## Municipal Court

The Municipal Court has jurisdiction over Class C misdemeanors issued by City Police Officers, Fire Marshall, Code Enforcement Officer and Animal Control Officers. The Court Clerk's office is responsible for processing the clerical work of the court, setting trial dockets, collecting court fines and fees, maintaining court records and performing administrative duties delegated by the Municipal Court Judge.

Court Clerks are not licensed attorneys and cannot provide legal advice.

Please allow 2 working days for processing and filing before contacting the court regarding a citation.

## Municipal Court FAQ'S:

***Traffic Violations:***
Includes moving and non-moving violations, commercial vehicle violations, failure to maintain financial responsibility, no driver's license, etc.

***Parking Violations:***
Violations of the city parking ordinances.

***Class C Misdemeanors:***
Offenses punishable by a fine not to exceed $500 and including public intoxication, theft (less than $50), disorderly conduct, alcohol offenses involving minors and assaults.

***Violations of City Ordinances:***
Violations of city codes including those for fire safety, zoning, public health and sanitation, animal control and solid waste.

## Court Options:

All options may be requested in person or by mail.

***Not Guilty:***
Trial by Judge only
Trial by Jury

A plea of not guilty may be mailed to the court. The court will schedule the case for a pre-trail hearing and notify you of the court date and time. You and your attorney must be present at the time of the pre-trial hearing.

***Guilty or No Contest:***
You may plead guilty or no contest. If you do you may be eligible for one of the following programs that will keep a conviction off of your record:

***A) Driving Safety Course – Requirements***

- Must request within 10 days of the citation
- TX driver's license**
- Insurance in your name
- Must not have taken driver safety course in previous 12 months
- Not for speeding over 25 mph over posted limit and/or certain other violations

** Not required for active military duty

***B) Discretionary Driving Safety Course***

Includes the same requirement as above except that you have not taken a driving safety course within the past 12 months or that you have missed the due date to request a driving safety course.

***C) Probation (Deferred Disposition)***

Available for:

- Seat Belt Offense
- Insurance Offenses
- Speeding in a School Zone
- Other traffic offenses and all city ordinance violations

Probation fees are subject to recommendation by City Prosecutor and approval by Judge.

The following Court options will "**NOT"** keep a conviction off of your record:

***4) Pay Fine***

Pay all fines, fees and court cost at the time of entering your plea. If you are unable to pay all fines, cost and fees at once the court may allow you to make installment payments if the court agrees to the installment payments.

***5) Community Service***

If you feel that you are unable to make installment payments because you have income of less than 125% of the federal poverty guidelines or for other good reason, the court may allow you to discharge your fines by the performance of community service if you are physically able to do so. You will need to come to court and request community service from the judge.

## Mandatory Dismissals:

Under the following circumstances you may be entitled to have your citation dismissed:

***A. Liability Insurance***

If you are cited for Failure to Present Proof of Insurance, the citation will be dismissed if you present proof that you had valid insurance at the time you were cited.

### *B. Drivers License*

If you are cited for Failure to have and Produce a Driver's License, the citation will be dismissed if you present proof that you had a valid Driver's License on the date of and the time of the offense.

### *C. Expired Driver's License, Registration, or Inspection*

If you are cited for an expired driver's license, registration or inspection sticker, the citation will be dismissed if you renew the expired item within 10 days of the date of the citation, pay any County penalty fees and pay a $20.00 administrative dismissal fee.

## **Court Appearances:**

The law requires that you appear in court to enter a plea on your case. If you were issued a citation, you must appear by the 10th business day of receipt of the citation. Your initial appearance may be in person, by mail or by your attorney appearing in person at the court. The purpose of your initial appearance is to enter a plea (guilty, not guilty or nolo contendere) and to advise the court as to the type of trial (jury or non-jury) that you want if you are pleading not guilty. There are separate rules for offenders sixteen years of age or less.

If you have been released on bond you will be sent a court date.

If you waive a jury trial and plead guilty or nolo contendere (no contest), you may talk to the judge about extenuating circumstances that you want the judge to consider when setting your fine, however, the judge is not required to reduce your fine.

When you make your appearance by mail, your envelope must be postmarked on or before the 10th business day after you received your citation. If you plead guilty or no contest, you must include a waiver of jury trial. If you plead not guilty, the court will send you a notice setting the date of your pre-trial hearing.

## **Failure to appear:**

If you fail to appear in-person or by mail by the 10th business day after the date you received your citation or summons, or if you subsequently fail to appear for a pre-trial or trial setting, you may be charged with an additional offense of "Violation of Promise to Appear" or "Failure to Appear" and a warrant for your arrest will be issued.

The offenses of "Violation of Promise to Appear" and "Failure to Appear" carry with them additional court costs, fees and fines. Your failure to resolve your offenses will result in reports being made to the Department of Public Safety. You may be denied your right to renew your driver's license.

## Payment Information:

Payments are accepted through the mail to (forms of payment accepted are check, money order):

City of Joshua
%Municipal Court
101 S. Main
Joshua, TX 76058

Payments mailed must be postmarked on or before your court appearance date. Payments in the form of check or money order should be made payable to the City of Joshua. Please include your citation number or the docket number. Please do not send cash. Make sure the amount sent is sufficient to pay the court cost. Cases must be paid in full (or in installments when approved by the judge).

**Installment Plans must be arranged in person.**

Payments may be made in person at (forms of payment accepted are cash, check, money order, Visa, MasterCard and Discover):

Joshua City Hall
101 S. Main
Joshua, TX

Payments may be made in person Monday thru Friday 8:00 a.m. – 4:45 p.m. (excluding holidays)

Payments may be made by phone by calling (forms of payment accepted are Visa, MasterCard and Discover):

817-558-7447

## Failure to Resolve Your Case:

The Court will initiate the following actions to ensure your compliance:

- File an additional offense against your for Failure to Appear. (This would be in addition to any fine that may be owed on the original case(s).
- Issue a Warrant of Arrest
- Send notification of your outstanding case(s) to the Department of Public Safety. (This will result in denial of renewal or issuance of your driver's license).
- Referral to a Collection Agency.

| MUNICIPAL COURT FINES | | | |
|---|---|---|---|
| ***Speeding*** | | ***Drivers License*** | |
| 0-10 mph | 142.00 | Expired DL | 114.00 |
| 11-20- mph | 162.00 | No DL | 114.00 |
| 21-30 mph | 182.00 | Failure to Change Address | 114.00 |
| 31 or over | 292.00 | No Motorcycle Endorsement | 94.00 |
| School zone | Contact the court | | |
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| ***Miscellaneous Traffic Offenses*** | | ***City Ordinances/Other*** | |
| Defective Equipment | 142.00 | Animal at Large | 139.00 |
| Disregard RR Crossing | 192.00 | Assault by Contact | 264.00 |
| Red Light | 152.00 | Minor in Possession of Alcohol | 309.00 |
| Stop Sign | 152.00 | Minor in Possession of Tobacco | 274.00 |
| Exp. Safety Inspection | 142.00 | Ordinance – High Grass | 314.00 |
| Exp. Vehicle Registration | 115.00 | Parking Fire Lane | 139.00 |
| No Insurance (FMFR) | 236.00 | Parking Handicap | 188.00 |
| Passing/Turning Violations | 152.00 | | |