



TRIAL SETTINGS

TRIAL SETTINGS

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

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

YOU HAVE REQUESTED A TRIAL BEFORE THE JUDGE.

NOTICE IS HEREBY GIVEN of the non-jury trial court date of the above numbered and styled cause. The date of trial is set on the _____ day of _____, 20____, at _____ o'clock __.m.*

Failure to appear for this court date or any date that this case is scheduled before this Court may result in a warrant being issued for your arrest.

This notice mailed on _____, 20____.

(Judge), (City) Municipal Court Date

***Notice:** To request a continuance to reset the above court date, a written Motion for Continuance stating the reason (good cause) for the continuance must be filed with this Court _____ hours prior to the time and date of above court date. **Failure to comply with this notice requirement may result in your motion for continuance being denied.**

(municipal court seal)

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

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

NOTICE IS HEREBY GIVEN of the non-jury trial court date of the above numbered and styled cause. The date of trial is set on the _____ day of _____, 20____, at _____ o'clock ____m.*

I PROMISE TO APPEAR, in person, in the _____ Municipal Court on or before the aforementioned date and on any date for which this case is scheduled before this Court. I understand that if I do not appear anytime that I am required to appear for this case, a warrant may be issued for my arrest. I waive my right to a jury trial and choose to have my trial before a judge.

Defendant's Signature

Date

(Court Clerk) (Deputy Clerk)

Date

Defendant's Address

Telephone Number

***Notice:** To request a continuance to reset the above court date, a written Motion for Continuance stating the reason (good cause) for the continuance must be filed with this Court _____ hours prior to the time and date of above court date. **Failure to comply with this notice requirement may result in your motion for continuance being denied.**

(municipal court seal)

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

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

YOU HAVE EXERCISED YOUR RIGHT TO A JURY TRIAL.

NOTICE IS HEREBY GIVEN of the jury trial court date of the above numbered and styled cause. The date of trial is set on the _____ day of _____, 20____, at _____ o'clock ____m. * **Failure to appear for this court date or on any date for which this case is scheduled before this Court may result in a warrant being issued for your arrest. Furthermore, you may be assessed the costs of summoning the jurors if you fail to appear.**

This notice mailed on _____, 20____.

(Judge), (City) Municipal Court Date

***Notice:** To request a continuance to reset the above court date, a written Motion for Continuance stating the reason (good cause) for the continuance must be filed with this Court _____ hours prior to the time and date of above court date. **Failure to comply with this notice requirement may result in your motion for continuance being denied.**

(municipal court seal)

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

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

NOTICE IS HEREBY GIVEN of the jury trial court date of the above numbered and styled cause. The date of trial is set on the _____ day of _____, 20____, at _____ o'clock __.m.*

I PROMISE TO APPEAR, in person, in the _____ Municipal Court on or before the aforementioned date and on any date for which this case is scheduled before this Court. I understand that if I do not appear anytime I am required to appear for this case, a warrant may be issued for my arrest. Furthermore, I understand that if I fail to appear, I may be assessed the costs of summoning the jurors.

Defendant's Signature

Date

(Court Clerk)(Deputy Clerk)

Date

Address

Telephone Number

***Notice:** To request a continuance to reset the above court date, a written Motion for Continuance stating the reason (good cause) for the continuance must be filed with this Court _____ hours prior to the time and date of above court date. **Failure to comply with this notice requirement may result in your motion for continuance being denied.**

(municipal court seal)

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

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

GREETINGS:

According to Court records, you have entered a plea of **not guilty** and have requested a **trial by jury** in the above entitled and numbered cause.

While the Texas Constitution ensures you the right to a trial by jury, you do not have a constitutional right to jury sentencing. Rather, the right to jury sentencing is purely statutory in origin. To invoke this statutory right, you must make a timely election of jury sentencing.

If you do not make a timely election for the jury to assess punishment, and are found guilty by the jury, the Court will assess the punishment.

For your election to be timely, you are hereby **ordered** 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 dire examination of the jury panel.

You may make your election by providing the Court with a copy of the attached motion.

MOTION FOR THE JURY TO ASSESS PUNISHMENT

To the Honorable Judge of said Court:

Now comes the Defendant, in the above entitled and numbered cause, and in accordance with Article 37.07, Code of Criminal Procedure, and before the commencement of the voir dire examination 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 _____, 20____, came on to be heard the foregoing motion, and the same having been timely filed is granted.

Judge Presiding

(municipal court seal)

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

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

NOTICE IS HEREBY GIVEN that the above numbered and styled cause is scheduled for a pretrial hearing in the _____ Municipal Court at _____ (address) the _____ day of _____, 20____, at _____ o'clock ____m.*

FAILURE TO APPEAR at the hearing or on any date for which this case is scheduled before this Court may result in a warrant being issued for your arrest. You may also be required to pay the costs of impaneling the jury.

(Court Clerk)(Deputy Clerk)

Date: _____

***Notice:** To request a continuance to reset the above court date, a written Motion for Continuance stating the reason (good cause) for the continuance must be filed with this Court _____ hours prior to the time and date of the above court date. **Failure to comply with this notice requirement may result in your motion for continuance being denied.**

(municipal court seal)

TRIAL DATE RESET NOTICE

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

Your continuance has been granted. NOTICE IS HEREBY GIVEN that the trial date setting of the above numbered and styled cause is rescheduled for the _____ day of _____, 20____, at _____ o'clock __.m.

Failure to appear for this court date or any date for which this case is scheduled before this Court may result in a warrant being issued for your arrest.

(Court Clerk)(Deputy Court Clerk)

Date

This continuance was requested by: ☐ Defendant ☐ State

(municipal court seal)

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

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

TO _____ – GREETINGS:
(person ordered to summon jurors)

You are hereby **Ordered** to summon _____ (number) persons who are qualified jurors in the city, to appear before this Court on the ____ day of _____, 20__ at _____ o'clock _____.m., then and there to serve as jurors in the trial of such cause or causes as are then set for jury trial.

Signed and entered this ____ day of _____, 20__.

(municipal court seal)

Judge Presiding

RETURN OF JURY VENIRE

Came into hand on _____, 20__, at _____ o'clock _____.m. The following persons are summoned by mailing notice on _____:

	<u>Name</u>	<u>Date and Time Summoned</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____

*Add additional pages as needed for more jurors.

Signature of Person Summoning Jury

JURY SERVICE COVER LETTER

To the City of _____ Jurors:

You have been selected for **jury service** in the Municipal Court of the City of _____. Jury service is an obligation of citizenship that is essential to the judicial process. It is an opportunity for you to make a meaningful contribution to ensure that 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 to minimize the burden caused by your jury service, report promptly at the date and time indicated on the enclosed **JUROR INFORMATION** form. The _____ Municipal Court building is located at _____.

Parking information: _____.

JUROR INFORMATION FORM: This information is needed for the jury selection process. Please complete this enclosed form and 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 _____

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.

JUROR INFORMATION SHEET

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

Name: _____

Address: _____

E-mail Address: _____

City: _____ State: _____ Zip: _____

Home Telephone Number: _____ Length of time at current address: _____

Date of Birth: _____ Place of Birth: _____

Driver's License Number: _____

Place of Employment: _____

Type of Work: _____ Length of time at current job: _____

Employer's Address: _____

Business Telephone Number: _____

Military Service ☐ Yes ☐ No Are you on active duty deployed outside of your county of residence? ☐ Yes ☐ No

College Graduate ☐ Yes ☐ No Attended College ☐ Yes ☐ No Post Graduate Degree ☐ Yes ☐ No

High School Graduate ☐ Yes ☐ No Professional Degree ☐ Yes ☐ No

☐ Married ☐ Single ☐ Widowed ☐ Divorced Number of Children _____ Ages: _____

Name of Spouse or Nearest Living Relative: _____ Relationship: _____

Address: _____

Spouse's Employer: _____ Type of Work: _____

Spouse's Employer's Address: _____

Do you have any relatives or friends who are peace officers? ☐ No ☐ Yes

Have you ever been called for jury service? ☐ No ☐ Yes Date(s) _____ Where? _____

Did you actually serve as a juror? ☐ Yes ☐ No Court where jury service performed _____

☐ Criminal Case? When? _____ Verdict reached ☐ Yes ☐ No

☐ Civil Case? When? _____ Verdict reached ☐ Yes ☐ No

Been party to a lawsuit? ☐ Yes ☐ No As a plaintiff? ☐ Yes ☐ No As a defendant? ☐ Yes ☐ No

Served on a Grand Jury? ☐ Yes ☐ No Where? _____ When? _____

Has any accidental bodily injury ever been suffered by you? ☐ Yes ☐ No By a member of your family? ☐ Yes ☐ No

Have you ever been interested in the outcome of a criminal case as a defendant, victim, or witness? ☐ Yes ☐ No

Where and What? _____

Date: _____

Juror's Signature

OFFICE OF COURT ADMINISTRATION

Instructions Concerning the Official Model Jury Summons and Questionnaire

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. Use these instructions and forms when the court orders prospective jurors notified by written summons.

A written jury summons must conform to OCA's model jury summons and include a copy of the questionnaire developed by OCA or the electronic address of the court's Internet website from which the questionnaire developed by OCA may be easily printed or completed online. (See Gov't Code §§62.0131(c), 62.0132(b), 62.0132(d))

Upon the court's direction, the clerk, sheriff, or constable can notify prospective jurors by written summons sent by registered mail, certified mail, return receipt requested, or first-class mail. Qualifying counties may adopt an alternative method of service if they meet the requirements of Government Code §62.014. (See Gov't Code §§62.013(b)(2), 62.014).

These instructions discuss 3 options for the written jury summons and questionnaire. (Counties wishing to utilize a method not included in these instructions should contact OCA's general counsel at (512) 463-1625.)

I. County Mails Jury Summons and Questionnaire to Prospective Jurors

The updated OCA model that was originally designed to be printed on an 8 ½" by 11" card with a fold in the middle to result in an 8 ½" by 5 ½" mail piece should be used if a county wishes to mail both the jury summons and the questionnaire. 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 §62.011 and the period authorized under §62.011(b)(5) 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. Counties may reorganize or delete, with the exception of time, date, and place, information on the top portion of page one to fit their particular needs.

II. County Mails Jury Summons Which Directs Prospective Jurors to the Court's Internet Website to Print the Questionnaire

Texas Gov't Code Sec. 62.0131(b)(4)(B) permits a county to direct prospective jurors to the electronic address of the court's internet website from which the juror questionnaire *may be easily printed*. Rather than provide a model "form" for a jury summons that accomplishes this, **OCA has developed a list of the minimum requirements to be included on such a summons.**

The summons must:

- 1) be 3 ½" by 5" or larger in size;
- 2) provide the time and place for the appearance of the prospective juror for jury service;
- 3) include the following statements (at a minimum) regarding the penalty for failure to comply with the jury summons and information relating to the duties of an employer with regard to an employee who is summoned for jury service:
Failure to respond may subject you to a fine of \$100 to \$1,000. (Gov't Code Sec. 62.0141)
Your employer may not take adverse action against you for serving as a juror. (Civ. Prac. & Rem. Code, Ch. 122)
- 4) provide the address of the court's internet website where the juror can print the mandatory model juror questionnaire;
- 5) include one of the following:
 - a. a list of the exemptions and restrictions governing jury service under Subchapter B of Chapter 62 of the Government

Code (§§62.102 and 62.106); or

- b. the electronic address of the court's internet website on which these exemptions and restrictions are posted; and
- 6) provide, at a minimum, a phone number that a prospective juror may call if they do not have access to the internet, need assistance, or have questions.

If applicable, clerks should confirm that the designated website lists the exemptions and qualifications for jury service and that the questionnaire can be easily printed from the website.

Counties may format the text of the model to meet their particular needs and **are free to provide more information than the minimum requirements listed above** (e.g., more detailed information regarding the penalty for failure to respond and the duties of an employer regarding jurors, QR codes linking to the court's internet website, email addresses for prospective jurors to contact clerk staff, maps, and parking information).

III. County Mails Written Jury Summons Which Directs Prospective Jurors to the Court's Internet Website to Complete the Questionnaire Online (Electronic Plan)

Texas Gov't Code Sec. 62.0131(b)(4)(C) permits certain counties to provide the electronic address of the court's internet website where a prospective juror can access and complete the mandatory model juror questionnaire. Rather than provide a model "form" for a jury summons that accomplishes this, OCA has developed a list of the minimum requirements to be included on such a summons.

Note: In order to use this method, a county must have adopted an electronic method of selecting the names of prospective jurors for jury service as authorized under Government Code §62.011. (See Gov't Code §62.0132(d))

The summons must:

- 1) be 3 ½" by 5" or larger in size;
- 2) provide the time and place for the appearance of the prospective juror for jury service;
- 3) include the following statements (at a minimum) regarding the penalty for failure to comply with the jury summons and information relating to the duties of an employer with regard to an employee who is summoned for jury service:

Failure to respond may subject you to a fine of \$100 to \$1,000. (Gov't Code Sec. 62.0141)

Your employer may not take adverse action against you for serving as a juror. (Civ. Prac. & Rem. Code, Ch. 122)

- 4) provide the address of the court's internet website where the juror can access and complete the mandatory model juror questionnaire;
- 5) include one of the following:
 - a. a list of the exemptions and restrictions governing jury service under Subchapter B of Chapter 62 of the Government Code (§§62.102 and 62.106); or
 - b. the electronic address of the court's internet website on which these exemptions and restrictions are posted; and
- 6) provide, at a minimum, a phone number that a prospective juror may call if they do not have access to the internet, need assistance, or have questions.

If applicable, clerks should confirm that the designated website lists the exemptions and qualifications for jury service.

Counties may format the text of the model to meet their particular needs and **are free to provide more information than the minimum requirements listed above** (e.g., more detailed information regarding the penalty for failure to respond and the duties of an employer regarding jurors, QR codes linking to the court's internet website, email addresses for prospective jurors to contact clerk staff, maps, and parking information).

If you have any questions concerning these instructions or the *Official Model Jury Summons and Questionnaire*, please contact OCA's Legal Department to speak with Brandon Bellows or Margie Johnson.

(Rev. 8/2023)

_____ County, Texas

(Address)

(Address)

(Address)

JURY SUMMONS NO. _____

Dear Prospective Juror:

You are hereby summoned for jury service as set out below:

Time:

Date:

Place:

Forwarding Service Requested

POSTMASTER

PLEASE DELIVER TO:

THE FOLLOWING "JUROR QUESTIONNAIRE" IS MANDATED BY GOVERNMENT CODE, SECTION 62.0132.

*Your answers are **CONFIDENTIAL** and may be disclosed only to the judge, court personnel, the litigant, and the litigant's attorney, and, other than juror qualification information related to the legal accusation of, indictment for, or conviction of misdemeanor theft or a felony, to the county voter registrar.*

JUROR QUESTIONNAIRE PLEASE TYPE OR PRINT WITH INK ONLY				
<input type="checkbox"/> Male <input type="checkbox"/> Female	Race (required by State Law):	Age:	Date of Birth:	Are you a U.S. Citizen? <input type="checkbox"/> Y <input type="checkbox"/> N <i>(Please see "Note" below)</i>
Your Name:		E-mail Address:		Please check highest level of education completed: <input type="checkbox"/> No H.S. Diploma or GED <input type="checkbox"/> GED <input type="checkbox"/> H.S. Diploma <input type="checkbox"/> 2yr College <input type="checkbox"/> 4yr College/University <input type="checkbox"/> Post-Graduate <input type="checkbox"/> Other _____
Home Address:				
Mailing Address (if different from home):				
Primary Phone:	Alternate Phone:	County of Residence:		
Your Occupation:				Current Marital Status: <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced
Your Employer:		How Long?		
Spouse's Name:		Spouse's Occupation:		
Spouse's Employer:		How Long?		
Have you ever served on a civil jury? <input type="checkbox"/> Y <input type="checkbox"/> N		Have you ever served on a criminal jury? <input type="checkbox"/> Y <input type="checkbox"/> N		Number of Children: _____
I CERTIFY THAT ALL ANSWERS ARE TRUE AND CORRECT. Please sign here: _____				Ranges of Age: from ____ years to ____ years
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.				

Rev. 07/2023

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

OFFICIAL MODEL JURY SUMMONS AND QUESTIONNAIRE (Page 2 of 2)

Directions: You must report for jury service unless you: (1) claim an **exemption**; (2) are **disqualified**; or (3) choose to **postpone** your service.

To Claim an Exemption: Circle the exemption(s) that you claim. Sign the form. Mail or take the form to the _____ 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.

To Postpone Your Service: Contact the _____ clerk's office before your scheduled date of service.

Before Reporting for Jury 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 FROM JURY SERVICE

(Texas Government Code, Section 62.106)

1. You are over 75 years of age.
2. You have legal custody of a child or children younger than 12 years of age and service on the jury would require leaving the child or children without adequate supervision.
3. You are a student at a public or private high school.
4. You are enrolled and in actual attendance at an institution of higher education.
5. You are an officer or an employee of the senate, the house of representatives, or any department, commission, board, office, or other agency in the legislative branch of state government.
6. You are the primary caretaker of a person who is unable to care for himself or herself. (This exemption does not apply to you if you are a primary caretaker only in your capacity as a health care worker.)
7. You are a member of the United States military forces serving on active duty and deployed to a location away from your home station and out of your county of residence.
8. You have served as a juror in this county during the 24-month period prior to the date you are required to appear by this summons.
9. You have been summoned for jury service in this county and you have served as a petit juror in this county during the three-year period prior to the date you are required to appear by this summons.

QUALIFICATIONS FOR JURY SERVICE

(Texas Government Code, Section 62.102, except where noted)

To be qualified to serve as a juror you *must*:

1. be at least 18 years of age;
2. be a citizen of the United States;
3. be a resident of this state and a resident of the county in which you are to serve as a juror;
4. be qualified under the Constitution and laws to vote in the county in which you are to serve as a juror (*Note: You do not have to be registered to vote to be qualified to vote*);
5. be of sound mind and good moral character;
6. be able to read and write;
7. not have served as a juror for six days during the preceding three months in the county court or during the preceding six months in the district court;
8. not have been convicted of, or be under indictment or other legal accusation for, misdemeanor theft or a felony; and
9. be a resident of the municipality for which 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.

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).

JURY PANEL LIST (Venire Panel)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

The following persons have been selected as the jury panel (venire panel): *

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____

*Add additional sheets as necessary.

OTHER JURORS SUMMONED (“PICK UP JURY”) (Art. 45.028, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

TO SAID PEACE OFFICER, _____, of _____ – GREETINGS:

You are hereby Ordered to summon _____ (number) persons who are qualified jurors in the city, to appear before this Court on the ____ day of _____, 20__ at _____ o'clock ____ .m., then and there to serve as jurors in the trial of such cause or causes as are then set for jury trial.

You are further Ordered that the summons shall be verbal and in person to each person so summoned (and that you shall command each person so summoned to proceed immediately to this Court).

Signed and entered this ____ day of _____, 20__.

(municipal court seal)

Judge Presiding

RETURN OF JURY VENIRE

Came into hand on _____, 20__, at _____ o'clock ____ .m. and executed as to the following persons by verbally summoning each of them in person:*

	<u>Name</u>	<u>Date and Time Summoned</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____

*Add additional pages as needed for more jurors.

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.

JURY LIST

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

The following persons have been selected as the jury:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

EVIDENCE LOG FORM

CAUSE NUMBER: _____

STATE OF TEXAS
VS.

§
§
§

IN THE MUNICIPAL COURT
CITY OF _____
_____ COUNTY, TEXAS

DOCUMENTARY EVIDENCE LOG FORM

State Exhibits	Defense Exhibits	Exhibit #	Admitted	Description

SIGNED this the _____ day of _____, 20____.

Judge Presiding

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

Each of you must decide this case for yourself, but only after discussion and impartial consideration of the case with your fellow jurors. It is your duty to consult with one another and consider each other's views, without being an advocate for one side or the other. If after re-examining each of your own views you find that you are unable to reach a unanimous verdict, I will have to declare a mistrial and discharge the jury. The charges will remain pending, and it is reasonable to assume that the case will be tried again before another jury, who will likely hear the same evidence which you have heard. There is no reason to hope that any future jury will find a decision in this case any easier than you have.

Therefore, I ask you to continue to deliberate in an effort to reach a verdict that is acceptable to all jurors if you can do so without doing violence to your conscience.

Signed this _____ day of _____, 20____.

Judge

VERDICT: ELECTION FOR JURY PUNISHMENT

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

VERDICT

☐ GUILTY

We, the jury, find the above-named Defendant **guilty** as charged in the complaint and assess a fine of \$_____.

Jury Foreperson

Date: _____

.....
☐ NOT GUILTY

We, the jury, find the above-named Defendant **not guilty**.

Jury Foreperson

Date: _____

Editor's Note: 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 the question 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. See *In re Yeager*, 601 S.W.3d 356 (Tex. Crim. App. 2020).

VERDICT: JURY SENTENCE AND BENCH PUNISHMENT

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

VERDICT

☐ GUILTY

We, the jury, find the above-named Defendant **guilty** as charged in the complaint.

Jury Foreperson

Date: _____

.....
☐ NOT GUILTY

We, the jury, find the above-named Defendant **not guilty**.

Jury Foreperson

Date: _____

Editor's Note: 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 the question 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. 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 of _____, 20____, from _____ o'clock ____m. until _____ o'clock ____m. as a (Defendant)(witness)(juror).

Thank you,

(Bailiff)(Clerk), Municipal Court

City of _____

_____ County, Texas

Editor's Note: Section 122.002 of the 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 certificate 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 _____

County, Texas

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.