

REFERRAL TO COURT FOR HEARING – NONCOMPLIANCE WITH DIVERSION AGREEMENT (Arts. 45A.510 and 45A.511, C.C.P.)

CAUSE NUMBER: _____

§

IN THE MUNICIPAL COURT

§

CITY OF _____

§

_____ COUNTY, TEXAS

NOTICE TO APPEAR FOR REFERRAL HEARING

Child's Name: _____ Charge being Diverted: _____

Address: _____

Parent's Name: _____

Address (if different from Child's address): _____

The Court's records show that you have failed to comply with the diversion agreement entered into by you and your parent on _____, 20__ according to its terms. **You and your parent are hereby ordered** to appear before the _____ Municipal Court at _____ o'clock __.m., on the _____ day of _____, 20__, for a hearing to determine whether diversion should be declared unsuccessful. Specifically, the records show you failed to:

_____.

The Court may also hear from any person who may be of assistance to the child or the court in determining what is in the best interests of the child and the long-term safety of the community. If applicable, please contact the Court and provide the name and address of such person.

If the Court finds the diversion unsuccessful, the Court will either transfer the Child to juvenile court for alleged conduct indicating a need for supervision under Section 51.08 of the Family Code or refer the charge to the prosecutor for consideration of re-filing.

Judge, Municipal Court
City of _____
_____ County, Texas

(municipal court seal)

Editor's Note: Diversion under Subchapter K of Chapter 45A of the Code of Criminal Procedure applies to non-traffic offenses committed on or after January 1, 2025. See H.B. 3186 (88th Legislature, 2023).