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

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

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**ADMONISHMENT AS TO FINANCIAL CHANGES**

**CAUSE NUMBER(S): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**ALL DEFENDANTS** unable to pay the **ALL FINES, FEES, AND COSTS** **WHEN** **SENTENCED** are **REQUIRED** to **CAREFULLY READ** and **ACKNOWLEDGE** the following:

**TODOS** los **DEFENDIENTES** sin capacidad de pagar **TODAS LAS MULTAS, TARIFAS Y COSTOS** despues de la sentencia, **NECESITARAN LEER** completamente y **RECONOCER** lo siguente:

**I, the undersigned, acknowledge that until my fines and courts costs are paid in full, I agree to notify the Court of any changes in my personal financial situation that will likely interfere with my ability to pay the fine and court costs in the manner ordered by the Judge.**

Yo, el infrascrito, reconozco que hasta que mis las multas, las tarifas, y costos son completamente pagados yo estoy de acuerdo en notificar a este juzgado de cualquier cambio en mi situacion financiera o personal que interfiera con mi capacidad de pagar la multa y costos de corte en la manera ordenada por el Juez.

**It is my responsibility to keep the Court informed of my ability to pay the fines, fees, and costs. It is my responsibility to keep the Court informed in the event of financial hardship.**

Es mi responsabilidad de informar  a este juzgado de mi capacidad de pagar la multa, la tarifa, y los costos de la corte.  Es mi responsabilidad de informar a este juzgado en caso de dificultades economicas.

**Depending on the situation, I understand that the Judge may be able to offer me other ways to pay or earn credit towards my fine, fees, and costs. For the Judge to consider such circumstances, and to avoid the possibility of being arrested, I am required to provide timely and sufficient proof to the Court.**

Dependiendo en la situacion, yo comprendo que el juez podra ofrecerme otras maneras de recivir  or ganar credito hacia la multa, la tarifa, y los costos de corte.  Para que el juez considere la circumstancia, y para evitar la posibilidad de ser detenido, yo necesito proveer suficientes y oportunas pruebas a este juzgado.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Defendant’s Signature/Signatura de Defendiente

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature by Witness

(Court Clerk, Court Administrator, or Other Court Staff)

This the \_\_\_\_\_ 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 satisfying the judgment and sentence:

 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 \_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_ I assert that I am unable to pay the fine and costs immediately and that the following information is documentation
that I have insufficient resources or income to pay today.

\_\_\_\_ 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 to discharge the fine and costs by performing community service, because I have no resources to pay and I am unable to pay the fine and costs.

\_\_\_\_ I have been determined to be indigent by the federal government and I am receiving or I am eligible to receive assistance under a federal program. Name of program: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

###### APPLICATION FOR TIME PAYMENT, EXTENSION, COMMUNITY SERVICE, OR WAIVER

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Telephone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Job Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employer's Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Salary: $\_\_\_\_\_\_\_\_\_\_\_\_ per \_\_\_\_\_\_\_\_\_\_\_\_ Employer's Telephone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Marital Status (Check One): Married 🞎 Single 🞎 Divorced 🞎 Widowed 🞎

Spouse's Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Spouse's Salary: $\_\_\_\_\_\_\_\_\_\_ per \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Spouse's Employer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Spouse's Job Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

List the source and amount of any other income you receive: $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

List all your dependents, their ages, and their relationship to you: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Your residence is (Check One): Rented 🞎 Owned 🞎 Rent-Free 🞎

**LIST ALL BANK ACCOUNTS IN YOUR NAME OR FROM WHICH YOU MAY WITHDRAW FUNDS:**

Name of Institution 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:**

a. Home mortgage payment, rent, or lot rental for trailer: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

b. Routine home maintenance: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

c. Utilities (electricity, water, gas, telephone): $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

d. Food and sundries: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

e. Clothing: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

f. Laundry and cleaning: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

g. Newspapers, periodicals, & books, including schoolbooks: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

h. Medical, dental, and drug expenses: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

i. Insurance (auto, life, medical, homeowners/renters): $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

j. Transportation, including auto payments: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

k. Taxes not deducted from wages or included in mortgage: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

l. Alimony or support payments: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

m. Religious/charitable contributions: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

n. Other expenses (use reverse side if necessary):

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

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**LIST ALL REAL ESTATE OWNED BY YOU AND YOUR SPOUSE:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**LIST THE ESTIMATED VALUE FOR ALL PERSONAL PROPERTY OWNED BY YOU OR YOUR SPOUSE:**

a. Deposits in financial institutions and cash on hand: $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

b. Household goods and supplies (use reverse side if necessary):

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

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c. Household furniture and furnishings (use reverse side if necessary):

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

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d. Jewelry (use reverse side if necessary):

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

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**APPLICATION FOR TIME PAYMENT, EXTENSION, COMMUNITY SERVICE, OR WAIVER (Page 3 of 4)**

e. Sports equipment and musical instruments (use reverse side if necessary):

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

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f. Television, home theater, media, and stereo equipment (use reverse side if necessary):

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

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g. Household appliances (use reverse side if necessary):

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

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h. Automobiles, trucks, trailers, boats, and accessories (use reverse side if necessary):

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

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i. Machinery and tools, lawn and garden equipment (use reverse side if necessary):

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

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j. Office equipment, supplies, furniture, and inventory (use reverse side if necessary):

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

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k. Farming equipment, supplies, livestock, and other animals (use reverse side if necessary):

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

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l. Any other property not listed above (use reverse side if necessary):

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

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

**LIST ALL OF YOUR CREDITORS (including credit cards) AND THE AMOUNT YOU OWE EACH**

**(Use reverse side if necessary):**

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

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YOUR INITIAL BY EACH OF THE FOLLOWING STATEMENTS INDICATES THAT YOU HAVE READ THE STATEMENT, UNDERSTAND IT, AND AGREE TO IT.

\_\_\_\_ I **promise** that I will notify this Court any changes of my address or telephone number within seven (7) days of the change.

**\_\_\_\_ I understand that I have a continuing obligation to notify the Court of any changes in my financial status that may hinder my ability to satisfy the judgment or help me satisfy the judgment.**

\_\_\_\_ I **understand** that if I pay any part of the fine, costs, or restitution (if applicable) on or after the 31st day after judgment was entered that I am responsible for paying a $15 time payment reimbursement fee (Article 102.030, Code of Criminal Procedure).

**\_\_\_\_ I understand that submitting false financial information to the Court constitutes the crime of tampering with a governmental record, punishable by incarceration and/or the imposition of a fine (Section 37.10, Penal Code). I swear that all the information in this application is true, correct, and complete to the best of my knowledge and belief.**

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Defendant’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Sworn and subscribed** before me this day \_\_\_\_\_\_\_\_\_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Judge) (Clerk) (Deputy Clerk)

 **INSTALLMENT AGREEMENT ORDER**

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

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**ORDER**

 **ON THIS THE** \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the Defendant, having been found guilty by the Court and assessed fines, fees, and costs of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_ has agreed to pay the fine, fees, and costs at designated intervals. The total amount owed at this time is $\_\_\_\_\_\_\_\_\_\_\_\_\_\_. However, if any portion of the fines, fees, or costs is paid on or after the date of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, which is 31 days after the date of judgment, the Defendant shall pay an additional $15 reimbursement fee as required by Article 102.030 of the Code of Criminal Procedure.

 **IT IS THEREFORE ORDERED** that the Defendant make payments as scheduled by this Order. Each payment will be due and payable as scheduled until the full amount is paid to the court. If the Defendant is unable to make a payment, the Defendant should contact the Court immediately. The Defendant is **ORDERED** to notify the Court of any change of address.

 Failure to comply with this order will result in a mandatory hearing and may cause the issuance of a capias pro fine. Article 102.011(a)(2) of the Code of Criminal Procedure requires a defendant to pay a $50 warrant reimbursement fee for the execution or processing of an issued capias pro fine.

**SCHEDULED PAYMENTS**

 **IT IS HEREBY ORDERED** that the Defendant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, pay the fine and court costs between the hours of \_\_\_\_\_\_\_­­­­­­\_\_.m. and \_\_\_\_\_\_\_\_\_\_.m. on the following dates and in the following amounts until the total fine and costs are paid:

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| --- | --- |
| Due Dates of Payments | Amounts Due |
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**SIGNED AND RENDERED** on this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge, Municipal Court

 (*municipal court seal)*

City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Defendant acknowledges the receipt of a copy of this Order and that the Defendant understands the provisions of this Order and has the ability to fully comply with this Order. Further, the Defendant understands his/her responsibility to inform the Court of changes in his/her financial situation that may hinder his/her ability to satisfy either the judgment or any other order of the Court. The Defendant understands that his/her responsibility terminates only upon satisfaction of the judgment. The Defendant understands his/her responsibility to notify the Court of any change of address.

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

 Defendant’s Signature

**SCHEDULE OF PAYMENTS FOR INSTALLMENT AGREEMENT**

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

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

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| Cause Number | Date to be Paid | Further Extensions | Date Paid/Receipt Number |
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Date Defendant's Acknowledgement by Signature

**COMMUNITY SERVICE ORDER (Art. 45.049, C.C.P.)**

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

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**ORDER**

 **ON THIS DATE** appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Defendant in the above styled and numbered cause, who, having been found guilty by the Court and assessed fines and costs totaling $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in this cause on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, (and the Court having determined that the Defendant has failed to pay such fine and costs) (and the Court having determined that the Defendant has insufficient resources or income to pay such fine and costs), it is hereby

 **ORDERED, ADJUDGED, AND DECREED** that the Defendant discharge (all of the fine and costs owed) (the remaining fine and costs owed) by performing community service as follows:

 1. The Defendant shall perform a total of \_\_\_\_\_\_\_\_\_\_ hours;

 2. The Defendant's community service shall be completed no later than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_;

 3. The Defendant shall perform the community service:

* by attending a work and job skills training program;
* by attending a preparatory class for the high school equivalency examination administered under Section 7.111, E.C.;
* by attending an alcohol or drug abuse program;
* by attending a rehabilitation program;
* by attending a counseling program, including a self-improvement program, a mentoring program, or any similar activity;
* for a governmental entity, non-profit organization, or another organization that provides services to the general public that enhances the social welfare and general well-being of the community (other organization: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_);
* for an educational institution;

 4. The Defendant shall submit to the court documentation verifying the Defendant’s completion of the community service by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_;

and the Court having further found that performing more than 16 hours of community service per week (will)(will not) impose an undue hardship on the Defendant, it is further

 **ORDERED, ADJUDGED, AND DECREED** that the Defendant shall perform no more than \_\_\_\_\_ hours per week in discharging the above-ordered community service. A defendant is considered to have discharged $\_\_\_\_\_\_ of fines or costs for each eight hours of community service. A defendant may discharge this obligation to perform community service by paying at any time the fine and costs assessed.

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge, Municipal Court

 City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(municipal court seal)*

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

**COMMUNITY SERVICE TIME SHEET**

**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.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 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:

Name of Defendant Performing Community Service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 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** | **Supervisor Initials** | **Defendant’s Initials** |
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**Community Service Rules**

While performing community service, I will:

* Contact the provider I choose to arrange community service as soon as possible;
* Arrive on time;
* Obey the site supervisor;
* Not leave the site without permission;
* Not carry any sort of weapon;
* Not use abusive language;
* Not deliberately destroy or deface any tools or property;
* Never accept any tips or cash from anyone in association with my community service;
* Wear appropriate clothing;
* Apply for authorization for extension of time if needed;
* Contact the Municipal Court with any questions.

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

Approved by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Community Service Provider Representative Signature of Defendant Performing

 Community Service

**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. Sec. 37.10, P.C.**

**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. § CITY OF**

 **§ COUNTY, TEXAS**

**ORDER DECLINING HEARING ON** **RECONSIDERATION OF FINE OR COSTS**

 On this date came to be heard the request for a hearing pursuant to Art. 45.0445, C.C.P., regarding whether the fines and costs assessed in the above judgment of conviction imposes an undue hardship on the defendant. The Court finds that a hearing is not necessary in that:

* The Court previously held a hearing under Article 45.0445, Code of Criminal Procedure, with respect to the case and is able to determine without holding a hearing that the portion of the judgment regarding the fine and costs does not impose an undue hardship on the defendant.

**OR**

* The Court is able to determine without holding a hearing that: (A) the judgment imposes an undue hardship on the defendant; and (B) the fine and costs should be satisfied through one or more methods listed under Article 45.041(a-1) Code of Criminal Procedure.

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

*(municipal court of record seal)*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge

City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

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

**Editor’s Note:** 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.)

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

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**ORDER**

 On the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, came to be heard Cause Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ wherein \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereinafter called Defendant, was convicted of a misdemeanor offense to wit:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_ and ordered to pay the fine in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (, of which $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ has not been satisfied).

After due inquiry and consideration of the facts and circumstances regarding the Defendant’s ability to satisfy the aforementioned judgment, the Court determines as follows:

With regard to **fines**, the Defendant:

* + **Is indigent or does not have sufficient resources or income to pay all or part of the fine or costs; OR**
	+ **Was, at the time the offense was committed, a child as defined by Article 45.058, Code of Criminal Procedure.**
* **AND discharging the fine or costs under Article 45.049 of the Code of Criminal Procedure or as otherwise authorized by Chapter 45, would impose an undue hardship on the Defendant.**

With regard to **costs**, the Defendant:

* **Is indigent or does not have sufficient resources or income to pay all or part of the fine or costs; or**
* **Was, at the time the offense was committed, a child as defined by Article 45.058, Code of Criminal Procedure.**

Accordingly, pursuant to Article 45.0491, Code of Criminal Procedure, the Court waives the (stated) (remaining) fine and costs for Defendant.

# ORDERED, ADJUDGED, AND DECREED.

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

 Judge, Municipal Court

 *(municipal court seal)*

City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

**Editor’s Note:** 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. Article 45.0491 includes 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)**

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

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**FINDING**

 On the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, came to be heard Cause Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ wherein \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, hereinafter called Defendant, was convicted of a misdemeanor offense to wit:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_ and ordered to pay the fine and costs in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , of which $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ has not been satisfied.

 The Court, having heard the evidence presented by the Defendant, and having reviewed all documentation provided, **FINDS** the defendant indigent. Pursuant to Section 706.006(d) of the Transportation Code, the Defendant may not be required to pay an reimbursement fee under Section 706.006.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judge, Municipal Court Date

*(municipal 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.

**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.

 2. OFFICIAL DOCUMENTATION stating:

* + The offense for which you are or were incarcerated;
	+ The specific name of the facility and location where you are or were incarcerated;
	+ When you began your incarceration; and
	+ The date your incarceration is scheduled to end or did end.

**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 *Plea Form: By Mail or Delivery to the Court*. Upon receipt of the form, your request shall be considered.
* The Court has not received OFFICAL DOCUMENTATION (described above).

🞏 **The court finds that you are entitled to jail credit and GRANTS your request for the following reason:**

* 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.
* 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.
* 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.

🞏 **The court finds that your request calls for discretionary jail credit that you are not entitled to. Your request for discretionary jail credit is:**

* GRANTED in the following amount: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (not less than $150 per day or period of time (8-24 hours))
* DENIED

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Municipal Judge

City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

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

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

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

 On the \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, I was found guilty of the offense of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and was assessed a fine and court costs totaling $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ dollars, of which $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is unpaid.

 I understand that I may ask the Court to grant me an extension of time to pay, a payment plan, or community service to discharge the fine and costs for all or part of the fine and costs. **I DO NOT WANT an extension to pay, I DO NOT WANT a payment plan, and I DO NOT WANT to perform community service to discharge the fine and costs. I REFUSE TO PAY THE FINE AND COSTS ORDERED BY THE COURT.**

 I understand that I may ask the Court to consider my financial situation to decide if I am indigent. If the Court finds me indigent, I cannot be jailed to pay the fine and costs. **I DO NOT claim that I am indigent. I DO NOT WANT a hearing on whether I am indigent.**

 I was 17 years old or older when I committed the offense. I am of sound mind. **I request the Court to order me to jail immediately.** If my request is granted, I will be given jail credit at not less than 8 hours or more than 24 hours as the period I must remain in jail to satisfy not less than a minimum of $150 of the fines and costs. **I understand that the Judge will determine the rate at which I earn jail credit.**

 **The Court has not encouraged me to make this motion.** I understand that I have been convicted of an offense punishable by the imposition of a monetary fine, not by a term of incarceration. My request to discharge the fine and costs through commitment to jail has not been influenced by the Court or any individual, other than myself. This motion is made **freely** **and voluntarily**.

 **I have read this entire motion, I understand it, and I agree to sign it and present it to the Judge. I want the Judge to grant this motion and order me to jail.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Defendant's Signature

Printed name and address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Telephone number(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 🞎 Motion granted 🞎 Motion denied

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Date Judge, Municipal Court

 *(municipal court seal)* City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**COMMITMENT**

 On this the \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, the Court considered the foregoing Defendant’s Motion to Lay Out Fine in Jail. **The Court finds** that the motion was made freely and knowingly and the Court determines that the request should be granted.

 It is therefore **ORDERED** that the Defendant, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, is committed to the custody of the [(Chief of Police)(City Marshal) of the City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_] (Sheriff of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County), Texas until such time as Defendant’s fine and costs have been discharged as provided by law and that this Motion and Commitment be kept with the papers of this cause.

 Unless otherwise specified in the judgment or sentence in said cause, pursuant to Article 45.048(b), Code of Criminal Procedure, the Court specifies that 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*) until such time as Defendant’s fine and costs have been discharged.

 It is **ORDERED** that this Motion and Commitment be kept with the papers of this cause.

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

 Judge, Municipal Court

City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(municipal court seal)*

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

**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 NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **STATE OF TEXAS § IN THE MUNICIPAL COURT**

 **VS. § CITY OF**

 **§ COUNTY, TEXAS**

**DEFENDANT'S REFUSAL TO DISCHARGE FINE OR COSTS BY PERFORMING COMMUNITY SERVICE**

 On the \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, I was found guilty of the offense of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and was assessed a fine and court costs totaling $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ dollars, of which $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is unpaid.

*(check one):*

🞎 I failed to pay the fine and/or costs stated above.

🞎 I have been determined by the court to have insufficient resources or income to pay the fine and/or costs stated above.

 I understand that the judge is permitted to require me to discharge all or part of the fine or costs by performing community service.

 **I CAN discharge the fine or costs without experiencing any undue hardship.**

 **AND**

 **I DO NOT WANT to discharge any or all of said fine and/or costs by performing community service.**

 I was 17 years old or older when I committed the offense. I am of sound mind. The court has not encouraged me to refuse to discharge all or part of said fine and/or costs by performing community service.

 **I WANT** to discharge the fine and costs by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **I have read this entire refusal, I understand it, and I agree to sign it and present it to the Judge. I want the Judge to acknowledge my refusal and grant my request to discharge the fine and costs as I stated above.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Defendant's Signature

Printed name and address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone number(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 🞎 Refusal Acknowledged

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Date Judge, Municipal Court

 *(municipal court seal)* City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_