dog.
orders the disposition of the dog in a hea	ring to be held not later than the 10th day ine whether said dog is a dangerous dog as	in secure and humane conditions until this Cour after the date on which the dog is delivered or defined above. You will be mailed notice of the
Signed on this the day of		
(municipal court seal)		
	-	Judge, Municipal Cour
	C	Sity of
		County, Texas
	<del>-</del>	

ANIMAL HEARINGS 12/21 TMCEC 2022 FORMS BOOK 260

### SEIZURE WARRANT FOR DANGEROUS DOG (Sec. 822.0422, H.S.C.)

(	CAUSE NUMBER:			
IN RE:	<b>§</b>	IN TI	HE MUNICIPAL C	OURT
	<b>§</b>	CITY	OF	
(Name or Description of Dog)	<b>§</b>		COUNTY, T	EXAS
TO THE ANIMAL CONTROL AUTHORIT	Y FOR THE CITY OF	, TEXAS	- GREETINGS:	
Whereas, a sworn complaint has been defined by Section 822.041(2), Health and Safet		g that the below describ	oed dog is a dangero	ous dog as
Whereas, the Court has found, that the ordered to deliver the dog to the Animal Continuous that the report was filed; and as of the downer received such notice, the owner has failed	rol Authority not later than the ate of the issuance of this warr	e fifth day after the date ant, being at least five d	e on which the owne ays after the date on	er received which the
IT IS THEREFORE ORDERED, the another peace officer or other law enforcement a SHALL ENTER UPON AND SEARCH the subelow described dog and SHALL SEIZE the sa	agent so ordered by the Animal uspected place and premises as	Control Authority unde	r the laws of the State	e of Texas
IT IS FURTHER ORDERED that the disposition of the dog in accordance with Sea dangerous dog, to be held not later than the 10	ection 822.0423, Health and Sa	fety Code, in a hearing t		
You are therefore commanded to forthy	with enter and seize:			
Dog Description (breed and color):			_	
Address Where Animal Kept:				
Purported Owner and Address:			_	
The owner shall pay any cost incurred i	in seizing the dog.			
HEREIN FAIL NOT, but make due so	ervice and return of this warran	t, showing how you exec	cuted the same.	
<b>Signed</b> this day of, 20	_·			
(municipal court seal)				
		City of	Judge, Municipal	
			County,	Texas
	OFFICER'S RETURN			
Came to hand the day of o'o	, 20, at clockm. by	o'clockm. and ex	xecuted on the	day of 
			Pea	ace Officer

NOTICE OF DANGEROUS DOG H	EARING (Sec. 822.0423, H.S.C.)			
	CAUSE NUMBER	:		
IN RE:	;	§	IN THE MUNI	ICIPAL COURT
_	<u>_</u>	§	CITY OF	
(Name or Description of Dog)	:	§	CC	OUNTY, TEXAS
	NOTICE O	F HEARING		
	IVEN, that the above styled an			
of Municipal Co	urt located at:			at:
	_:M, ON THE	DAY OF	, 20	
(ne	ot later than the 10th day after t	he date dog is de	livered or seized)	
to determine whether the above des	cribed dog is a dangerous dog a	s defined by Sect	ion 822.041(2), Health and Sa	afety Code.
(municipal court seal)				
			Juo	dge, Municipal Cour
			City of	- •

County, Texas

**Editor's Note:** Notice must be given to (1) the owner of the dog or the person from whom the dog was seized; and (2) the person who made the complaint. Sec. 822.0423(b), H.S.C.

### DANGEROUS DOG JUDGMENT (Secs. 822.042, 822.0422, and 822.0423, H.S.C.) (Page 1 of 2)

	CAUSE NUMBER:	<u></u>
IN RE:	<b>§</b>	IN THE MUNICIPAL COURT
	<b>§</b>	CITY OF
(Name or Description of Dog)	§	COUNTY, TEXAS
	ORDER	
On this theday of has jurisdiction over the subject matter in Court, and having considered the same,	, 20, came to be considered the above-controversy and that venue was proper, heard the	referenced matter. This Court, having determined that it e evidence, and considered all pleadings on file with the
THIS COURT FINDS that the dog descri	ribed as a (name of owner) and known as	(gender and breed) dog owned by " (name of dog) is a de, in that the dog has been found to have
dangerous dog, as that term is defined	by Section 822.041(2), Health and Safety Co	de, in that the dog has been found to have
	on a person that caused bodily injury and of at was reasonably certain to prevent the dog	ccurred in a place other than an enclosure in which from leaving the enclosure on its own; or
6 6 1		h the dog was being kept and that was reasonably
☐ committed unprovoked ac		
☐ committed unprovoked accertain to prevent the dog from dog will attack and cause bod☐ (if this is an appeal from an	n leaving the enclosure on its own and those ily injury to that person.	acts caused a person to reasonably believe that the  IEREFORE ORDERED that the administrative
☐ committed unprovoked accertain to prevent the dog from dog will attack and cause bod☐ (if this is an appeal from and determination of the City of	n leaving the enclosure on its own and those ily injury to that person.  a animal control determination) IT IS TH	acts caused a person to reasonably believe that the IEREFORE ORDERED that the administrative in that respect.
□ committed unprovoked ac certain to prevent the dog from dog will attack and cause bod □ (if this is an appeal from an determination of the City of □ Owner,  IT IS FURTHER ORDERED dangerous dog named "	n leaving the enclosure on its own and those ily injury to that person.  a animal control determination) IT IS THE Animal Control Officer be upheld in hereby learns he/she	acts caused a person to reasonably believe that the IEREFORE ORDERED that the administrative in that respect.  is the owner of a dangerous dog.
☐ committed unprovoked accertain to prevent the dog from dog will attack and cause bod ☐ (if this is an appeal from and determination of the City of	n leaving the enclosure on its own and those ily injury to that person.  a animal control determination) IT IS THE Animal Control Officer be upheld in hereby learns he/she	acts caused a person to reasonably believe that the IEREFORE ORDERED that the administrative in that respect.
□ committed unprovoked accertain to prevent the dog from dog will attack and cause bod  □ (if this is an appeal from an determination of the City of  □ Owner,  IT IS FURTHER ORDERED dangerous dog named " The dog shall be registered annually.  IT IS FURTHER ORDERED dangerous dog at all times on a leas structure that is locked; capable of prerelease of a dog; clearly marked as contains the dog shall be registered.	n leaving the enclosure on its own and those ily injury to that person.  n animal control determination) IT IS THE Animal Control Officer be upheld in, hereby learns he/she that (name of dog) with the City of that (name of the general public, included the control of a person or eventing the entry of the general public, included the city of the general public included the city of th	IEREFORE ORDERED that the administrative in that respect.  is the owner of a dangerous dog.  ame of owner) shall be required to register the formula Control Authority.  Animal Control Authority.  ame of owner) shall be required to restrain the in a secure enclosure, defined as a fenced area or ading children; capable of preventing the escape or see with the requirements for enclosures established
□ committed unprovoked accertain to prevent the dog from dog will attack and cause bod  □ (if this is an appeal from and determination of the City of	n leaving the enclosure on its own and those ily injury to that person.  n animal control determination) IT IS THE	IEREFORE ORDERED that the administrative in that respect.  is the owner of a dangerous dog.  ame of owner) shall be required to register the Animal Control Authority.  ame of owner) shall be required to restrain the in a secure enclosure, defined as a fenced area or ading children; capable of preventing the escape or be with the requirements for enclosures established ance.  ame of owner) shall obtain and maintain liability an One Hundred Thousand and 00/100 Dollars

If the owner sells or moves the dog to a new address, the owner, not later than the 14th day after the date of the sale or move, shall notify the Animal Control Authority for the area in which the new address is located.

The owner shall notify the Animal Control Authority with which the dangerous dog was registered of any attacks the dangerous dog makes on people.

### DANGEROUS DOG JUDGMENT (Secs. 822.042, 822.0422, and 822.0423, H.S.C.) (Page 2 of 2)

IT IS FURTHER ORDERED that	
requirements not later than the 30th day after the date of this ju	
	ous dog to the Animal Control Authority, or a warrant for the
seizure of the dog shall be issued. The owner shall pay any cost or to	fee assessed by the City of related to
the seizure, acceptance, impoundment, or destruction of the dog.	
Signed this day of, 20	
(municipal court seal)	
	Judge, Municipal Court
	City of
	County, Texas

**Editor's Note:** As of September 1, 2021, notwithstanding any other law or local regulation, any order to destroy a dog is stayed for a period of 10 calendar days from the date the order is issued, during which period the dog's owner may file a notice of appeal. Additionally, a court (including a justice court) may not order the destruction of a dog during the pendency of an appeal under Section 822.0424, H.S.C. (H.B. 3340, 87th Legislature (2021)).

### APPLICATION: DANGEROUS DOG OWNER FAILED TO COMPLY (Sec. 822.042, H.S.C)

STATE OF T COUNTY OF CITY	F					
	, the undersigned authori lowing statements and acc				ng by me duly sworn, deposes and	Į.
I have good re	eason to believe and do be	lieve the following:				
The dog, desc currently loc under the con	cribed as one ated in the City of			(description,	including gender, breed, name) is  County, Texas a  (location), which is  (name of owner) is a	; t 3
Owner(s), Section 822.0	42, Subparagraph (a), wh	ch states, in pertinent p	, have failed art:	I to comply with the	Health and Safety Code, to wit	:
	ater than the 30th day after					
	enclosure; Obtain liability insurand damages resulting from	dog at all times on a see coverage or show find an attack by the danger surance coverage or find ; and ble municipal or county the following facts:	a leash in the in ancial responsible rous dog causing ancial responsible regulation, req	mmediate control of sility in an amount of a bodily injury to a pelility to the animal conuirement, or restriction	a person or in a secure at least \$100,000 to cover rson and provide proof of atrol authority for the area	
	ffiant requests the Court s wner of the dog has comp				ate of this application to determine	;
Signed on this	s the day of		, 20			
					Affian	- t
Subscribed an	d sworn to before me the	undersigned authority o	on this the	day of	, 20	
				(Judge)(Cler	·k)(Deputy Clerk), Municipal Cour	- t

NOTICE OF HEARING: OWNER FAILED TO COMPLY (Sec. 822.0423, H.S.C.) CAUSE NUMBER: IN RE: IN THE MUNICIPAL COURT § § CITY OF \_\_\_\_\_ (Name or Description of Dog) \_\_\_\_COUNTY, TEXAS NOTICE OF HEARING NOTICE IS HEREBY GIVEN, that the above styled and numbered cause is set for hearing as provided by law, in the City of \_\_\_\_\_ Municipal Court located at: \_\_\_\_: \_\_\_\_.M, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_\_, 20 (not later than the 10th day after the date of application) to determine whether the owner of the above described dog has complied with Section 822.042, Health and Safety Code, "Requirements for Owner of Dangerous Dog." (municipal court seal) Judge, Municipal Court City of \_\_\_\_\_

County, Texas

Editor's Note: Notice must be given to (1) the owner of the dog or the person from whom the dog was seized; and (2) the person who made the complaint. Sec. 822.0423(b), H.S.C.

### DANGEROUS DOG JUDGMENT: OWNER FAILED TO COMPLY (Secs. 822.042, and 822.0423, H.S.C.)

CALISE NUMBED.

CAUSE NUMBER.	
§	IN THE MUNICIPAL COURT
	CITY OF
§	COUNTY, TEXAS
JUDGMENT	
, came to be considered the above and that venue was proper, hear RT FINDS that the dog describe	bove-referenced matter. This Court, having determined that it and the evidence, and considered all pleadings on file with the ed as a
a dangerous dog, as that term , has faid Safety Code.	ind the evidence, and considered an pleadings on the with the day as a
y with the following requirem,	nent set out in the Order Declaring the Dog a Dangerous 20:
ecure and humane conditions urequirements for owning a dar	the City of seize the dangerous dog until the Court orders disposition of the dog.  ngerous dog, as ordered by the Court and required under which the dog is seized or delivered, the dog shall be
	rous dog by the 11th day after the date on which the dog nall return the dog to the Owner.
	fee assessed by the City of
20	
	Judge, Municipal Court
	County, Texas
	day of, 20
	complied with the requirements for owning a dangerous
rned to the Owner, as the Own	ner has complied with the requirements as ordered.
	Judge, Municipal Court
Date	te:
	S S S S JUDGMENT , came to be considered the all and that venue was proper, head and that venue was proper, head a dangerous dog, as that terregion in the described a dangerous dog, as that terregion in the described a dangerous dog, as that terregion in the described a dangerous dog, as that terregion in the described a dangerous dog, as that terregion in the description in the descr

**Editor's Note:** As of September 1, 2021, notwithstanding any other law or local regulation, any order to destroy a dog is stayed for a period of 10 calendar days from the date the order is issued, during which period the dog's owner may file a notice of appeal. Additionally, a court (including a justice court) may not order the destruction of a dog during the pendency of an appeal under Section 822.0424, H.S.C. (H.B. 3340, 87th Legislature (2021)).

### SEIZURE WARRANT FOR DANGEROUS DOG: OWNER FAILED TO COMPLY (Sec. 822.042, H.S.C.)

	CAUSE NUMBER:	
IN RE:	<b>§</b>	IN THE MUNICIPAL COURT
	<b>§</b>	CITY OF
(Name or Description of Dog)	<b>§</b>	COUNTY, TEXAS
TO THE ANIMAL CONTROL AUTH	HORITY FOR THE CITY OF	, TEXAS - GREETINGS:
	nder Section 822.0423, Health and Safety 0	
and breed) and known as "	, of the dog described as a" (name of dog), a dangerous dog, a omply with the requirements for the owner of a d	as that term is defined by Section 822.041(2), langerous dog under Section 822.042, Health
another peace officer or other law enforc	RED, that the Animal Control Authority as designment agent so ordered by the Animal Control AH the suspected place and premises as described E the same.	Authority under the laws of the State of Texas
	that the dog shall be IMPOUNDED in secure a with Section 822.042, Health and Safety Code.	and humane conditions until the Court orders
You are therefore commanded to	o forthwith enter and seize:	
Dog Description (breed and cold	or):	
Address Where Animal Kept:		
Purported Owner and Address:		
The owner shall pay any cost in	curred in seizing the dog.	
HEREIN FAIL NOT, but mak	e due service and return of this warrant, showing	how you executed the same.
Signed this day of	, 20	
(municipal court seal)		
	City of	Judge, Municipal Court
		County, Texas
	OFFICER'S RETURN	
Came to hand the day of	, 20, at o'clock _ o'clockm. by	m. and executed on the day of
		<u> </u>
		Peace Officer

### NOTICE OF APPEAL AND APPEAL BOND: DANGEROUS DOG (Sec. 822.0424, H.S.C.)

CAU	SE NUMBER:	
IN RE:	<b>§</b>	IN THE MUNICIPAL COURT
	§	CITY OF
(Name or Description of Dog)	<b>§</b>	COUNTY, TEXAS
		de, this Court has found that the dog described as a
(gender) (name of owner) and known as "	ner has failed to comply with from which judgment	the requirements for the owner of a dangerous dog [owner's name]
☐ Requests a jury trial.		
Whereas, appellant desires to suspend exec	eution of said judgment pendin	g determination of such appeal;
☐ I, as principal, am hereby deposit dollars \$		ureties with the Municipal Court the sum of by judge,)
business in Texas, <i>or</i> sureties], as surety, acknowledge	ty company), a corporate sur (name) and	ety company duly qualified and authorized to do(name), two good and sufficient to the Municipal Court, the sum of
the estimated expenses incurred in housing and car however, that the above-named principal shall prosec	ring for the animal(s) while i	mpounded during the appeal process, conditioned,
(1) any cost or fee assessed by the City of destruction of the dog, as well as	Ē1	elated to the seizure, acceptance, impoundment, or
(2) the estimated expenses of housing and Appellant on appeal;	caring for the animal(s) during	g the appeal process, that may be rendered against
of which sum I am held and bound to the State of Te	xas.	
☐ The sum of dollars ( check) and bond filed on the day of		with the Court by (cash)(money order)(cashier's
withess our hands this the day of	, 20	
Signature of Principal	Mailing Address	
Signature of Surety	Mailing Address	
Signature of Surety	Mailing Address	
<b>Approved</b> on this day of	_· _	Judge, Municipal Court
	Cit	y of
		County, Texas

**Editor's Note:** Effective September 1, 2015, the court shall determine the estimated costs to house and care for the impounded dog during the appeal process and shall set the amount of bond for an appeal adequate to cover those estimated costs. Sec. 822.0423, H.S.C.

# FINANCIAL MANAGEMENT & COURT ADMINISTRATION

## FINANCIAL MANAGEMENT & COURT ADMINISTRATION

### **Table of Contents**

Payment Receipt	270
Officer Mileage Log	
Fraudulent Lien Sign	
Fraudulent Lien Sign - Spanish	
Rule 12 Letter	
Order of Recusal or Disqualification	275
Order of Referral upon Motion for Recusal or Disqualification	
Bill of Costs.	

### PAYMENT RECEIPT

	CAUSE or CITATION NU	UMBER(S):
STATE OF TEXAS	§	
VS.	\$ §	CITY OF
	§	COUNTY, TEXAS
Date:  Your (partial) (full) payment of \$		for the above mentioned Cause or Citations Number(s)
has been received.  (The remaining balance due is \$		.)
(municipal court seal)		
		(Judge) (Clerk), Municipal Court
		, County, Texas

### Article 102.011(b), Code of Criminal Procedure, provides:

...A defendant required to pay fees [as court costs for services of a peace officer] shall also pay **29 cents per mile** for mileage required of an officer to perform a service listed in this subsection and to return from performing that service. If the service provided is the execution of a writ and the writ is directed to two or more persons or the officer executes more than one writ in a case, the defendant is required to pay only mileage actually and necessarily traveled. In calculating mileage, the officer must use the railroad or the most practical route by private conveyance. The defendant shall also pay all necessary and reasonable expenses for meals and lodging incurred by the officer in the performance of [these] services, to the extent such expenses meet the requirements of Section 611.001, Government Code.

This subsection applies to:

- (1) Conveying a prisoner after conviction to the county jail;
- (2) Conveying a prisoner arrested on a warrant or capias issued in another county to the court or jail of the county; and
- (3) Traveling to execute criminal process, to summon or attach a witness, and to execute process not otherwise described by Article 102.011.

NAMES		TIME					MILEAGE	
	Year	Month	Day	Hour	Min.	m.	Dollars	Cents

Peace Officer's Signature

**Editor's Note:** This chart can be used for the officer to record mileage for service of a warrant, capias, capias pro fine, summons, parental summons, subpoena, juror summons, or other process not specifically named.

The constitutionality of the statute creating the Officer Mileage Fee was questioned in *Allen v. State*, 614 S.W.3d 736 (Tex. Crim. App. 2019) due to its "failure to *direct* the funds received from the 'Summoning Witness/Mileage' fee to be used in a manner that would make them a court cost (i.e. for something that is a criminal justice purpose." The Court of Criminal Appeals held that, regardless of where funds are directed, reimbursement-based court costs do not violate Separation of Powers. Despite a lack of allocation instructions, the summoning witness/mileage fee reimburses an expense directly incurred in the prosecution of a case and is thus constitutional.

The 86th Legislature passed a large-scale overhaul of court costs, fees, and fines (S.B. 346, 86th Legislature (2019)). A number of costs, including those authorized by Art 102.011, C.C.P., were renamed as "reimbursement fees." The 87<sup>th</sup> Legislature added additional language to state that the purpose of this reimbursement fee is "to defray the cost of the services provided." (S.B. 1923, 87th Legislature (2021)).

It is a crime to intentionally or knowingly file a fraudulent court record or fraudulent instrument with the Clerk.

Es un delito grave registrar intencionalmente o a sabiendas un documento o un instrumento fraudulento con el actuario del tribunal.

### **RULE 12 LETTER**

Date:	
Name:	
Address:	
City, State, Zip Code:	
Re: Response to Request for Public Access to Judicial Records	
Dear,	
I am in receipt of your request to inspect judicial records datedby the City of Municipal Court onfor "judicial records" pursuant to Rule 12 of the Texas Rules of Judicial Adm	ninistration. In your letter, you requested:
Your request seeks records that are not subject to Rule 12 and, by definit	tion, are not "judicial records." Rule 12 expressly states:
Judicial record means a record made or maintained by or for a configuration business but not pertaining to its adjudicative function, regardless of A record of any nature created, produced, or filed in connection with not a judicial record.	f whether that function relates to a specific case.
Pursuant to Rule 12.9, Texas Rules of Judicial Administration, you have please direct your timely appeal to:	ve the right to appeal my decision. If you wish to do so,
Administrative Direct	tor
Office of Court Administ	
P.O. Box 12066 Austin, TX 78701	
Austin, 1A /8/01	
Although it is my determination that the Public Access to Judicial Record you may have a right to inspect the records under the common law right of some exceptions.	
If you wish to make a request under the "common law" right, you may Clerk responsible for processing these requests is	
(address and telephone number).	
	Sincerely,
	Judge, Municipal Court
	City of

### ORDER OF RECUSAL OR DISQUALIFICATION (Sec. 29.055(b), G.C.)

	CA	AUSE NUMBER:		
STATE OF TEXAS		<b>§</b>	IN THE MUNICIPAL CO	URT
VS.		§	CITY OF	
		§	COUNTY, TE	EXAS
	ORDER	OF (RECUSAL)(DISC	QUALIFICATION)	
Comes now		, Judge of the	Municipal C	Court, and finds that (on the
court's own motion) (on	motion of the Defendant)	(on motion of the State	e) that:	
Disqualification is ap	opropriate in this cause for	or the reason that:		
Code. □ I served as coun			rd degree, as determined under Corty	hapter 573, Government
OR				
Recusal is appro	priate in this cause	based on the fo	ollowing ground(s):	
It is hereby ORDERED	:			
If the judge is no	ot the presiding judge of t	the Municipal Court:		
			quest the Honorablether judge to hear this cause.	Presiding Judge of the
OR				
If the judge is th	e presiding judge of the l	Municipal Court or if th	e judge is the only municipal judg	ge in the municipality:
			e, I request the Honorablether judge to hear this cause.	, Presiding Judge of
SIGNED thisda	y of	, 20		
				Judge, Municipal Court
			City o	

**Editor's Note:** The grounds for recusal are stated in the Texas Rule of Civil Procedure 18b. Grounds for disqualification are set out in the Texas Constitution and Article 30.01 of the Code of Criminal Procedure.

### ORDER OF REFERRAL UPON MOTION FOR RECUSAL OR DISQUALIFICATION (Sec. 29.055(c), G.C.)

	CAUSE NUMBER:	:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COUL	RT
VS.	§	CITY OF	<u></u>
	<b>§</b>	COUNTY, TEX	AS
ORDER OF REFE	ERRAL TO HEAR MOTION	N FOR (RECUSAL) (DISQUALIFICA	TION)
Pursuant to Section 29.055(c	), Government Code, the und	dersigned Judge hereby refers the attach	ned Motion to Recuse or
Disqualify filed in the above-numb	pered cause to the Honorab	ole,	Presiding Judge of the
Administrative Jud	dicial Region, for assignment	of a judge to hear the motion under Sec	tion 29.056, Government
Code.			
SIGNED thisday of		0	
		City of _	Judge, Municipal Court

**Editor's Note:** The judge shall forward to the Regional Presiding Judge either the original or a certified copy of this Order of Referral, the verified Motion to Recuse/Disqualify filed under Section 29.052, G.C., and any statements filed either opposing or concurring with the motion under Section 29.054, G.C.

CAUSE NUMBER:					
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT			
VS.	<b>§</b>	CITY OF			
	<b>§</b>	COUNTY, TEXAS			

### **BILL OF COSTS**

<b>Court Cost Description</b>	Amount	<b>Court Cost Description</b>	Amount
State Consolidated Fee	\$62.00	Local Consolidated Fee	\$14.00
(Sec. 133.102, L.G.C.)		(Sec. 134.103, L.G.C.)	
State Traffic Fine	\$50.00	Local Traffic Fine	\$3.00
(Sec. 542.4031, T.C.)		(Sec. 542.403, T.C.)	
Child Safety Fine (Art. 102.014, C.C.P.)	\$25.00	Failure to Appear/Violate Promise to Appear Fine (Art. 45.203(c), C.C.P.)	Not to exceed \$25
Time Payment Reimbursement Fee (Art. 102.030, C.C.P.)	\$15.00	Jury Impaneling Reimbursement Fee (Art. 45.026, C.C.P.)	Actual costs incurred for impaneling
Written Notice to Appear Reimbursement Fee (Art. 102.011, C.C.P.)	\$5.00	Omnibase Reimbursement Fee (Sec. 706.006, T.C.)	\$10.00
Jury Summonsing (Art. 102.011, C.C.P.)	\$5.00	Scofflaw Reimbursement Fee (Sec. 702.003(e-1), T.C.)	\$20.00
Serving a Writ Not Otherwise Listed (Art. 102.011, C.C.P.)	\$35.00	Third Party Collections (Art. 103.0031, C.C.P)	30% of the unpaid fines, fees, costs, restitution, or forfeited bonds
Warrant Reimbursement Fee (Art. 102.011, C.C.P.)	\$50.00	Defensive Driving Reimbursement (Art. 45.0511(f)(1))	\$10.00
Serving a Subpoena (Art. 102.011, C.C.P.)	\$5.00		
		Other Costs* (costs for peace officer's time testifying off-duty or mileage for certain transports)	*Calculated according to Art. 102.001(b), C.C.P.
		Total	\$

/		1
(mui	nicinal	court seal)

(Judge) (Clerk), Municipal Cour	
	City of _
, County, Texa	
Date	

Editor's Note: Costs and fees will vary depending on many factors.

## GOVERNMENT & AGENCY FORMS

### GOVERNMENT & AGENCY FORMS

### **Table of Contents**

	Office of Court Administration	
	Official Municipal Court Monthly Report	278
	Report of Change or Vacancy in Judge/Clerk/Mayor Position	283
	Department of Public Safety	
	DR-1 Application for Copy of Driver Record	284
	DL-115: Notice of Conviction and Suspension/Disqualification	
	DL-117: Notice of Convictions	287
	DPS Correction Form	288
	Nonresident Violator Compact: Notice of Failure to Comply with Terms of Citation	289
	Comptroller of Public Accounts	
Updated	Quarterly Report: State Criminal Costs and Fees	295
Updated	Child Safety Seat and Seatbelt Fines	296
Updated	DExcess Highway Fines	297
Updated	DPhotographic Enforcement Systems	298
	State Bar of Texas	
	State Bar of Texas Attorney Grievance Form	299
	State Bar of Texas Attorney Grievance Form-Spanish	
	State Commission on Judicial Conduct	
Updated	State Commission on Judicial Conduct Complaint Form	313
	State Commission on Judicial Conduct Complaint Form-Spanish	

Note that the forms in this chapter are from outside agencies (not TMCEC). All forms are subject to change by the respective agency. For the most current version of each form, go to the agency responsible for promulgating the form.

# OFFICE OF COURT ADMINISTRATION TEXAS JUDICIAL COUNCIL



#### OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month	Year
Municipal Court for t	the City of
Presiding Judge	
If new, date assumed office	
Court Mailing Address	
City	, TX Zip
Phone Number	
Fax Number	
Court's Public Email	
Court's Website	
THE ATTACHED IS A TRUE AND AC	CCURATE REFLECTION OF THE RECORDS OF THIS COURT.
Prepared by	
Date	Phone Number

PLEASE RETURN THIS FORM NO LATER THAN 20 DAYS FOLLOWING THE END OF THE MONTH REPORTED TO:

OFFICE OF COURT ADMINISTRATION
P O BOX 12066
AUSTIN, TX
78711-2066

PHONE: (512) 463-1625 FAX: (512) 936-2423

**Editor's Note:** This form can be found on the OCA website at <a href="https://www.txcourts.gov/media/1436856/municipal-report-form-with-truancy-changes.pdf">https://www.txcourts.gov/media/1436856/municipal-report-form-with-truancy-changes.pdf</a>. In 2022, OCA will be modifying this report to capture information related to bail pursuant to Sec. 71.0351, G.C. (S.B. 6, 87th Legislature, Second Special Session (2021)).

## OFFICIAL MUNICIPAL COURT MONTHLY REPORT (Page 2 of 5)

# **CRIMINAL SECTION**

Court	Traffic Misdemeanors			Non-Traffic Misdemeanors			
Month Year	Non- Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance	
1. Total Cases Pending First of Month:	1 at King	1 at King	Orumanee	Tenar couc	Law	Orumance	
a. Active Cases							
b. Inactive Cases							
2. New Cases Filed							
3. Cases Reactivated							
4. All Other Cases Added							
5. Total Cases on Docket (Sum of Lines 1a, 2, 3 & 4)							
6. Dispositions Prior to Court Appearance or Trial:  a. Uncontested Dispositions (Disposed without appearance before a judge (CCP Art. 27.14))							
b. Dismissed by Prosecution							
7. Dispositions at Trial: a. Convictions:  1) Guilty Plea or Nolo Contendere							
2) By the Court							
3) By the Jury							
b. Acquittals:							
1) By the Court							
2) By the Jury							
c. Dismissed by Prosecution							
8. Compliance Dismissals:							
a. After Driver Safety Course (CCP, Art. 45.0511)							
b. After Deferred Disposition (CCP, Art. 45.051)							
c. After Teen Court (CCP, Art. 45.052)							
d. After Tobacco Awareness Course (HSC, Sec. 161.253)							
e. After Treatment for Chemical Dependency (CCP, Art. 45.053)							
f. After Proof of Financial Responsibility (TC, Sec. 601.193)							
g. All Other Transportation Code Dismissals							
9. All Other Dispositions							
10. Total Cases Disposed (Sum of Lines 6, 7, 8 & 9)  11. Cases Placed on Inactive Status							
12. Total Cases Pending End of Month:							
a. Active Cases (Equals Line 5 minus the sum of Lines 10 & 11)							
b. Inactive Cases (Equals Line 1b minus Line 3 plus Line 11)							
13. Show Cause Hearings Held							
14. Cases Appealed: a. After Trial							
b. Without Trial							

# OFFICIAL MUNICIPAL COURT MONTHLY REPORT (Page 3 of 5)

Court		
Month	TOTAL CASES	
1. Total Cases Pend		
a. Active Cases		
b. Inactive Cases		
2. New Cases Filed		
3. Cases Reactivated		
4. All Other Cases A	Added	
5. Total Cases on De	ocket (Sum of Lines 1a, 2, 3 & 4)	
DISPOSITIONS		
6. Uncontested Civi	l Fines or Penalties	
7. Default Judgmen	ts	
8. Agreed Judgmen	ts	
9. Trial/Hearing by		
10. Trial by Jury		
11. Dismissed for W	ant of Prosecution	
12. All Other Dispos	itions	
13. Total Cases Disp	osed (Sum of Lines 6 through 12)	
14. Cases Placed on	Inactive Status	
15. Total Cases Pend	ling End of Month:	
a. Active Cases	(Equals Line 5 minus the sum of Lines 13 & 14)	
b. Inactive Cases (	Equals Line 1b minus Line 3 plus Line 14)	
16. Cases Appealed:		
a. After Trial		
b. Without Trial		

Court	
Month Year	TOTAL
1. Transportation Code Cases Filed	
2. Non-Driving Alcoholic Beverage Code Cases Filed	
3. Driving Under the Influence of Alcohol Cases Filed	
4. Drug Paraphernalia Cases Filed (HSC, Ch. 481)	
5. Tobacco Cases Filed (HSC, Sec. 161.252)	
6. Truancy Cases Filed (Fam. Code, Sec. 65.003(a))	
7. Education Code Cases Filed	
8. Violation of Local Daytime Curfew Ordinance Cases Filed (Local Govt. Code, Sec. 341.905)	
9. All Other Non-Traffic Fine-Only Cases Filed	
10. Transfer to Juvenile Court:	
a. Mandatory Transfer (Fam. Code, Sec. 51.08(b)(1))	
b. Discretionary Transfer (Fam. Code, Sec. 51.08(b)(2))	
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct) (CCP, Art. 45.050(c)(1))	
12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges) (CCP, Art. 45.050(c)(2))	
13. Juvenile Statement Magistrate Warning:  a. Warnings Administered	
b. Statements Certified (Fam. Code, Sec. 51.095)	
14. Detention Hearings Held (Fam. Code, Sec. 54.01)	
15. Orders for Non-Secure Custody Issued	
16. Parent Contributing to Nonattendance Cases Filed (Ed. Code, Sec. 25.093)	

## ADDITIONAL ACTIVITY

Court			NUMBER REQUESTS FOR
Month Year		NUMBER GIVEN	COUNSEL
Magistrate Warnings:     a. Class C Misdemeanors			
b. Class A and B Misdemeanors	+		
c. Felonies			TOTAL
2. Arrest Warrants Issued:			TOTAL
a. Class C Misdemeanors			
b. Class A and B Misdemeanors			
c. Felonies			
3. Capiases Pro Fine Issued			
4. Search Warrants Issued			
5. Warrants for Fire, Health and Code Inspectio			
6. Examining Trials Conducted			
7. Emergency Mental Health Hearings Held			
8. Magistrate's Orders for Emergency Protection	n Issued		
9. Magistrate's Orders for Ignition Interlock De	vice Issued (CCP, Art. 17.441	)	
10. All Other Magistrate's Orders Issued Requir	ing Conditions for Releas	se on Bond	
11. Driver's License Denial, Revocation or Suspe (TC, Sec. 521.300)	nsion Hearings Held		
12. Disposition of Stolen Property Hearings Held	(CCP, Ch. 47)		
13. Peace Bond Hearings Held			
14. Cases in Which Fine and Court Costs Satisfie	ed by Community Service	:	
a. Partial Satisfaction			
b. Full Satisfaction			
15. Cases in Which Fine and Court Costs Satisfie	ed by Jail Credit		
16. Cases in Which Fine and Court Costs Waived			
17. Amount of Fines and Court Costs Waived for			
18. Fines, Court Costs and Other Amounts Collection	cted:		
a. Kept by City			
b. Remitted to State			
c. Total			



# OFFICE OF COURT ADMINISTRATION

205 WEST 14<sup>TH</sup> STREET, SUITE 600 • (512) 463-1625 • FAX (512) 936-2423 P.O. BOX 12066 • AUSTIN, TEXAS 78711-2066 http://www.txcourts.gov

DAVID SLAYTON Administrative Director

# REPORT OF CHANGE/VACANCY IN MAYOR OR MUNICIPAL COURT JUDGE OR CLERK

Section 29.013(a) of the Government Code requires the secretary of a municipality to notify the Texas Judicial Council of the name of each person who is elected or appointed as mayor, municipal court judge, or clerk of a municipal court within 30 days after the date of the person's election or appointment. The secretary is also required to notify the Texas Judicial Council of the name the mayor, municipal court judge or clerk that vacates such an office.

NOTE: Judges include the presiding judge, associate judges, alternate judges, contracted judges or another other person who serves in a judicial capacity for the city.

Appointment or Election
Name:
Position:
City/Court:
Appointed or Elected?   Appointed   Elected Date Appointed or Elected:
Email:
Phone:
<u>Vacated position</u>
Name:
Position:
City/Court:
Date vacated:
Return by email to JudInfo@txcourts.gov, fax to (512) 463-1648, or mail to the attention of judicial information at the P.O. box listed above.

Editor's Note: This form can be found on the OCA website at https://www.txcourts.gov/judicial-directory/directory-updates/.

City State Zip Code Daytime Tel  If requesting on behalf of a business, organization, or other entity, please include the following  Name of business, organization, entity, etc.  Your Title or Affiliation with above  Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:    M M / D D / Y Y Y Y   Y	## Company of the Indian Process of the Indi
MAIL TO: Texas Department of Public Safety, Box 149008, Austin,  DO NOT MAIL CASH. Mail check or money order payable to: Texas Department of Public Safety  Any questions regarding the information the Contact Center at \$12-424-2600  Check Type of Record Desired  1. Name – DOB – License Status – Latest Address. 2. Name – DOB – License Status – 3 Year Record only lists Crashes/Moving Violations. 2. A. CERTIFIED version of #2. This Record is Not acceptable for a Defensive Driving Course (E. 3. Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to Licensee Only and is Acceptable for DDC. 3. Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to Licensee Only and is Acceptable for DDC. 3. Abstract Record – Certified abstract of completed driver record. 3. Other: (Original Application, DWLI, etc.)  Mail Driver Record To: (Please Print or Type)  Requestor's First Name  Requestor's First Name  Street Address  Texas Driver  If requesting on behalf of a business, organization, or other entity, please include the following Name of business, organization, entity, etc.  Your Title or Affiliation with above  Type of business, organization, etc. (Le., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:  Middle Name/Maiden Name  Individual's Written Consent For ONE TIME Release to Above Requestor (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I, hereby certify that I granted access on this company.	TX 78714-9008  In on this form should be directed to 0. Allow 2-3 weeks for delivery.    FEE
DO NOT MAIL CASH. Mail check or money order payable to: Texas Department of Public Safety  Check Type of Record Desired  1 Name – DOB – License Status – Latest Address. 2 Name – DOB – License Status – 3 Year Record only lists Crashes/Moving Violations. 3 Name – DOB – License Status – 3 Year Record only lists Crashes/Moving Violations. 3 Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to Licensee (I 3 Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to Licensee (I 3 Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to Licensee (I 3 Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to Licensee (I 3 Name – DOB – License Status – Record of Cathering of the Name – Name	## Company of the Indian Process of the Indi
check Type of Record Desired    1. Name - DOB - License Status - Latest Address.   2. Name - DOB - License Status - 3 Year Record only lists Crashes/Moving Violations.   2. A. CERTIFIED version of #2. This Record is Not acceptable for a Defensive Driving Course (E. 3. Name - DOB - License Status - Record of ALL Crashes/Violations. Furnished to Licensee   3. Name - DOB - License Status - Record of ALL Crashes/Violations. Furnished to Licensee   3. Name - DOB - License Status - Record of ALL Crashes/Violations. Furnished to Licensee   3. Name - DOB - License Status - Record of ALL Crashes/Violations. Furnished to Licensee   3. Name - DOB - License Status - Record of Certified abstract of completed driver record.   0. Other: (Original Application, DWLI, etc.)	### State
Check Type of Record Desired  1. Name – DOB – License Status – 1 Status – 1 Status – 2 Status – 2 Status – 2 Status – 3 Year Record only lists Crashes/Moving Violations.  2. Name – DOB – License Status – 3 Year Record only lists Crashes/Moving Violations.  3. Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to Licensee (Light of All Crashes/Violations).  3. Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to Licensee (Light of All Crashes/Violations). Furnished to Licensee Only and is Acceptable for DDC.  4. Abstract Record – Certified abstract of completed driver record.  Other: (Original Application, DWLI, etc.)  Mail Driver Record To: (Please Print or Type)  Requestor's Last Name  Requestor's First Name  Street Address  Texas Driver  If requesting on behalf of a business, organization, or other entity, please include the following on the Affiliation with above  Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:  Middle Name/Maiden Name  Individual's Written Consent For ONE TIME Release to Above Requestor (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I, hereby certify that I granted access on this company information.	\$ 4.00 \$ 6.00 DDC). \$ 10.00 e Only. \$ 7.00 \$ 10.00 \$ 20.00
1. Name – DOB – License Status – Latest Address.  2. Name – DOB – License Status – 3 Year Record only lists Crashes/Moving Violations.  2A. CERTIFIED version of #2. This Record is Not acceptable for a Defensive Driving Course (E 3. Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to License (L. 3. Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to License (L. 3. Abstract Record – Certified abstract of completed driver record.  Other: (Original Application, DWLI, etc.)  Mail Driver Record To: (Please Print or Type)  Requestor's Last Name  Street Address  Texas Driver License Number  Texas Driver License Number  Texas Driver License Number  Date of Birth  Middle NameMaiden Name  Individual's Written Consent For ONE TIME Release to Above Requestor  [Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I, hereby certify that I granted access on this contacts.	\$ 6.00 DDC). \$ 10.00 e Only. \$ 7.00 \$ 10.00 \$ 20.00
2A. CERTIFIED version of #2. This Record is Not acceptable for a Defensive Driving Course (C 3. Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to Licensee 3A. CERTIFIED version of #3. Furnished to Licensee Only and is Acceptable for DDC.  4. Abstract Record – Certified abstract of completed driver record.  Other: (Original Application, DWLI, etc.)  Mail Driver Record To: (Please Print or Type)  Requestor's Last Name Requestor's First Name  Street Address  Texas Driver  If requesting on behalf of a business, organization, or other entity, please include the following Name of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:  Mail Driver Record To: (Please Print or Type)  Requestor's First Name  Street Address  Texas Driver  Texas Driver License Number  Date of Birth  Date of Birth  Middle Name/Maiden Name  Individual's Written Consent For ONE TIME Release to Above Requestor  (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I, hereby certify that I granted access on this orm.	DDC). \$ 10.00  e Only. \$ 7.00  \$ 10.00  \$ 20.00
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3. Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to Licensee 3. 3. CERTIFIED version of #3. Furnished to Licensee Only and is Acceptable for DDC.  4. Abstract Record – Certified abstract of completed driver record.  Other: (Original Application, DWLI, etc.)  Mail Driver Record To: (Please Print or Type)  Requestor's Last Name  Requestor's First Name  Street Address  Texas Driver  If requesting on behalf of a business, organization, or other entity, please include the following organization and provided in the provided in the place of Birth  Name of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:  Texas Driver License Number  Date of Birth  Last Name  Individual's Written Consent For ONE TIME Release to Above Requestor  (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I,, hereby certify that I granted access on this continuation.	e Only. \$ 7.00 \$ 10.00 \$ 20.00
3A. CERTIFIED version of #3. Furnished to Licensee Only and is Acceptable for DDC.  4. Abstract Record — Certified abstract of completed driver record.  Other: (Original Application, DWLI, etc.)  Mail Driver Record To: (Please Print or Type)  Requestor's Last Name  Requestor's First Name  Street Address  Texas Driver  If requesting on behalf of a business, organization, or other entity, please include the following  Name of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:  Texas Driver License Number  Date of Birth  Last Name  Middle Name/Malden Name  Mid	\$ 10.00 \$ 20.00 \$
4. Abstract Record – Certified abstract of completed driver record.  Other: (Original Application, DWLI, etc.)  Mail Driver Record To: (Please Print or Type)  Requestor's Last Name  Requestor's First Name  Requestor's First Name  It revans Driver  If requesting on behalf of a business, organization, or other entity, please include the following  Name of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:    Mail Driver Record To: (Please Print or Type)    Requestor's First Name	\$00 (If Required)
Mail Driver Record To: (Please Print or Type)  Requestor's Last Name Requestor's First Name  Street Address Texas Driver  City State Zip Code Daytime Tei  If requesting on behalf of a business, organization, or other entity, please include the following  Name of business, organization, entity, etc.  Your Title or Affiliation with above  Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:    MIM   DID   YIYIY   Y	(If Required)  License Number    -
Requestor's Last Name  Street Address  Texas Driver  City  State  Zip Code  Daytime Tel  If requesting on behalf of a business, organization, or other entity, please include the following  Name of business, organization, entity, etc.  Your Title or Affiliation with above  Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:  Date of Birth  Last Name  First Name  Individual's Written Consent For ONE TIME Release to Above Requestor  (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I,, hereby certify that I granted access on this or	
Requestor's Last Name  Street Address  Texas Driver  City  State  Zip Code  Daytime Tel  If requesting on behalf of a business, organization, or other entity, please include the following  Name of business, organization, entity, etc.  Your Title or Affiliation with above  Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:  Date of Birth  Last Name  First Name  Individual's Written Consent For ONE TIME Release to Above Requestor  (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I,, hereby certify that I granted access on this or	_   -   _       -   _
Street Address  Texas Driver  If requesting on behalf of a business, organization, or other entity, please include the following  Name of business, organization, entity, etc.  Your Title or Affiliation with above  Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:    M M   D D   / Y Y Y Y Y   Y	_   -   _       -   _
City State Zip Code Daytime Tel  If requesting on behalf of a business, organization, or other entity, please include the following  Name of business, organization, entity, etc.  Your Title or Affiliation with above  Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:    M M / D D / Y Y Y Y	_   -   _       -   _
If requesting on behalf of a business, organization, or other entity, please include the following  Name of business, organization, entity, etc.  Your Title or Affiliation with above  Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:    M M   D   Y Y Y Y   Y	lephone Number (include area code)
Name of business, organization, entity, etc.  Your Title or Affiliation with above  Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:  Texas Driver License Number  Date of Birth  Last Name  Individual's Written Consent For ONE TIME Release to Above Requestor  (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I,, hereby certify that I granted access on this of	g:
Your Title or Affiliation with above  Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:    M M / D D / Y Y Y Y   Y     Texas Driver License Number	
Your Title or Affiliation with above  Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:    M M / D D / Y Y Y Y   Y     Texas Driver License Number	
Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.)  Information Requested On:    M M / D D / Y Y Y Y   Y	
Information Requested On:    M M   D D   Y Y Y Y   M   M   M   M   M   M   M	<del></del>
Information Requested On:    M M   D D   Y Y Y Y   M   M   M   M   M   M   M	
Texas Driver License Number  Date of Birth  Last Name  First Name  Middle Name/Maiden Name  Individual's Written Consent For ONE TIME Release to Above Requestor  (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I,	
Texas Driver License Number  Date of Birth  Last Name  First Name  Middle Name/Maiden Name  Individual's Written Consent For ONE TIME Release to Above Requestor  (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I,	
Last Name    First Name   Middle Name/Maiden Name   Individual's Written Consent For ONE TIME Release to Above Requestor	Suffix (SR., JR., etc.)
First Name  Middle Name/Maiden Name  Individual's Written Consent For ONE TIME Release to Above Requestor  (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I,	
Middle Name/Maiden Name Individual's Written Consent For ONE TIME Release to Above Requestor  (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I,	
Middle Name/Maiden Name Individual's Written Consent For ONE TIME Release to Above Requestor  (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I,	
Individual's Written Consent For ONE TIME Release to Above Requestor  (Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I,, hereby certify that I granted access on this content is the content of the properties of	
(Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that wit license/ID card holder, the record you receive will not include personal information.)  I,, hereby certify that I granted access on this content is a second content.	
license/ID card holder, the record you receive will not include personal information.)  I,, hereby certify that I granted access on this c	thout the written consent of the driver
	arout the written consent of the unver
record inclusive of the percent information (name address driver identification number, etc.) to	one occasion to my Driver License/ID Card
record, inclusive of the personal information (name, address, driver identification number, etc.) to	
Signature of License / ID Card Holder or Parent /Legal Guardian	Date
State and Federal Law Requires Requestors to Agree to the Following:	
In requesting and using this information, I acknowledge that this disclosure is subject to the federal Driver's Privariant Control of the International Control o	
et seq.) and Texas Transportation Code Chapter 730. False statements or representations to obtain personal if the DPS could result in the denial to release any driver record information to myself and the entity for which I	
if I receive personal information as a result of this request, it may only be used for the stated purpose and I n pursuant to Texas Transportation Code §730.013. Violations of that section may result in a criminal charge with	
I certify that I have read and agree with the above conditions and that the information provided by me in this ing this driver record on behalf of an entity, I also certify that I am authorized by that entity to make this requ failure to abide by the provisions of this agreement and any state and federal privacy law can subject me to be	made the request. Further, I understand that may only resell or redisclose the information
Signature of Requestor	made the request. Further, I understand that may only resell or redisclose the information the the possibility of a \$25,000 fine.  request is true and correct. If I am requestiest on their behalf. I also acknowledge that

If you are not requesting a copy of your own record or do not have the written consent of DL/ID holder, you must provide the information requested on the reverse.

Editor's Note: To request a driver record online, go to http://www.dps.texas.gov/DriverLicense/driverrecords.htm. To download the Application for Driver Record form, go to http://www.dps.texas.gov/internetforms/Forms/DR-1.pdf.

# Texas Department of Public Safety

# Save Time – Request Your Driver Record Online www.texas.gov

#### Important Instructions - Read Carefully

The Texas Department of Public Safety may disclose personal information to a requestor without written consent of the DL/ID holder, on proof of their identity and a certification by the requestor that the use of the personal information is authorized under state and federal law and that the information will be used only for the purpose stated and in complete compliance with state and federal law.

You must meet one or more of the following exceptions if you do not have written consent of the DL/ID holder to be entitled to receive personal information on the above named individual. Please <u>initial</u> each category that applies to the requested driver record.

1. For use in connection with any matter of (a) motor vehicle or motor vehicle operator safety; (b) motor vehicle theft; (c) motor vehicle emissions; (d) motor vehicle product alterations, recalls, or advisories; (e) performance monitoring of motor vehicles

1. For use in connection with any matter of (a) motor vehicle or motor vehicle operator safety; (b) motor vehicle theft; (c) motor vehicle emissions; (d) motor vehicle product alterations, recalls, or advisories; (e) performance monitoring of motor vehicles or motor vehicle dealers by a motor vehicle manufacturer; or (f) removal of nonowner records from the original owner records of a motor vehicle manufacturer to carry out the purposes of the Automobile Information Disclosure Act, the Anti Car Theft Act of 1992, the Clean Air Act, and any other statute or regulation enacted or adopted under or in relation to a law included in the above. 2. (Valid for Certified Abstract) For use by a government agency in carrying out its functions or a private entity acting on behalf of a government agency in carrying out its functions. 3. For use in connection with a matter of (a) motor vehicle or motor vehicle operator safety; (b) motor vehicle theft; (c) motor vehicle product alterations, recalls, or advisories; (d) performance monitoring of motor vehicles, motor vehicle parts, or motor vehicle dealers; (e) motor vehicle market research activities, including survey research; or (f) removal of nonowner records from the original owner records of motor vehicle manufacturers. 4. For use in the normal course of business by a legitimate business or an authorized agent of the business, but only to verify the accuracy of personal information submitted by the individual to the business or the authorized agent of the business and to obtain correct information if the submitted information is incorrect to prevent fraud by pursuing a legal remedy against, or recovering on a debt or security interest against the individual. \_ 5. (Valid for Certified Abstract) For use in conjunction with a civil, criminal, administrative, or arbitral proceeding in any court or government agency or before any self regulatory body, including service of process, investigation in anticipation of litigation, execution or enforcement of a judgement or order, or under an order of any court. 6. For use in research or in producing statistical reports, but only if the personal information is not published, redisclosed, or used to contact any individual. \_ 7. For use by an insurer or insurance support organization, or by a self insured entity, or an authorized agent of the entity, in connection with claims investigation activities, antifraud activities, rating or underwriting. 8. For use in providing notice to an owner of a towed or impounded vehicle. 9. For use by a licensed private investigator agency or licensed security service for a purpose permitted as stated on this page. 10. (Valid for Certified Abstract) For use by an employer or an authorized agent or insurer of the employer to obtain or verify information relating to a holder of a commercial driver license that is required under 49 U.S.C. Chapter 313. 11. For use in connection with the operating of a private toll transportation facility. \_12. For use by a consumer-reporting agency as defined by the Fair Credit Reporting Act (15 U.S.C. §1681 et seq.) for a purpose permitted under the Act. \_13. For any other purpose specifically authorized by law that relates to the operation of a motor vehicle or to public safety.

Below is an example of how numbers and letters should be written on front of this form:

release of personal information may require additional information.

Please state specific statutory authority

\* 0 1 2 0 0 4 \*

1 2 3 4 5 6 7 8 9 0

14. For use in the preventing, detecting, or protecting against identity theft or other acts of fraud. The Department prior to

# NOTICE OF CONVICTION AND SUSPENSION / DISQUALIFICATION

NAME (PRI	NT OR TYPE)							
,	NT OR TYPE)	(LAST)	(FIRST)		(MIDDLE)		(SSN)	
ID NO. OR			BIRTHDA					
ADDRESS_			CITY	<u> </u>		, TEXA	S	
		(Type and/or desc						
DATE OFFE	ENSE COMMITTED_		DISP	OSITION/CON	IVICTION DATE			
	COMMITTED RCIAL VEHICLE	YESN	OUNKNOWN	TRANSPO HAZARDOI		YES	NOUNKNO	WN
EMPLOYER		NOTE: COURT M	NVICTED OF VIOLATING  MUST PROVIDE SUSPEN  Epartment of Public Safet	NSION OR DIS	QUALIFICATION		424-2031	
				<u> </u>	· · · · · ·			
BEGINNING	G DATE			ENDING DATE		CERTIFIED	BY SIGNATURE	
			_TITLEF	PHONE #	COURT	COUNTY		
				AUSE/DOCKET	Г#			
MAIL TO:	ENFORCEMENT A	ENT OF PUBLIC SAF AND COMPLIANCE SE STIN TX 78773-0320		ILTO: Conv	victionReporting@	)dps.texas.gov	DL-115 (Rev. 1	1/12)

# NOTICE OF CONVICTIONS CONVICTION • BOND FORFEITURE • MENTALLY INCAPACITATED • EDUCATION PROGRAM

NAME (PR	INT or TYPE)	(LAST)	(FIRST)	(MIDDLE)	* 0	(SSN)		
DRIVER LIC	DENSE NO., ID NO.	(Indicate State if othe	than Texas)	_ BIRTHDATE	RACE		_ SEX	
ADDRESS.		•	Line CONTROLS CONTROLOGICA PO	. CITY		ΓEXAS	(Zip Code)	
		MISDEM	EANOR F	ELONY BOND FORF	EITURE	8	(Zip Code)	
OFFENSE .		(Type and/or descripti	on of offense)					
OFFENSE [	DATE	CONVICTION DAT	Ε	PENALTY	Ignition I	nterlock Re	quired	
OFFENSE COMMITTED IN COMMERCIAL VEHICLE		YESNO	UNKNOWN	TRANSPORTING HAZARDOUS MATERIA	ALYES	NO	UNKNOWN	
		DRIVER LICE	NSE OR OPERA	TING PRIVILEGE SUSPEN	IDED			
	BEGIN	NING DATE	<u>.</u>	ENDING DATE				
				spension dates for all alcohorcement and Compliance S			,	
			DRUG EDUCAT	TION PROGRAM			_	
		Drug Education Pro	gram Successfully	CompletedDate	3			
			DWI EDUCATION	ON PROGRAMS				
DWI Probati Education p	ion Granted rogram required	Date	_	DWI Education Program for repeat offenders, required	:		Date	
	tion Program y completed	Pol	_	DWI Education Program for repeat offenders, successfully compl				
DWI Educat Waived	tion Program	Date		DWI Education Program for repeat offenders, waived		L	Date	
vvaiveu		Date	_	-	Г	Date		
		GRANTE	DWI EDUCATION	ON PROGRAM EXTENSIO	N			
		Date extended fr	om	to				
CERTIFIED	BY SIGNATURE _		,T	ITLE	PHONE #			
COURT				COUNTY				
CAUSE/DC	OCKET#							
MAIL TO:	<b>ENFORCEMENT A</b>	ENT OF PUBLIC SAFETY ND COMPLIANCE SERV		IAIL TO: ConvictionReporting	g@dps.texas.gov	DI «	117 (Rev. 11/12)	



# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N. LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001 PHONE: 512/424-2031 – FAX: 512/424-5809 www.txdps.state.tx.us

# **DPS CORRECTION FORM**

11/2/2011 2:54 PM

Please fill out the form in its entirety as necessary, insufficient information will result in rejection.

Court Information			
Court Name:	Phone: ( )	-	Fax: ( ) -
Defendant Information			
Defendant Name:		Da	te of Birth: / /
Driver's License Number:	State:	Social Secur	ity#:
Incorrect Conviction Information			
Cause/Docket/Ticket Number:			
Offense/Violation Description:			
Offense Date: / /	Conviction Da	ate: / /	
Reason for Correction			
Dismissed/Deferred:			
Other: Reason:			
Driver Safety Course: Driving	, Safety Course Con	npletion Date:	1 1
Teen Court Program:	Teen Court Con	npletion Date:	I - I
Wrong Violation/Person: Please fill out the (	Correct Defendant	and/or Convic	tion Information below
Correct Defendant Information	1		
		Б	te of Birth: / /
Defendant Name:	1	I Da	te of Birth: / /
Driver's License Number:	State:	Social Secur	ty #:
Correct Conviction Information			
Cause/Docket/Ticket Number:			
Offense/Violation Description:			
Offense Date: / /	Conviction Da	ate: / /	

A correction to the driver's history can only be fulfilled upon request from the court and therefore the validity of the driver and violation information must be ensured.

EQUAL OPPORTUNITY EMPLOYER
COURTESY • SERVICE • PROTECTION

**Editor's Note:** DPS no longer provides the carbon copy six-part form. Courts can modify this form, but it should be designed in accordance with the format shown.

#### NONRESIDENT VIOLATOR COMPACT (Page 1 of 6)

CITATION NO.	VIOLATION DATE			LO	OCATION OF VIOLATION		SECTION VIOLATED	
DESCRIPTION OF VIOLATION					APPEARANCE DATE FINE AND COSTS			
DRIVER'S LICEN	SE NO.	STATE	DATE	OF BIRTH		NAME OF COURT		
NAME LAST FIRST MIDDLE SEX MAILING ADDRESS								
STREET ADDRESS						CITY STATE	Z	IP CODE
CITY	STATE		ZIP	CODE		TELEPHONE NUMBER		CASE NUMBER
PLATE NUMBER	STATE	YEAR	MAKE	E MODEL		AUTHORIZED BY		DATE

#### **DEFENDANT'S NOTICE**

You have failed to respond to the citation described in this notice by appearing in court, entering a plea and/or paying the fine within the prescribed time limit. Failure to appear or remit the fine to the court within 15 days from the date shown in the lower right corner of this notice will result in notifying the licensing authority in your state to suspend your driver's license until you respond or the fine has been paid.



MAIL TO: Texas Department of Public Safety Enforcement and Compliance Service P.O. BOX 4087

AUSTIN, TEXAS 78773-0320

#### **NOTICE OF SUSPENSION**

(Failure to Respond to Citation, Appear in Court, or Pay Fine)

The defendant has failed to respond to a citation or pay a fine for the violation described herein within the prescribed time limit. Initiate action to suspend the defendant's driver's license in accordance with the provisions of the Nonresident Violator Compact.

CITATION NO.	VIOLATION DATE			L	OCATION OF VIOLATION	SI	ECTION VIOLATED	
DESCRIPTION OF VIOLATION							ı	FINE AND COSTS
DRIVER'S LICENS	SE NO.	STATE	DATE	OF BIRTH				
NAME LAST	FIRST	MIC	DLE	SEX				
STREET ADDRESS								
CITY	STATE		ZIP	CODE				
Regis. (TAG) No.	STATE	YEAR	MAKE	E MODEL		AUTHORIZED BY		DATE

**HOME JURISDICTION COPY** 



MAIL TO:

Texas Department of Public Safety Enforcement and Compliance Service P.O. BOX 4087 AUSTIN, TEXAS 78773-0320

#### **NOTICE OF SUSPENSION**

(Failure to Respond to Citation, Appear in Court, or Pay Fine)

The defendant has failed to respond to a citation or pay a fine for the violation described herein within the prescribed time limit. Initiate action to suspend the defendant's driver's license in accordance with the provisions of the Nonresident Violator Compact.

CITATION NO.		VIOLATIO	n date		L	OCATION OF VIOLATION	SECTION VIOLATED
DESCRIPTION OF	VIOLATIO	N				APPEARANCE DATE	FINE AND COSTS
DRIVER'S LICENS	SE NO.	STATE	DATE	OF BIRTH			
NAME LAST	FIRST	MID	DLE	SEX			
STREET ADDRES	S						
CITY	STATE		ZIP	CODE			
REGIS. (TAG) NO.	STATE	YEAR	MAKE	E MODEL		AUTHORIZED BY	DATE

**ISSUING JURISDICTION COPY** 



# IMPORTANT

SEND THIS RECEIPT TO YOUR DRIVER LICENSING AUTHORITY TO CLEAR YOUR SUSPENSION.

#### **RECEIPT FOR PAYMENT OF FINE COSTS**

	ceipt is hereby d costs for the					\$_			covering the fine
Au	thorized Signat	ure							
Da	te								
	CITATION NO.	V	IOLATIO	N DATE	<u> </u>	L	OCATION OF VIOLATION	;	SECTION VIOLATED
	DESCRIPTION OF	VIOLATION	l				APPEARANCE DATE		FINE AND COSTS
	DRIVER'S LICENS	SE NO.	STATE	DATE	OF BIRTH				
	NAME LAST	FIRST	MIE	DLE	SEX				
	STREET ADDRES	S							
	CITY	STATE		ZIP (	CODE				
	REGIS. (TAG) NO.	STATE	YEAR	MAKE	MODEL		AUTHORIZED BY		DATE

#### **DEFENDANT RECEIPT**

# STATE OF **TEXAS**

Nonresident Violator Compact MAIL TO:

Texas Department of Public Safety **Enforcement and Compliance Service** P.O. BOX 4087 AUSTIN, TEXAS 78773-0320

#### **NOTICE OF WITHDRAWAL OF SUSPENSION**

а								has been made in the or the violation described
Α	uthorized Signa	iture						
	CITATION NO.	`	VIOLATIO	n date		L	OCATION OF VIOLATION	SECTION VIOLATED
	DESCRIPTION OF	VIOLATIO	N				APPEARANCE DATE	FINE AND COSTS
	DRIVER'S LICENS	E NO.	STATE	DATE	OF BIRTH			
	NAME LAST	FIRST	MIC	DLE	SEX			
	STREET ADDRESS	S						
	CITY	STATE		ZIP	CODE			
	PLATE NUMBER	STATE	YEAR	MAKE	MODEL		AUTHORIZED BY	DATE

HOME JURISDICTION WITHDRAWAL NOTICE



## **COURT RECORD**

	payment has boosts for the viola							covering the fine and
Α	uthorized Signa	ture	· · · · · · · · · · · · · · · · · · ·					
D	ate							
	CITATION NO.		VIOLATIO	N DATE	<u> </u>	L	OCATION OF VIOLATION	SECTION VIOLATED
	DESCRIPTION OF	VIOLATIC	N N				APPEARANCE DATE	FINE AND COSTS
	DRIVER'S LICENSE	E NO.	STATE	DATE	OF BIRTH			
	NAME LAST	FIRST	MIE	DLE	SEX			
	STREET ADDRESS	3						
	CITY	STATE		ZIP	CODE			
	PLATE NUMBER	STATE	YEAR	MAKE	MODEL		AUTHORIZED BY	DATE

#### **COURT COPY**

Alabama	Illinois	Nebraska	Pennsylvania
Arizona	Indiana	Nevada	Rhode Island
Arkansas	Iowa	New Hampshire	South Carolina
Colorado	Kansas	New Jersey	South Dakota
Connecticut	Kentucky	New Mexico	Tennessee
Delaware	Louisiana	New York	Texas
District of Columbia	Maine	North Carolina	Utah
Florida	Maryland	North Dakota	Vermont
Georgia	Massachusetts	Ohio	Virginia
Hawaii	Minnesota	Oklahoma	Washington
Idaho	Mississippi		West Virginia
	Missouri		Wyoming







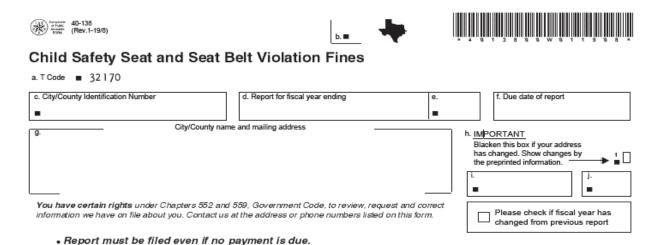
# State Criminal Costs and Fees

• CITY QUARTERLY REPORT - This report must be filed by the due date even if no payment is due.

An amount or a zero (0) MUST be entered on all lines for Columns 1 and 3.

	An amount of a zero (0) MOST	be entered on all lines	S TOT COTUTITIS T AND 3.
c. City identification number	f. Report for quarter ending		. Due date of report
	QUARTER ENDING		
d. City nar	me and mailing address		IMPORTANT Blacken this box if your address has changed. Show changes by the preprinted information.   j.  j.
See back for instructions.	Column 1 TOTAL COLLECTED	Column 2 SERVICE FE	Column 3  AMOUNT DUE STATE
SECTION I: Reports for offenses committed	(State court costs only) Dollars and cents	(See instruction	(Col. 1 minus Col. 2)
1. 01-01-20 forward	<u></u>		<u> </u>
2. 01-01-04 12-31-19	<b>=</b>		
3. 09-01-91 12-31-03	<b>=</b>		
4. State Traffic Fine (STF2) Sept. 1, 2019 forw	vard ■	<u>(4%)</u>	
5. State Traffic Fee (STF) prior to Sept. 1, 201	9	(5%)	
Report REPEALED COST (prior to Jan. 1, 20	020)		
6. Prior Mandatory Costs (JRF, IDF & JS)			
7. Moving Violation Fees (MVF)			
8. Truancy Prevention and Diversion Fund (TF	PD)		
9. Failure to Appear/Pay (FTA) (Report 2/3's o	f fee)		
10. Time Payment Fees (TP) (Report 50% of fe	ees)		
SECTION II: As applicable			44 =
<ul><li>11. Peace Officer Fees (Report 20% of fees from</li><li>12. Motor Carrier Weight Violations (MCW) (Re</li></ul>			
13. Driving Records Fee (DRF) (Report 100% of	, and the second		
14. TOTAL DUE FOR THIS PERIOD (Total of	items 1 through 13 in Column 3.)		14.
*** DO NOT DETAC	H***	ij	
15. TOTAL AMOUNT DUE AND PAYABLE (S	Same as Item 14)		15. <b>\$</b>
City name		k.	I.
■ T Code ■ City identification no.	Period For assista	ance call 1-800-531-5441, e	ext. 3-4276 or 512-463-4276.
	I, (type or print name) that the information at		ords of the treasury of the city named.
Make the amount in Item 15 payable State Comptroller	liele,		I Date
Mail to: Comptroller of Public Accour P.O. Box 149361 Austin, TX 78714-9361	Title  Phone number (Area code and number)	1	Date
Ausuii, 1A 707 14-5301	(Area code and number	/	

40-144 (Rev.1-20/10) 4 4 4



Transportation Code, Sections 545.412 (h) and 545.413 (b) and (j)

Notwithstanding Section 542.402(a), a municipality or county, at the end of the municipality or county's fiscal year, shall send to the Comptroller an amount equal to 50 percent of the fines collected by the municipality or the county for violations of sections 545.412 and 545.413 (b).

Municipal and county officials should use this form to submit payment of 50 percent of the fines collected on these violations during their fiscal year. This report is due 30 days after the end of the city or county's fiscal year.

1. Total amount of fines collected		1. <b>=</b> \$	X .50
2. Total amount of fines due the state (Multiply amount	in Item 1 by .50)	2	2000
40-138 *** <b>DO NOT DETACH</b> *** (Rev.1-19/8)			
3. TOTAL AMOUNT OF PAYMENT (Same as Item 2)		3.■\$	
City/County name	k.		I.
T Code ■ Identification no. ■ Period			
32060	I, (type or print name) that the information above is true as sho	wn in the records of the	certify city or county named.
Complete this report and make the amount in Item 3 payable to:	sign here		
Mail to: Comptroller of Public Accounts P.O. Box 149381 Austin, TX 78714-9381	Title  Daytime phone (Area code and number)	Date	
For assistance call 1-800-531-5441, ext. 3-4276, or 512-483-4278	444		







a. T Code **32120** 

# **Excess Highway Fines**

c. City/county identification number	d. Re	eport for quarter ending	€.	If any information		
f. City/county r	ame and maili	ing address		the incorrect info write in the corre	rmat	ion and
				g. ■		h. •

percent of the city's/county's revenue le	county's highway fines and fines under CC ess federal funds and bond proceeds. This repayment becomes due. Further instructions	report should be filed in
City/county fiscal year begins (Month, year)	ends (Month, year	r)
Total revenue less federal funds and bond proceeds fro     by Local Government Code, Chapter 103 - cities or Cha	m previous fiscal year (Taken from audit required apter 115 - counties)	1.
2. Multiply amount in Item 1 by .30 (30%)		2. ■
Enter the total amount of highway fines and fines under (See definitions and instructions for Item 3.)	CCP 45.051(a) collected this fiscal year.	3.
4. Enter amount exceeded (Item 3 minus Item 2)		4.
Multiply the total <i>number</i> of convictions by \$1.00 for all I collected after the 30% cap is reached.	highway fines and fines under CCP 45.051(a)	5.
6. Excess highway fines and fines under CCP 45.051(a) d	ue the state (Item 4 minus Item 5)	6.
Deduct the amounts on Items 5 and 8 from prior reports is the first report filed this year.	submitted this fiscal year. Enter zero if this	7.
8. Excess highway fines and fines under CCP 45.051(a) d	ue for quarter (Item 6 minus Item 7)	8
***/	DO NOT DETACH * * *	
9. TOTAL AMOUNT DUE AND PAYABLE (Sá	ame as Item 8)	9. <b>=</b>
City/county name		
■ T Code ■ City/county identification no. ■ Períod	For assistance, call 800-531-5441, ex	t. 34276, or 512-463-4276.
	I, (type or print name)	certify ds of the treasury of the city/county named.
Complete this report and make the amount in Item 9 payable to STATE COMPTROLLER.	sign here	
Our mailing address is P.O. Box 149361 Austin, TX 78714-9361	Title Phone number (Area code and number)	Date
	h h h	

Form 40-128 (Rev.8-19/15) 4 4 4

graphic 40-146 what what money (Rev.1-19/5)	b. <b>•</b>			9 W 9 1	
hotographic Enforcement Systems Designated Trauma Facility and EMS Account	,				
T Code ■ 32240					
City/County Identification Number d. Report for fiscal		MUST be filed e		payment is e of report	s due.
City/County name and mailing address		l h. IMPO	RTANT		
		Black	en this box	if your addre	
				formation.	
		[i.			j.
der Ch. 559, Government Code, you are entitled to review, request and correct	- t information we have on file about v	ou. with			
ited exceptions in accordance with Ch. 552, Government Code. To request rrection, contact us at the address or phone number listed on this form.				heck if fisca from previo	al year has ous report
ransportation Code, Section 707.008					
ot later than the 60th day after the end of the local au	uthority's fiscal year, after	deducting a	mounts	the local	l authority is
thorized by Subsection (b) to retain, the local authority	shall:				
) send 50 percent of the revenue derived from civil or under this section to the Comptroller for deposit to the					
) deposit the remainder of the revenue in a special ac					
traffic safety programs.					
4. Total amount of civil and administrative repulling			\$		
Total amount of civil and administrative penalties			1.		
Less allowable expenses (Trans. Code Sec. 707.088     a) costs of purchasing or leasing equipment					
b) installation of equipment and network					
c) operating enforcement system (including administ					
d) system maintenance and upkeep			s		
Total allowable expenses (Total of amounts in Items 2a, 2l					•
3. Net revenue from photographic traffic enforcement s	systems (Item 1 minus Item 2)		3. ■ —		<u> </u>
				X	.50
4. TOTAL AMOUNT DUE THE STATE (Multiply amount in	n Item 3 by 50 %)		4. \$		
10-146 *** DO NOT DETACH ***					
10-146 *** DO NOT DETACH *** Rev.1-19/5)					
E TOTAL AMOUNT OF DAYMENT (Company)			_ \$		
5. TOTAL AMOUNT OF PAYMENT (Same as Item 4)			5.		
Sity/County name					
nty/County name	1.1	k.		l.	
T Code ■ Identification no. ■ Period					certify that the
	I, (type or print name)	ract as shown in the	n records o		NA CHILDE OF THE
	information above is true and corr city or county named.	rect as shown in the	records o	To reportin	
2070  Complete this report and make the amount in Item 5 payable to:	information above is true and corr	rect as shown in the	e records o	The reporting	
2070  Complete this report and make the amount in Item 5 payable to:  STATE COMPTROLLER	information above is true and corr city or county named.  Authorized agent	rect as shown in the	Date	по гороли	
2070  Complete this report and make the amount in Item 5 payable to:	information above is true and corr city or county named. sign here	rect as shown in the			

In 2019, the Texas Legislature banned red-light cameras (H.B. 1631, 86th Legislative Session (2019)). But the Legislature carved out one exception. If, prior to May 7, 2019, a local authority enacted an ordinance to operate red light cameras and entered into a contract to administer the system, the city may continue to operate the cameras under the old law until the contract's deadline as long as that deadline was part of the contract prior to May 7, 2019. However, if the contract authorizes its own termination due to adverse legislation, it must be terminated.

#### OFFICE OF THE CHIEF DISCIPLINARY COUNSEL STATE BAR OF TEXAS GRIEVANCE FORM

ONLINE FILING AVAILABLE AT <a href="http://cdc.texasbar.com">http://cdc.texasbar.com</a>.

#### I. GENERAL INFORMATION

Before you fill out this paperwork, there may be a faster way to resolve the issue you are currently having with an attorney.

If you are considering filing a grievance against a Texas attorney for any of the following reasons:

- You are concerned about the progress of your case.
- Communication with your attorney is difficult.
- Your case is over or you have fired your attorney and you need documents from your file or your former attorney.

You may want to consider contacting the Client-Attorney Assistance Program (CAAP) at 1-800-932-1900.

CAAP was established by the State Bar of Texas to help people resolve these kinds of issues with attorneys quickly, without the filing of a formal grievance.

CAAP can resolve many problems without a grievance being filed by providing information, by suggesting various self-help options for dealing with the situation, or by contacting the attorney either by telephone or letter.

I have	I have no	t	_ contacted	the Cl	lient-Attorney	Assistance l	Program.
					-		

If you prefer, you have the option to file your grievance online at <a href="http://cdc.texasbar.com">http://cdc.texasbar.com</a>.

In order for us to comply with our deadlines, additional information/documentation that you would like to include as part of your grievance submission must be received in this office by mail or fax within (10) days after submission of your grievance. Please limit your additional information to 25 pages. Information, including audio, video or image files, submitted on a USB thumb drive or flash drive must not exceed 25MB. Information received after the 10 day deadline will be returned and not considered, as well as information submitted on CDs, DVDs, cassette tapes or other unsupported media. Thank you for your cooperation in this matter.

NOTE: Please be sure to fill out each section completely. Do not leave any section blank. If you do not know the answer to any question, write "I don't know."

INFORMATION ABOUT	Mr.	CURRENT
TDCJ/SID#_	☐ Ms.	Name:
Immigration #		_
Address:		
City:	State:	Zip Code:
Employer:		
Employer's Address:_		
Telephone numbers: I		Work:
Email:		
		Date of Birth
Drivers License # Name, address, and tel Office of Chief Discip not waived and this in Disciplinary Counsel	lephone number of per linary Counsel needs t ndividual does not ha in order to obtain in	Date of Birth son who can always reach you in the event that o locate you. *Please note that confidentiality to the authority to contact the Office of Chapter of the contact the contact the Office of Chapter of the contact the contact the Chapter of the contact the cont
Drivers License # Name, address, and tel Office of Chief Discip not waived and this in Disciplinary Counsel	lephone number of per linary Counsel needs t ndividual does not ha in order to obtain in	Date of Birth son who can always reach you in the event that o locate you. *Please note that confidentiality to the authority to contact the Office of Ch
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Drivers License #  Name, address, and tel Office of Chief Discip not waived and this is Disciplinary Counsel  Name  Do you understand and If no, what is your pris Who helped you prepa	dephone number of per linary Counsel needs to ndividual does not hat in order to obtain into Telep d write in the English I mary language?	Date of Birth son who can always reach you in the event that o locate you. *Please note that confidentiality to the authority to contact the Office of Cheformation about this grievance.  Address shone anguage?
Drivers License #  Name, address, and tel Office of Chief Discip not waived and this is Disciplinary Counsel  Name  Do you understand and If no, what is your pring Who helped you prepa Will they be available  Are you a Judge?	dephone number of per- linary Counsel needs to ndividual does not hat in order to obtain into  Telep d write in the English I mary language?  tre this form?  to translate future corr	Date of Birth son who can always reach you in the event that o locate you. *Please note that confidentiality to the authority to contact the Office of Cheformation about this grievance.  Address shone anguage?
Drivers License #  Name, address, and tel Office of Chief Discip not waived and this is Disciplinary Counsel  Name  Do you understand and If no, what is your pring Who helped you prepa Will they be available  Are you a Judge?	dephone number of per- linary Counsel needs to ndividual does not hat in order to obtain into  Telep d write in the English I mary language?  tre this form?  to translate future corr	Date of Birth son who can always reach you in the event that o locate you. *Please note that confidentiality to the authority to contact the Office of Characteristic formation about this grievance.  Address

#### III. INFORMATION ABOUT ATTORNEY

<u>Note</u>: Grievances are not accepted against law firms. You must specifically name the attorney against whom you are complaining. A separate grievance form must be completed for each attorney against whom you are complaining.

Attorney name:		Address:
City:	State:	Zip Code:
Have you or a member of y	our family filed a griev	other rance about this attorney previously? mate date and outcome
Have you or a member of you		n appeal with the Board of Disciplinary
Yes No If "yes,"  Please check one of the foll  This attorney		
This attorney If you hired the attorney, te		
		ed to do
What was your fee arranger	ment with the attorney?	

If you signed a contract and have a <u>copy</u> , please attach. If you have <u>copies</u> of checks and/or receipts, please attach. <u>Do not send originals</u> .
If you did not hire the attorney, what is your connection with the attorney? Explain briefly
Are you currently represented by an attorney?  If yes, please provide information about your current attorney:
Do you claim the attorney has an impairment, such as depression or a substance use disorder? If yes, please provide specifics (your <b>personal</b> observations of the attorney such as slurred speech, odor of alcohol, ingestion of alcohol or drugs in your presence etc., including the date you observed this, the time of day, and location).
Did the attorney ever make any statements or admissions to you or in your presence that would indicate that the attorney may be experiencing an impairment, such as depression or a substance use disorder? If so, please provide details.
Information About Your Grievance
Where did the activity you are complaining about occur?
County: City:
If your grievance is about a lawsuit, answer the following, if known:
a. Name of court

b.	Title of the suit
c.	Case number and date suit was filed
d.	If you are not a party to this suit, what is your connection with it? Explain briefly.

 Explain in detail why you think this attorney has done something improper or has failed to do something which should have been done. Attach additional sheets of paper if necessary.

If you have copies of court documents, please attach.

Supporting documents, such as copies of a retainer agreement, proof of payment, correspondence between you and your attorney, the case name and number if a specific case is involved, and copies of papers filed in connection with the case, may be useful to our investigation. Do not send originals, as they will not be returned. Additionally, please do not use staples, post-it notes, or binding. Please limit your supporting documentation to 25 pages. Information, including audio, video or image files, submitted on a USB thumb drive or flash drive must not exceed 25MB. Information received after the 10 day deadline will be returned and not considered, as well as information submitted on CDs, DVDs, cassette tapes or other unsupported media.

Include the names, addresses, and telephone number of all persons who know something about your grievance.

Please be advised that a copy of your grievance will be forwarded to the attorney named in your grievance. To protect your privacy and the privacy of others, please redact personal identifying information (i.e., social security number, date of birth) from any document you provide in support of your grievance and avoid submitting medical records or protected health information belonging to third-parties. Please be advised that in the event that you do provide records that contain your own personal identifying information or protected health information, you are authorizing us to share this information with the attorney named in your grievance. Be advised that documents that contain unredacted third party personal identifying information or that individual's protected health information will be returned and not considered. By executing the grievance below, you authorize the CDC to disclose your personal identifying information and protected health information as necessary to comply with the law, or as necessary to carry out the function and duties of the CDC.

#### STATE BAR OF TEXAS ATTORNEY GRIEVANCE FORM (Page 6 of 7)

0720	6
VIAV	•

v.	HOW DID YOU LEARN ABOUT THE STATE BAR OF TEXAS' ATTORNEY GRIEVANCE PROCESS?				
	_ Yellow Pages _ CAAP _ Internet _ Attorney _ Other _ Website				
VI.	ATTORNEY-CLIENT PRIVILEGE WAIVER				
	I hereby expressly waive any attorney-client privilege as to the attorney, the subject of this Grievance, and authorize such attorney to reveal any information in the professional relationship to the Office of Chief Disciplinary Counsel of the State Bar of Texas. I understand that it may be necessary to act promptly to preserve any legal rights I may have, and that commencement of a civil action may be required to preserve those rights.				
	Additionally, I understand that the Office of Chief Disciplinary Counsel may exercise its discretion and refer this Grievance to the Client-Attorney Assistance Program (CAAP) of the State Bar of Texas for assistance in resolving a subject matter of this Grievance. In that regard, I hereby acknowledge my understanding that such discretionary referral does not constitute the commencement of a civil action and that the State Bar of Texas will not commence any civil action on my part. I acknowledge that it is my responsibility to seek and obtain any necessary legal advice with respect to this matter. I also understand that any information I provide to the State Bar of Texas may be used to assist me and will remain confidential for purposes of resolving the issue(s) described above.				
	I understand that the Office of Chief Disciplinary Counsel maintains as confidential the processing of Grievances.				
	I hereby swear and affirm that I am the person named in Section II, Question 1 of this form (the Complainant) and that the information provided in this Grievance is true and correct to the best of my knowledge.				
	Signature: Date:				
	TO ENSURE PROMPT ATTENTION, THE GRIEVANCE SHOULD BE MAILED TO:				
	THE OFFICE OF CHIEF DISCIPLINARY COUNSEL P.O. Box 13287 Austin, TX 78711				

Fax: (512) 427-4169

Editor's Note: For instructions on completing this form or to download the form, go to <a href="https://www.texasbar.com/Content/NavigationMenu/ForThePublic/ProblemswithanAttorney/GrievanceEthicsInfo1/File">https://www.texasbar.com/Content/NavigationMenu/ForThePublic/ProblemswithanAttorney/GrievanceEthicsInfo1/File</a> a Grievance.htm# How.

0720

#### OFICINA DEL ASESOR JURÍDICO PARA ASUNTOS DISCIPLINARIOS COLEGIO DE ABOGADOS DEL ESTADO DE TEXAS FORMULARIO DE QUEJA FORMAL

PRESENTAR SU QUEJA EN LÍNEA ES DISPONIBLE EN HTTP://CDC.TEXASBAR.COM.

#### I. INFORMACIÓN GENERAL

Antes de llenar este formulario, permítanos informarle que existe otra manera más rápida de posiblemente resolver el problema con su abogado.

Si la razón por la cual está presentado una queja formal en contra de un abogado colegiado en Texas es una de las siguientes:

- Usted está preocupado por el progreso de su caso.
- La comunicación con su abogado es dificil.
- Su caso ha terminado o usted ha despedido a su abogado y que necesita documentos de su archivo o su ex abogado

comuníquese con el Programa de Ayuda para Clientes y Abogados (o CAAP por sus siglas en inglés) llamando al 1-800-932-1900.

El programa CAAP del Colegio de Abogados del Estado de Texas existe para ofrecerle al consumidor un proceso ágil para resolver estos problemas sin necesidad de una queja formal.

Este programa le puede ayudar a resolver varios tipos de problemas sin que tenga que presentar una queja formal, brindándole información o recomendaciones para que Vd. mismo pueda manejar la situación o contactando el abogado directamente por teléfono o correo.

Sí	No	me comuniqué	con el Programa	de Ayuda para	Clientes y A	bogados
(CAAP).						

Si lo prefiere, tiene la opción de presentar su queja en línea en http://cdc.texasbar.com.

Con el fin de que cumplamos con nuestros plazos, información/documentación adicional que le gustaría incluir como parte de su quejas, debe enviarse por correo o por fax a esta oficina dentro de (10) días después de la presentación de su queja. Esta información se añadirá a su queja pendiente. Por favor, limite su información adicional a 25 páginas. Información, incluso los archivos de audio, video o imagen, enviados en una memoria USB o unidad flash no debe exceder los 25 MB. La información recibida después de la fecha límite de 10 días se devolverá y no se considerará, así como la información presentada en CD, DVD, cintas de cassette u otros medios no compatibles. Gracias por su cooperación en este asunto.

<u>Tome en cuenta que</u>: se le ruega proporcionar toda la información solicitada en cada sección. Si no conoce la información solicitada, escriba «No sé» en el lugar indicado pero procure no dejar ningún renglón en blanco.

1	□ Sr.
1.	Nº de reo Sra. Nombre y apellido:
	Nº en inmigración
Do	omicilio:
Ci	udad: Estado: Código postal:
	Lugar de empleo:
	omicilio:
3.	Números de teléfono: casa trabajo: celular:
4.	Correo electrónico:
5.	Nº de licencia de conducir Fecha de nacimiento
6.	Nombre, dirección y número de teléfono de la persona que siempre puede comunicarse usted en caso de que la Oficina del Asesor Jurídico sobre Asuntos Disciplinarios en necesite localizarlo. * Por favor, tenga en cuenta que no se renuncia a la confidenciali y esta persona no tiene la autoridad para comunicarse con la Oficina del Asesor Jurío Para Asuntos Disciplinarios para obtener información sobre esta queja.  Nombre y apellido:
7.	¿Entiende y sabe escribir en inglés? Si no, ¿cuál idioma domina? Si alguien le ayudó a llenar este formulario, por favor indique quién ¿Tiene alguien que podrá traducirle la correspondencia que recibirá como parte de este proceso?
	Si no, ¿cuál idioma domina?  Si alguien le ayudó a llenar este formulario, por favor indique quién  ¿Tiene alguien que podrá traducirle la correspondencia que recibirá como parte de este

Tome en cuenta que: No se aceptan quejas contra bufetes o despachos de abogados. Deberá proporcionar el nombre y apellido del abogado contra quien desea presentar la queja. Si su queja es contra varios abogados, deberá llenar un formulario individual para cada uno. Nombre y apellido del abogado: Dirección: Ciudad: Estado: Código postal: Número de teléfono: trabajo \_\_\_\_\_ casa \_\_\_\_\_ otros números: 3. Alguna vez antes, ¿ha usted o alguien de su familia presentado una queja formal contra este mismo abogado? Sí \_\_\_ No \_\_\_ En caso afirmativo, por favor indique la fecha (aunque sea aproximada) y el resultado. Con respecto a este mismo abogado, en alguna ocasión, ¿ha usted o alguien de su familia presentado una apelación sobre las desestimación de su queja ante la Junta de Apelaciones de Asuntos Disciplinarios? Sí \_\_\_ No \_\_\_ En caso afirmativo, por favor indique la fecha (aunque sea aproximada) y el resultado. 4. Por favor indique la descripción que corresponde a su situación: Contraté al abogado para que me defendiera. Un juez me asignó o nombró el abogado. El abogado fue contratado para representar a otra persona. Si contrató al abogado, díganos cómo conoció al abogado. Específicamente, por favor proporcione detalles sobre cómo llegó a conocer y contratar a este abogado. Indique la fecha en que fue contratado o nombrado. ¿Por qué lo contrató o con qué motivo se le nombró? 5. ¿Cuál fue el contrato o acuerdo con respecto a los honorarios del abogado?

0720

	¿Cuánto le pagó al abogado?		
Igi <u>No</u>	firmó y tiene una copia del contrato firmado, por favor adjúntela a este formulario.  Jalmente, si tiene copias de los cheques o recibos de sus pagos, adjúntelas también.  Jenvíe los originales.  Si no contrató al abogado indique cómo está Vd. relacionado con el caso o con la contratación de		
	abogado. Proporcione una explicación breve		
7.	¿Tiene un abogado actualmente? En caso afirmativo, por favor proporcione el nombre y la dirección del abogado:		
8.	¿Alega Vd. que debido a que el abogado está deprimido o es toxicómano no cumple con sus responsabilidades? De ser así, por favor especifique los síntomas <b>que Vd. le notó o presenció</b> , tales como- arrastraba las palabras al hablar, aliento u olor a alcohol, el consumo de drogas o alcohol. También indique el lugar, la fecha y hora en que esto ocurrió.		
9.	En algún momento, ¿el abogado le dijo o reconoció que sufría de la depresión o del abuso o la dependencia de sustancias nocivas? De ser así, por favor proporcione detalles sobre estas conversaciones.		
Su	queja		
1.	¿Dónde sucedieron los hechos que dan lugar a esta queja formal?		
	¿En qué condado? ¿En cuál ciudad?		
2.	Si esta queja tiene que ver con una demanda, proporcione la siguiente información, si la tiene:		
07:	20 4		

IV.

a.	El juzgado que preside sobre la demanda:
b.	Nombre de la demanda:
c.	Número del caso y la fecha en que se entabló:
d.	Si no es una de las partes en la demanda, ¿qué relación tiene usted con el caso? Explique brevemente.

Si tiene <u>copias</u> de algún documento que forme parte de la demanda, por favor adjúntelas al formulario.

Detalle las razones por las cuales Vd. considera que el abogado ha actuado en forma incorrecta o
que no cumplió con alguna obligación que tenía. Si es necesario, use páginas adicionales para
completar la información.

Los documentos justificativos, como copias de un acuerdo de retención, comprobante de pago, correspondencia entre usted y su abogado, el nombre y número de caso, si un caso específico está involucrado, y copias de los documentos presentados en relación con el caso, puede ser útil para nuestra investigación. Por favor remita copias de toda carta o documentación que considere pertinente. No envíe originales, ya que no serán devueltos. Además, no utilice grapas, notas adhesivas ni encuadernaciones. Por favor, limite su documentación de respaldo a 25 páginas. La información, incluyendo los archivos de audio, video o imagen, enviados en una memoria USB o unidad flash no debe exceder los 25 MB. La información recibida después de la fecha límite de 10 días se devolverá y no se considerará, así como la información presentada en CD, DVD, cintas de cassette u otros medios no compatibles.

En cuanto a las personas que tienen conocimiento o información sobre este asunto, incluya sus nombres y apellidos, domicilios y números de teléfono.

Aviso: el abogado recibirá una copia de su queja. Para proteger su privacidad y la privacidad de los demás, elimine la información de identificación personal (es decir, número de seguro social, fecha de nacimiento) de cualquier documento que proporcione en apoyo de su queja y evite presentar registros médicos o información de salud protegida que pertenezca a terceros. Tenga en cuenta que en caso de que proporcione registros que contengan su propia información de identificación personal o información de salud protegida, nos autoriza a compartir esta información con el abogado nombrado en su queja. Tenga en cuenta que los documentos que contienen información de identificación personal de terceros no eliminados o que la información de salud protegida del individuo será devuelta y no considerada. Al ejecutar el reclamo a continuación, autoriza a CDC a revelar su información de identificación personal e información de salud protegida según sea necesario para cumplir con la ley, o según sea necesario para llevar a cabo la función y deberes de los CDC.

# STATE BAR OF TEXAS ATTORNEY GRIEVANCE FORM-SPANISH (Page 6 of 7)

0720		6

V.	¿Cómo se enteró del proceso de quejas formales del Colegio de Abogados del Estado de Texas?					
	Páginas Amarillas Internet Otro medio	CAAP Defensor del pueblo Abogado Sitio de Internet				
VI.	RENUNCIA DEL SECRETO PR	RENUNCIA DEL SECRETO PROFESIONAL DEL ABOGADO CON SU CLIENTE				
	El suscrito por este conducto renuncio expresamente a cualquier relación de confidencialidad entre un abogado y su cliente en relación con el abogado, objeto de esta Queja, y autorizo que dicho abogado revele cualquier información de la relación profesional a la Oficina del Asesor Jurídico sobre Asuntos Disciplinarios del Colegio de Abogados de Texas. Entiendo que puede ser necesario actuar de inmediato para conservar cualesquier derechos legales que yo pueda tener, y que podría ser necesario entablar una acción civil para conservar dichos derechos.					
	Asimismo, entiendo que la Oficina del Asesor Jurídico sobre Asuntos Disciplinarios puede ejercer su discrecionalidad y referir esta Queja al Programa de Ayuda Cliente-Abogado (CAAP por sus siglas en inglés) del Colegio de Abogados de Texas para obtener ayuda en la resolución del tema en cuestión de esta Queja. Al respecto, reconozco por este conducto que entiendo que dicha remisión discrecional no constituye el comienzo de una acción civil y que el Colegio de Abogados de Texas no comenzará ninguna acción civil por mi parte. Reconozco que es mi responsabilidad buscar y obtener cualquier asesoría legal necesaria con respecto a este asunto. También entiendo que cualquier información que yo proporcione al Colegio de Abogados de Texas puede ser usada para ayudarme y permanecerá confidencial para los fines de resolver el(los) tema(s) antes descrito(s).					
	Entiendo que la Oficina del Asesor Jurídico sobre Asuntos Disciplinarios mantiene como confidencial la tramitación de Quejas.					
	Por este conducto juro y declaro que soy la persona nombrada en la Sección II, Pregunta 1 de este formulario (el Quejoso) y que la información proporcionada en esta Queja es fiel y exacta en el mejor de mi conocimiento.					
	Firma:	Fecha:				
	PARA ASEGURARSE DE QUE ESTA QUEJA FORMAL SEA ATENDIDA EN FORMA OPORTUNA, ENVÍELA A LA SIGUIENTE DIRECCIÓN:					
	THE OFFIC	E OF CHIEF DISCIPLINARY COUNSEL P.O. Box 13287 Austin, TX 78711 Fax: (512) 427-4169				

0720

**Editor's Note:** For instructions on completing this form or to download the form, go to <a href="https://www.texasbar.com/Content/NavigationMenu/ForThePublic/ProblemswithanAttorney/GrievanceEthicsInfo1/File\_a\_Grievance.htm#How.">https://www.texasbar.com/Content/NavigationMenu/ForThePublic/ProblemswithanAttorney/GrievanceEthicsInfo1/File\_a\_Grievance.htm#How.</a>

### For SCJC use only. **State Commission on Judicial Conduct** PO Box 12265 Austin, TX 78711-2265 Tel. (512) 463-5533 · Toll Free: (877) 228-5750 **Complaint Form** • If you are filing a complaint about more than one judge, please use a separate form for each judge. • You may complete this form online before printing. • Send the completed form and any additional pages or related documents to SCJC. \* Indicates required fields. Please note that faxed complaints will NOT be accepted. \*Your name: \*Judge: \*Mailing Address: \*Court Number: \*City and County: \*City, State Zip: \*Date of Birth: Evening ( \_\_\_\_ ) \_\_\_\_ Your Phones: Day ( \_\_\_\_\_ ) \_\_\_\_\_ Cell/Other ( \_\_\_\_ ) \_\_\_\_ If your complaint involves a court case, please provide the following information: Status of your case: Pending Concluded On appeal Cause Number: Opposing Attorney: Your attorney: Address: Address: City/Zip: City/Zip: Phone Number(s): Phone Number(s): PLEASE FILL IN ALL INFORMATION AVAILABLE FOR ANY WITNESSES (attach additional pages as needed) Name: Name: Address: Address: Phone Number(s): Phone Number(s): What did this person witness? What did this person witness? If you are submitting documents, please provide copies, not originals. I understand that as part of the Commission's investigation the judge may be provided a copy of this complaint. Please note - the Commission will do its best to maintain your confidentiality, if you so request. However, it may not be possible for us to pursue our investigation without revealing your identity at some point. If it is necessary to reveal your identity directly to the judge, we will advise you before proceeding. \*I request that my identity be kept confidential. Yes

How did you hear about the State Commission on Judicial Conduct? (please select one)

☐ Another State agency ☐ News media ☐ Attorney

Revised 07/13/2009

\*Signature:

\*Date:

Friend Other:

#### STATE COMMISSION ON JUDICIAL CONDUCT COMPLAINT FORM (Page 2 of 2)

#### Details of Complaint

Please type or print the factual details of your complaint in the space provided below. **Please include the date(s) of the alleged misconduct.** If more space is needed, attach additional sheets. Please sign and date each additional sheet. Your complaint should be as specific as possible, PLEASE DO NOT CITE CASE LAW IN YOUR COMPLAINT.

*Date(s) of Alleged Misconduct of Judge:		
*Factual Details of your complaint against Judge:		
Printed Name:		
*Signature:		
	Revised 07/	

**Editor's Note:** The Commission does not accept complaints by telephone, fax, or email. To file a complaint, you may fill out an online complaint form or you may request a complaint form from the Commission directly. The online complaint form is located here: http://www.scjc.texas.gov/public-information/complaint-form/.

#### For SCJC use only. **State Commission on Judicial Conduct** PO Box 12265 Austin, TX 78711-2265 Tel. (512) 463-5533 · (877) 228-5750 Gratis FORMA DE QUEJA • Si su queja es sobre más de un juez, por favor utilize una forma separada para cada juez. • Usted puede llenar esta forma online antes de empresar. • Envie la forma completa - y páginas o documentos adicionales - directamente al SCJC. \* Indica campos necesarios. Favor de anotar: Quejas via fax no serán aceptadas \*Nombre: \*Juez: \*Número de Corte: \*Dirección: \*Ciudad y Condado: \*Ciudad, Estado, Código Postal: \*Fecha de Nacimiento: Teléfono: Día ( \_\_\_\_\_ ) \_\_\_\_\_ Mejor tiempo para llamar: \_\_\_\_\_\_ \\_\_\_ A.M. \\_P.M. Celular/Otro ( \_\_\_\_\_ ) \_\_\_\_ Si su queja implica un proceso judicial, favor de proporcionar la siguiente información Número de la Causa: Estado de la Causa: Pendiente Concluido En Apelación Abogado del lado opuesto: Su Abogado: Dirección: Dirección: Número de Teléfono: Ciudad, Código Postal: Número de Teléfono: Ciudad, Código Postal: FAVOR DE PROPORCIONAR TODA LA INFORMACIÓN DISPONIBLE PARA SUS TESTIGOS (Si es necesario, incluya páginas adicionales) Nombre: Nombre: Dirección: Dirección: Número de Teléfono: Número de Teléfono: ¿Que atestiguó esta persona? ¿Que atestiguó esta persona? Si está sometiendo documentos, por favor, proporcione copias y no originales.

Entiendo que como parte de la investigación de la Comisión, el juez puede ser proporcionado con una copia de ésta queja. Tenga por seguro que la Comisión hará todo lo posible por mantener en confianza su queja, si usted así lo desea. Pero pueda que no sea possible seguir nuestra investigación sin revelar su identidad. Si es necesario de revelar su identidad directamente al juez, le avisará antes de proceder.

\*Pido que mi identidad permanesca confidenciál. □ No \*Firma: \*Fecha: ¿Cómo se informó de la Comisión Estatal de Conducto Judicial? (Escoja uno) Indique Barra de Tejas Otra Agencia Estatal Por Medio de Noticias Abogado Amigo Otro:

Revisado 07/13/2009

#### DETALLES DE LA QUEJA

Por favor imprima o escribir a máquina los detalles de su queja en el espacio proporcionado. Favor de anotar la fecha o fechas de la mala conducta alegada. Si necesita más espacio, asocie las páginas adicionales. Por favor muestre y incluya la fecha en cada página adicional. Se pide que su queja sea lo más detallada y lo más posible completa.

*Fecha(s) de la mala conducta alegada del Juez:	
*Los detalles de su queja contra el Juez:	
*Imprima Nombre:	
*Firma:	*Fecha:
	Revisado 07/13/0

Revisado 07/13/2009

Editor's Note: For information on filing a complaint and to get the complaint form, go to http://www.scjc.texas.gov/complaintfaq/.

# PROSECUTOR FORMS

## PROSECUTOR FORMS

### **Table of Contents**

Prosecutor's Admonishment	317
Waiver of Right to be Prosecuted by Complaint	318
Sentence Recommendation in Exchange for Waiver	
of Appeal	319
Motion for Recusal/Disqualification of Judge	320
Motion for Continuance	321
Motion and Order to Dismiss	322
Writ of Procedendo: Joint Application	323
Writ of Procedendo: State Application	

#### PROSECUTOR'S ADMONISHMENT

CT A										-						
SIA	TE OF	ΓEXAS					§				IN T	тне м	UNICI	PAL	COURT	
	VS.		VS. § CITY OF_													
				§						_COU	NTY	, TEXAS				
			PR	ROSECUT	OR'S AL	) DMON	ISHMENT	г то т	HE D	EFEND <i>a</i>	NT					
	Be it	known	that,			_, the	Defendan	t, has	been	charged	by the	State	with	the	offense(s)	) of
in this (	On the	is thethe prosec	utor's c	_ day of conference,	and to info	, 20_ form the	the prodefendant	osecutor of his/h	comes	s to admores.	nish the d	lefendar	nt as to	the pr	osecutor's	role
	you. Th	e prosecut	or can				as. If your against you									
	You ar	e not requ	ired to	discuss you	ır case wit	h the pr	osecutor.									
AT TH	E PROS	SECUTOI	R'S CO	) NFEREN	CE:											
	2) Y 3) S 4) T	You can ex The prosect service, jain The prosect	xplain y utor ca l credit utor ca	your side of n explain va for time se n explain tr	the story i	if you w tencing	ty, not guild vish to do so options inc t plans; and the	); luding (	leferre	d disposit	on, drivi	ng safet	y cours		-	
SUMM	IARY O	F YOUR	RIGHT	ΓS:												
	2) II 3) Y 4) Y 5) Y 6) Y	f you choo You have t You have t You have t You have t	ose to sphe righthe righthe righthe righthe	t to end the t to hire an t to a trial b t to refuse a	ing you sa conference attorney to by jury or by a plea barg	te at any or represely the justing if or	ent you and	l provid d to you	e you v	vith legal	advice;					
						ACI	KNOWLE	DGME	NT							
rights.	I have al	so been to	ld of th		the prosec	utor's c	defendant, 1 conference. utor.									ily
	Signed	this the		day	of		, 20									
													De	fenda	nt's Signa	ature
															Ado	lress
										Ci	ty, State				Zip (	Code

Telephone Number

#### WAIVER OF RIGHT TO BE PROSECUTED BY COMPLAINT (Art. 27.14(d), C.C.P.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
<b>DEFENDAN</b>	T'S WAIVER OF RIGHT TO BI	E PROSECUTED BY COMPLAINT
complies with Articles 45.018 and 45.000 of Criminal Procedure. The De	5.019, Code of Criminal Procedure fendant acknowledges the receipt of	, joined by the State of Texas efendant waives the right to a sworn complaint that e, and files this waiver pursuant to Article 27.14(d) of notice of the charge against (him) (her) by receip to timely notice under Article 45.018(b), Code of
		Respectfully submitted,
		Defendant
		Attorney for Defendant
AGREED:		
Prosecuting Attorney		
APPROVED BY THE COURT:		
		DATE:
Judge Presiding		
City of		
County, Texas		
(municipal court seal)		

#### SENTENCE RECOMMENDATION IN EXCHANGE FOR WAIVER OF APPEAL

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
DE	FENDANT'S WAIVER OF RIGHT	TO APPEAL
Now Comes the Defendant in the above	entitled and numbered cause:	
☐ If the punishment given to me does permission of the Court. ☐ The following sentence recommendation of the court grants the result in a final conviction and the important in exchange for the State's sentence appeal. ☐ I agree to the following sentence recommendation of the court grants the sentence appear. ☐ I agree to the following sentence recommendation of the court grants the sentence appear. ☐ I agree to the following sentence recommendation of the court grants the sentence appears. ☐ I agree to the following sentence recommendation of the court. ☐ I agree to the following sentence recommendation of the court. ☐ I agree to the following sentence recommendation of the court grants the sentence appears. ☐ I agree to the following sentence recommendation of the court grants the sentence appears. ☐ I agree to the following sentence recommendation of the court grants the sentence appears. ☐ I agree to the following sentence recommendation of the court grants the sentence appears. ☐ I agree to the following sentence recommendation of the court grants the sentence appears. ☐ I agree to the following sentence recommendation of the court grants the sentence appears. ☐ I agree to the following sentence recommendation of the court grants the sentence appears. ☐ I agree to the following sentence recommendation of the court grants are sentence appears. ☐ I agree to the following sentence recommendation of the court grants are sentence appears. ☐ I agree to the following sentence recommendation of the court grants are sentence appears. ☐ I agree to the following sentence appe	sentence recommendation set forth belif the Court does not follow the sentence not exceed the punishment recommendation does not include court costs, which a State's request for deferred disposition osition of the fine. recommendation, I am knowingly, interpretation.  ove entitled and numbered cause:	the recommendation made pursuant to this agreement, the ended by the State, I may not appeal, without the are non-negotiable.  In failure to comply with the orders of the Court may relligently, and freely agreeing to waive my right to
plea - open plea of guilty or no contest, rec	commends the following (check all that	
☐ A fine in the amount of \$, ☐ Restitution in the amount of \$, ☐ Any other sanction authorized by law,	excluding court costs; to the victim, namely, specifically	(insert name of victim); and/or
Alternatively, the State recommends tha	at the Court:	
☐ Defer disposition in this matter without  days (not to exceed 180 day  ☐ Order the following conditions of defer		place the Defendant on probation for a period of
Defendant		City Attorney/Deputy City Attorney
	s right to anneal finds that the Defenda	nt understands the consequences of waiving the right
	voluntarily, knowingly, and intelligently	y. Accordingly, said waiver is accepted by this Court

**Editor's Note:** For further reference, see *The Recorder*, "Waiver of Right to Appeal in Local Trial Courts of Limited Jurisdiction," Vol. 12, No. 4 (May 2003).

(municipal court seal)

Judge Presiding

#### MOTION FOR DISQUALIFICATION/RECUSAL OF JUDGE (Sec. 29.052, G.C.)

	CAUSE NUMBER:	
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	<b>§</b>	CITY OF
	<b>§</b>	COUNTY, TEXAS
STATE	'S MOTION FOR RECUSAL/DIS	QUALIFICATION
Comes now the State of Texas, by	y and through	, the attorney for the State, and files this
		or disqualify (himself)(herself) based on the following
☐ the judge is related to a party Government Code	by affinity or consanguinity within	n the third degree, as determined under Chapter 573,
☐ the judge served as counsel in the	his case	
	outcome of this case or may be an inju	* *
	I.	
evidence or based on the specifically states	grounds for belief of the allegations,	n personal knowledge that is supported by admissible said grounds being:
	II.	·
		earing or trial, or at the earliest practicable time before 10 or fewer days before the scheduled hearing or trial.
	III.	
Wherefore, premises considered, assigned to preside over this cause.	the State prays that this Honorable	e Court grant said motion and that another judge be
		Respectfully submitted,
		(Name)
		State Bar Card Number:
I hereby certify that a true and Defendant) (Counsel for the Defendant), or		on for Recusal/Disqualification was delivered to (the, 20
		(Name)
		State Bar Card Number:

#### MOTION FOR CONTINUANCE (Ch. 29, C.C.P.)

CAUSE N	NUMBER:	
STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
STATE'S	MOTION FOR CONT	TINUANCE
To the Honorable Judge of Said Court:		
Comes now the State of Texas, by and throug Court to continue this cause from its present setting following:	g. In support thereof,	, the attorney for the State, and moves the the State would respectfully show unto the Court the
(State reasons for continuance.)	I.	
		The State has used due diligence and will proceed with reed to)(not agreed to) by (the Defendant)(Counsel for
Wherefore, premises considered, the State prate another date.	III. ays that this Honorable C	Court grant said motion and that this cause be continued
		Respectfully submitted,
		(Name)
		(Position) State Bar Card Number:
	f this State's Motion for, 20	Continuance was delivered to (the Defendant) (Counsel
		(Name)
		(Position) State Bar Card Number:
	ORDER	
On this the day of Court having considered said motion is of the opinion is hereby continued until the day of	that the State's Motion t	be considered the State's Motion for Continuance. The for Continuance should be (granted)(denied). This cause
Signed this the day of	, 20	
(municipal court seal)		Judge Presiding

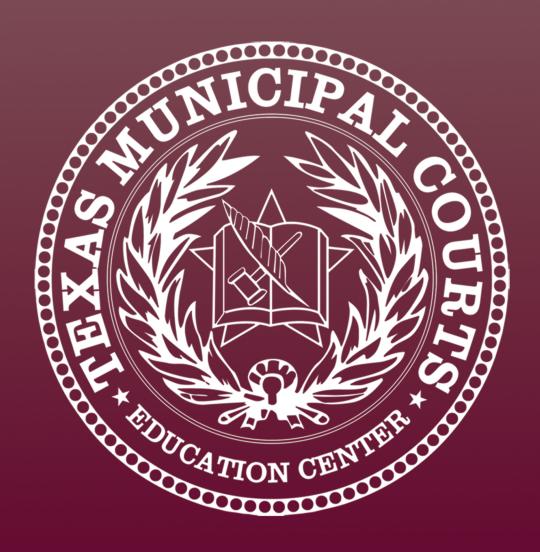
	CAUSE NUMBER:	<del>_</del>
STATE OF TEXAS	<b>§</b>	IN THE MUNICIPAL COURT
VS.	§	CITY OF
	<b>§</b>	COUNTY, TEXAS
	STATE'S MOTION TO DISM	ISS
Now comes the State of Texas, as reason that (set out the reasons for dismiss		e entitled and numbered criminal action, for the
☐ The evidence, at this time, is insufficien	nt;*	
☐ The complaining witness has requested	dismissal;	
☐ The case has been refiled as Cause Nun	nber;	
☐ The Defendant was instead convicted in	n Cause Number	;
☐ The Defendant is unapprehended, and t	he passage of time makes successful pro	osecution unlikely;
☐ The Defendant is deceased;		
☐ The Defendant has a valid affirmative def	fense to prosecution:	;
☐ The Defendant has remedied the defect	or nuisance that is the subject of this of	fense;
☐ It is in the interest of justice; and/or		
☐ Other:		
		(Deputy) City Attorney
		State Bar Card Number:
	ORDER TO DISMISS	
On this the day of the Attorney for the State who moved the	, 20, came on to be l Court to dismiss this cause.	heard the above and foregoing Motion to Dismiss by
The Court, having duly considered	ed said motion, determines that said caus	se should be dismissed.
IT IS THEREFORE ORDERE dismissed. A copy of this order shall be de		the Court that this cause be, and the same is, hereby
SIGNED AND ENTERED this	day of, 20	0
(municipal court seal)		Judge Presiding

\*Editor's Note: Effective September 1, 2017, DPS cannot continue to deny the renewal of a person's driver's license under Chapter 706, T.C. (OmniBase) after receiving notice that the charge on which the person failed to appear was dismissed with prejudice by motion of the appropriate prosecuting attorney for lack of evidence (clearance notice is required upon such a dismissal). Likewise, a person may not be required to pay an administrative fee (\$30) after such a dismissal. See, Sections 706.005 and 706.006, T.C. (H.B. 351/S.B. 1913, 85th Legislature (2017)).

	CAUSE NUMBER:	_
STATE OF TEXAS	<b>§</b>	IN THE COUNTY COURT OF
VS.	§	COUNTY, TEXAS
	<b>§</b>	
AC	GREED APPLICATION FOR WRIT OF P	ROCEDENDO
TO THE HONORABLE JUDGE OF	SAID COURT:	
Now comes the undersigned	Defendant and the State of Texas in applying	for a Writ of Procedendo.
This application stems from Pursuant to a judgment in said ca and ordered to Honorable Court.	the appeal of a conviction in the Municipal Cause, dated, 20, the pay fine and costs in the amount of \$	Court of, Docket No  ne Defendant was convicted of the offense of  Thereafter, the Defendant appealed to this
The Defendant now requests	to abate and dismiss said appeal.	
		ne Defendant that the above styled and numbered County, Texas, for the entry of a
Wherefore, the undersigned p	parties now pray that this Application for a Wr	it of Procedendo be granted.
Respectfully submitted,		
Defendant Pro Se	Prosecuting Attorney	
Defense Counsel		
	ORDER	
On this theday of	, 20, the Court considered and gran	ted the Application for the Writ of Procedendo.
IT IS HEREBY ORDEREI	D that the appeal in the above styled and number	bered cause be abated, dismissed, and remanded to
the Municipal Court of	, County, Texas, as a f	inal judgment.
SIGNED thisday of	, 20	

#### WRIT OF PROCEDENDO: STATE APPLICATION

	CAUSE NUMBER:	<del></del>
STATE OF TEXAS	<b>§</b>	IN THE COUNTY COURT OF
VS.	§	COUNTY, TEXAS
	§	
STATI	E'S APPLICATION FOR WRIT OF	PROCEDENDO
TO THE HONORABLE JUDGE OF SAII	D COURT:	
Now comes the State of Texas in	applying for a Writ of Procedendo.	
This application stems from the a Pursuant to a judgment in said cause, dated offense of and order this Honorable Court.	appeal of a conviction in the Municipal d(date red to pay fine and costs in the amount	l Court of, Docket No  e, month, and year), the Defendant was convicted of the of \$ Thereafter, the Defendant appealed to
☐ The State now request that the Defendar	nt's appeal be abated and dismissed for	the following reason:
☐ The Defendant's appellate bon	nd is defective and invalid [Minchew v. A	State, 366 S.W.2d 942 (Tex. Crim. App. 1963].
☐ The Defendant's appeal bond v	was not timely filed (Art. 45.0426, C.C.	.P.).
☐ The State has no objection to dismissing	g the appeal and requests with the Defer	ndant.
Wherefore, the State now prays numbered cause be dismissed and remand entry of a final judgment.	that this Application for a Writ of Pr led to the Municipal Court of	rocedendo be granted and that the above styled and County, Texas, for the
Respectfully submitted,		
Prosecuting Attorney		
	ORDER	
On this theday of	, 20, the Court considered and gr	ranted the Application for the Writ of Procedendo.
IT IS HEREBY ORDERED tha	at the appeal in the above styled and nu	imbered cause be abated, dismissed, and remanded to
the Municipal Court of,	County, Texas, as	a final judgment.
SIGNED thisday of	_, 20	



TEXAS MUNICIPAL COURTS EDUCATION CENTER 2210 Hancock Drive, Austin, Texas 78756