

OPTIONS REGARDING TO YOUR CITATION

Under Texas law, you can be brought to Trial only after a formal citation or Complaint has been filed. The citation or Complaint is a document that states the charge(s) against you and alleges that your actions were unlawful. If you are given a citation by a police officer, you must make your appearance either in person on the date that is on your citation or by email (court@ToddMissionTX.gov) prior to that date to hear all your options regarding your citation. Court dates cannot be rescheduled.

If you do not make your appearance at all for your scheduled court date, you may be charged with an additional violation of Failure to Appear or Violate Promise to Appear and the Judge may issue warrant(s) for your arrest, which will incur more fines and fees. 60 days after the issuance of warrants, and they still have not been taken care of, the cases are sent to a collection agency and an additional court cost fee will be added to each violation. The Court may also place a hold on your driver's license with the Texas Failure to Appear Program until your cases have been resolved in some way. The hold placed on your license will keep you from being able to renew your license once it expires or if you lose it, the hold will keep you from obtaining a new one. This is not a suspension of your driver's license, just a hold placed until all cases are disposed of.

Please note that unless there is already a judgment entered in the case, the only person who can take care of the ticket or make an appearance regarding the ticket is the person the ticket was issued to, unless this person is being represented by an attorney.

When you receive a citation, the options you must resolve your case can vary depending on many different factors, including but not limited to the type of violation, the severity of the violation, the age of the defendant, etc. Please make sure to read all the helpful important information that is listed on the bottom of the citation under the signature line.

To Make Payments On-Line Click on www.toddmissiontx.gov

Select the green "Pay
Ticket Online" tab at the
top of the page.

Enter in the name as it appears on the citation, citation number (6 digits), the Date of Violation and the payment amount.

Options on How to Handle Your Ticket

Special Instruction for Juveniles and Minors

Texas State Law requires that all juveniles (ages 10-16) must appear in person with a parent or legal guardian in open Court regardless of the offense. For tobacco offenses, any defendant under the age of 18 must appear in open Court with a parent or guardian. For alcohol offenses, any defendant under the age of 21 must appear in open court with a parent or legal guardian. **PLEASE NOTE THAT IT IS THE PARENT/GUARDIAN AND DEFENDANTS RESPONSIBILITY TO LET THE COURT KNOW OF ANY CHANGES TO THE DEFENDANT'S ADDRESS UNTIL ALL CASES ARE DISPOSED OF.**

Option #1 - Plead No Contest or Guilty and Pay the Fine.

By Mail: Mail your payment to the Todd Mission Municipal Court with a check or money order. Please see the "Fines and Fees Schedule and Payment Options" tab to determine the amount you should remit for payment or you can email the Court (court@ToddMissionTX.gov) for the total amount due. Please also fill out, sign and return a **PLEA FORM** with your payment.

Online Credit/Debit Card Payment Options: Please call municipal court for citation amount.

Please note that if you choose not to make your appearance and pay the citation in full to close the case, you will be waiving your right to Discovery, waiving your right to a Jury Trial and you will be convicted of the violation(s). Conviction(s) may be reported to the Texas Department of Public Safety.

Option #2 – Plead Not Guilty and Request a Trial.

In Person – Appear in person on your appearance date to speak with the Prosecutor. If you and the Prosecutor cannot come to an agreement regarding your citation, you may enter a Not Guilty plea to the Judge in open Court and a Trial date will be set at that time. You have the right to a Bench Trial which is a trial by the Judge no jury will be present or by Jury Trial. You will need to bring the following documents:

- Copy of Driver's License
- Copy of your Auto Liability (with your name listed as a driver)
- Copy of the Citation

By Mail – You may also enter a plea of not guilty by mail. To do so, you must write a letter to the Court and request a Pre-Trial Hearing, fill out, sign and return to the Court a **PLEA FORM** and it must be postmarked by the date by your appearance date. Include the following documents with your letter:

- Copy of Driver's License
- Copy of your Auto Liability (with your name listed as a driver)
- Copy of the Citation
- Plea Form

When all the proper documentation is received, the Court will mail you back a Pre-Trial date and time to appear in Court. If you plan on hiring an attorney to represent you, please have the attorney send a Letter of Representation to the Court by email (court@ToddMissionTX.gov) as soon as possible. The Court is not required to provide an attorney to you.

Option #3 – Request a Driving Safety Course or a Motorcycle Operating Course in Person or by Mail.

DSC/MOTC WARNING

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

You may be eligible to have the citation dismissed by taking a Driving Safety Course, a Motorcycle Operator Training Course, if you were operating a motorcycle at the time you received the citation. To protect this right, you must appear in person or provide written notice to the Municipal Court by email (court@ToddMissionTX.gov) on or before the date listed at the bottom of the citation.

If applying by mail, please fill out the **DRIVING SAFETY COURSE REQUEST** form and follow the instructions. This form must be notarized. Include all of the required documents needed and the required court cost of \$143.90 or if the violation occurred in a school zone, \$168.90. If you have met all the requirements, the Court will send you back information on how and where to take your course along with your due date.

If applying in person, please bring your valid Texas driver's license, a hard copy of your valid personal automobile insurance policy or ID card with your name listed as a driver and \$143.90 for court cost or if the violation occurred in a school zone \$168.90 for court cost.

You may not take any safety course until the court has granted you permission to do so.

You are NOT eligible to take these courses if:

- The alleged offense is not a moving violation;

- Your alleged speed was 25 MPH or over the posted speed limit or if your alleged speed was 95 MPH;
- You possess a CDL driver's license;
- Your alleged offense was Fail to Stop for School Bus;
- You have taken a driver's safety course within the last year;
- If the alleged offense occurred in a construction zone with workers present.

If you are granted permission to take a safety course and IF the terms are not met, the defendant will be ORDERED to a Show Cause Hearing and the Judge may order you to pay the fine and the violation will be reported as a conviction to the Department of Public Safety. If you do not show up at the Show Cause Hearing, you will be found guilty of the violation, a judgment will be rendered against you, a Capias Pro Fine Warrant may be issued for your arrest and the conviction will be reported to the Texas Department of Public Safety. A hold will be placed on your driver's license until the warrant is taken care of.

Option #4 – Request Deferred Disposition (Probation) in person.

If you do not qualify for or do not wish to take a Safety Course, you may appear in person to the Court on your appearance date to request a Deferred Disposition.

Deferred Disposition is a way of having your citation dismissed after completion of a probationary period set by the Court, during which no additional convictions are received and after all requirements imposed in the deferred order are satisfied.

You will be required to pay the applicable court cost and a special expense fee by the end of your deferral date/probationary period. Upon successful completion of the probation period, which may be from one (1) day to one hundred eighty (180) days and have the Statement of Compliance signed and notarized, the violation will be dismissed by the Court and not reported as a conviction.

You are NOT eligible for a Deferred Disposition if:

- Your alleged speed was 25 MPH or more over the posted speed limit;
- You possess a CDL driver's license;
- The alleged offense occurred in a construction zone with workers present;
- Your alleged violation must be either a moving violation or a first offense of No Insurance/Failure to Maintain Financial Responsibility.
 - If you have a violation other than a moving violation or insurance violation and still would like to request a Deferred Disposition, you will have to request speak with the Prosecutor and/or Judge.

Deferred Disposition Requirements for Those Under 25 Years of Age:

Defendants under 25 years of age shall be required to take a Driving Safety Course for all moving violations. Defendants with provisional driver's licenses will be required to take the "behind the wheel" test at the Department of Public Safety for all moving violations. If you're a juvenile (Ages 10-16) or a minor and your alleged offense was alcohol or tobacco related, you will be ordered to take the appropriate mandatory awareness class and will be ordered to do mandatory community service.

If you are granted a Deferred Disposition and fail to meet the terms, you will be ORDERED to a Show Cause Hearing and the Judge may order you to pay the fine and the violation will be reported as a conviction to The Department of Public Safety. If you do not show up at the Show Cause Hearing, you will be found guilty of the violation, a judgment will be rendered against you, and if there is money still owed to the Court, a Capias Pro Fine Warrant may be issued for your arrest and the conviction will be reported to the Texas Department of Public Safety. A hold will be placed on your driver's license until the warrant is taken care of.

Discovery Acknowledgement

You have the right to request from the State/Prosecutor all documents, items, and information regarding your case that is in the possession of the State and the State is required to provide you with the documents, items, and information requested. If you would like to make a Request for Discovery, you may do so by filling out the **DISCOVERY REQUEST FORM** and return it to the Court. Please follow all instructions on the form to make sure the Court can take care of your request in a timely manner.

Compliance Dismissal Information

You may request a dismissal of your citation if you are charged with the following offense(s):

Expired Driver's License

If you meet the following:

- Renew your driver's license;
- Present the proof by email to the Court Clerk on or before your appearance date;
- Pay a \$20.00 fee.

Expired Motor Vehicle Registration

If you meet the following:

- Renew your registration and **you must** let the registration/tax office know that you received a ticket while your registration was expired;
- Make sure registration/tax office charges the Late Penalty Fee;
- Present registration receipt by email to the Court Clerk on or before your appearance date;
- Pay a \$20.00 fee.

Fail to Display Driver License

If you meet the following:

- Present original driver's license by email to the Court Clerk on or before your appearance date;
- Pay a \$10.00 fee

Defective Equipment

If you meet the following:

- Correct/replace the defective equipment;
- Bring your vehicle that you were stopped in with the corrected/replaced defective equipment to Court on your appearance date;
- One of the Court Clerks will inspect the vehicle from Clerk's office window to see if violation is corrected;
- Pay a \$10.00 fee.

Failure to Report Change of Address or Name

If you meet the following:

- Change your address or name;
- Present proof by email to the Court Clerk on or before your appearance date;
- Pay a \$10.00 fee.

No Insurance (Fail to Maintain Financial Responsibility)

If you meet the following:

- You must have had automobile insurance that was valid at the date and time of the stop;
- Present proof by email to the Court Clerk on or before your appearance date;
- All proof will be verified by the Court Clerks by calling the insurance company directly;

If insurance was valid, the citation will be dismissed with no charge.