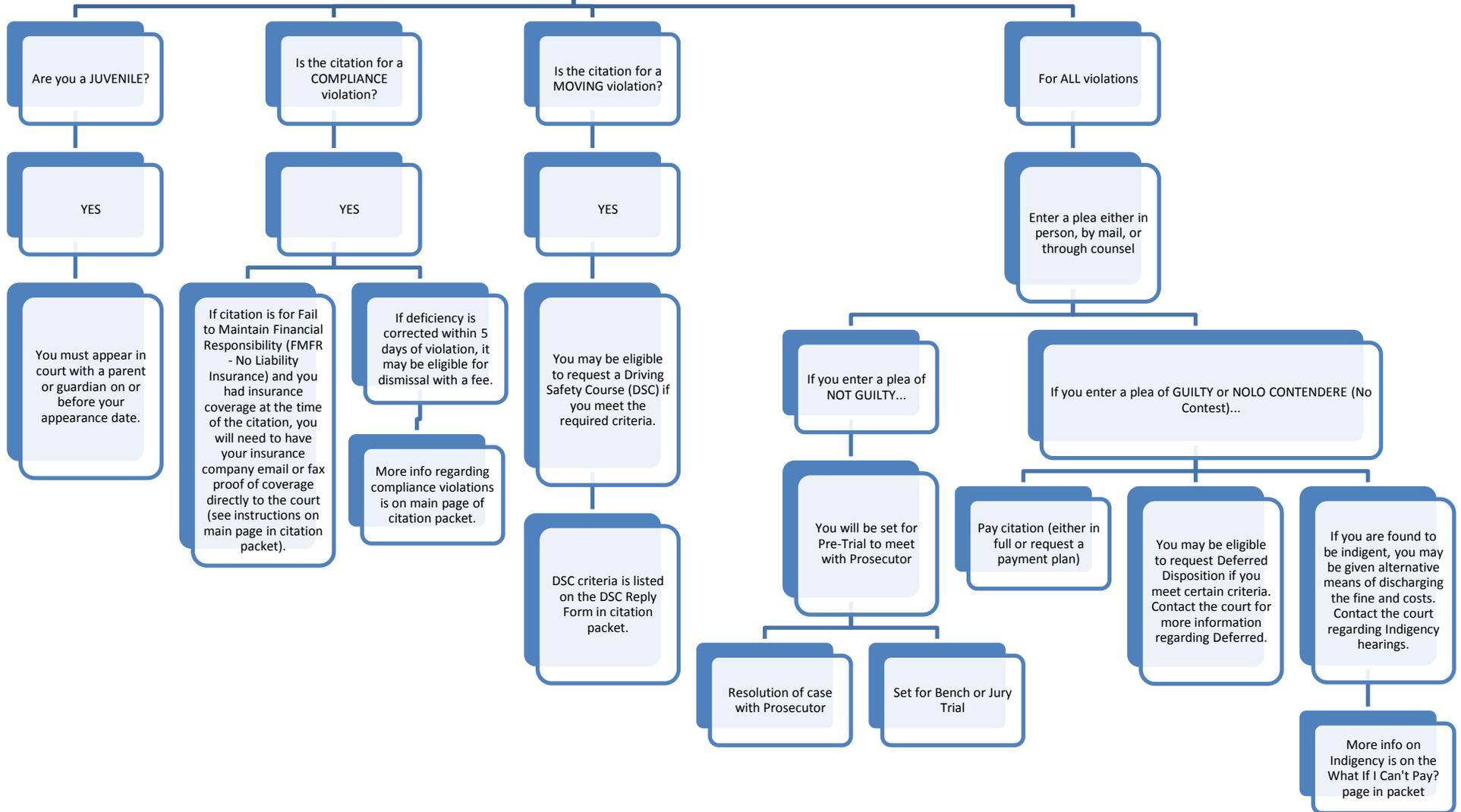


So, you received a citation. Now what?



What if I Can't Pay?

You may be concerned if you have been charged with an offense, you do not wish to contest the charge, and you do not have an ability to pay fines, fees, and court costs at this time. If this is the case, it is very important to respond to the charge and to continue communication with the court. Failure to respond to the charge could lead to additional charges filed, additional fees owed, a hold on your driver's license or registration, and/or a warrant issued for your arrest. Timely responses and continued communication with the court will minimize charges filed and fines or fees owed. Additionally, taking care of fine-only misdemeanor charges will prevent you from being arrested related to the charges. The information below is provided to give you more information related to the laws and protection provided for those who have an inability to pay.

Indigence

- If a judge determines that you have an inability to pay due to a lack of resources, the judge will find you to be indigent. Defendants found to be indigent must be given **alternative means** to discharge their judgments. While there is no definition in the law for indigence, the judge may make a determination by examining your sources of income and your expenses. Helpful information could include pay stubs and bank statements as well as information showing that you receive federal or state assistance.

Alternative Means

- There are currently three alternative means defined under Texas law.
- **Installment Payments** - The judge may allow you to pay your fines and costs over a period of time at an amount that is manageable to you. Defendants that pay any amount more than 30 days after judgment are required by state law to pay an additional \$25 time payment fee. This amount would be added to the total amount owed on your judgment.
- **Community Service** - A judge may order an indigent defendant to discharge a judgment through community service. At least \$50 of your judgment would be discharged for each 8 hours of work you perform for an approved governmental agency or nonprofit organization.
- **Tutoring** - If you are a child (under the age of 17) who has been charged with a crime committed on the school grounds where you are enrolled, the judge may allow you to discharge your judgment by completing tutoring.

Waiver of Fines and Costs

- Judges may not waive fines and costs as an alternative means of payment. Only after a defendant has defaulted in payment, if the judge determines that the defendant is either indigent or a child, and that community service would impose an **undue hardship**, may the judge may waive payment of a fine or costs imposed.

What if I'm not Indigent?

- If you have an inability to pay right now, but you are not indigent, the judge may still allow you to pay your judgment at a later date or in installment payments.

Office Hours: Monday – Friday
8:00 A.M. – 5:00 P.M.

Office (512) 446-0812
Fax (512) 446-6258
Email: municipalcourt@rockdalecityhall.com

Rockdale Municipal Court
505 West Cameron Avenue
P.O. Box 586
Rockdale, TX 76567

Log on to www.rockdalecityhall.com to pay your citation online!

If you are requesting Defensive Driving you **MUST** follow directions on DSC reply form and are not eligible to submit online payment.

The Judge cannot discuss the merits of a pending judicial proceeding prior to trial: Cannon 3(5), Code of Judicial Conduct. This means the Judge cannot discuss your citation with you. Clerical staff is available to discuss procedural questions only.

THE JUDGE, INCLUDING CLERICAL STAFF, CANNOT GIVE LEGAL ADVICE

1. This notice is furnished to assist you in handling the charge(s) filed against you.
2. To enter a plea of **GUILTY** or **NOLO CONTENDERE (No Contest)**, please so indicate on the attached form provided. Either plea means that you do not contest the charge(s) filed against you.
3. The fine for either plea is the same and indicates that by signing the plea form, you agree to waive appearance and trial before the Court.
4. You must refer to the Rockdale Municipal Court Fine Schedule (see enclosed form) to determine the total amount of your fine(s) and costs assessed against you. Remit payment by **Cashier's Check or Money Order** to the "City of Rockdale" at the above mailing address. Notate your citation number (top left-hand corner of your citation) and this letter with your remittance to assure proper credit. The Court accepts VISA or MasterCard payments, but there will be a 5% processing fee added to the payment.
5. **TO ENTER A PLEA OF NOT GUILTY**, which requires a **TRIAL**, you must so indicate in person (open court) by your appearance date. You will be notified by return mail of your pre-trial appearance date and time. You have the right to a trial by jury if you so request. **NOTE:** The cost of impaneling a jury can in some instances be charged to the defendant.
** By entering a plea of Not Guilty, I hereby waive my right to request DSC at a later date for this violation.
6. **TELEPHONE CALLS DO NOT CONSTITUTE AN APPEARANCE DATE BEFORE THE COURT.**

JUVENILES (16 YEARS OF AGE AND UNDER) MUST APPEAR IN COURT WITH A PARENT OR GUARDIAN ON OR BEFORE THEIR APPEARANCE DATE AS SHOWN ON THE CITATION OR BE SUBJECT TO HAVING THEIR LICENSE SUSPENDED AS REQUIRED BY LAW. JUVENILES MAY NOT REPLY BY MAIL.

NOTICE OF CONTINUING OBLIGATION TO INFORM COURT OF CHILD'S RESIDENCE – As pursuant to Texas Law, Article 45.057(j), Code of Criminal Procedure, you are being provided written notice of the following:

- (1) A child and parent required to appear before the Court have an obligation to provide the Court IN WRITING with the current address and residence of child;
 - (2) The obligation does not end when the child reaches age 17;
 - (3) On or before the seventh day after date of residence change, the child or parent shall notify the Court of current address in the manner directed by the Court; and
 - (4) Failure to provide notice is a Class C misdemeanor and may result in arrest.
-

The listed cases **MAY** be considered for dismissal **IF** the charges filed against you are for the offense(s) of:

1. **Expired Vehicle Registration:** you may be eligible to have the charges **DISMISSED** with a **\$20.00** administrative fee if you present proof of correction within 20 working days after the offense or before your court appearance, whichever is later. **You must show proof of payment of late registration fee (penalty fee) to county assessor-collector.**
 2. **Fail to Report Change of Address or Name:** you may be eligible to have the charge **DISMISSED** with a **\$20** administrative fee, if you remedy the defect **NOT** later than the 20th working day after the date of the citation.
 3. **Fail to Display Driver's License:** you will be eligible to have the charge **DISMISSED** with a **\$10.00** administrative fee, if you present proof of valid driver's license at the time of the offense
 4. **No Liability Insurance:** the charge will be **DISMISSED** if you contact your insurance company and request your insurance company email or fax to the court proof of liability insurance effective on the date and time your citation was issued. **Your citation number must be noted on the cover sheet from insurance company.** This proof should be presented to the Court **by the appearance date** shown on your citation. Please note: ***The court will not accept a copy of your insurance card or a fax from you.***
-

CONSEQUENCES OF IGNORING THIS TICKET:

FAILURE TO ATTEND COURT APPEARANCE ORDERED WILL RESULT IN:

1. A request to the Texas Department of Public Safety to deny the renewal of your driver license (\$30.00 fee);
2. A separate criminal charge of Failure to Appear (Maximum fine \$200.00) filed against you;
3. An arrest warrant (\$50.00 warrant fee) issued against you plus other administrative fees may be added; and/or
4. A request to the Texas Department of Transportation to deny the renewal of your vehicle registration.

if a warrant for your arrest is issued, you will be subject to arrest at your home, place of business or wherever you may be found. **inability to pay the fine is not an excuse for failure to answer the charge(s).**

REPLY FORM

ROCKDALE MUNICIPAL COURT

P.O. BOX 586 * 505 WEST CAMERON AVENUE * ROCKDALE, TX 76567
512-446-0812 * FAX-512-446-6258

Plea Must be in Writing or in Person ON or BEFORE Your Appearance (Court) Date

Name (as appears on driver's license) _____

Citation Number: _____ Date of Citation _____ Appearance Date: _____

Mailing Address: _____

Physical Address: _____

Driver's License Number _____ Telephone/Cell Number (_____) _____

JUVENILES (16 YEARS OF AGE AND UNDER) MUST APPEAR IN COURT WITH A PARENT OR GUARDIAN ON OR BEFORE THEIR APPEARANCE DATE AS SHOWN ON THE CITATION OR BE SUBJECT TO HAVING THEIR LICENSE SUSPENDED AS REQUIRED BY LAW. JUVENILES MAY NOT REPLY BY MAIL.

Rockdale Municipal Court offers DEFERRED DISPOSITION – contact our office for information

ROCKDALE MUNICIPAL COURT DOES NOT ACCEPT PERSONAL CHECKS

PLEA/REPLY FORM

1. I hereby enter a plea of NOT GUILTY and request a trial.
 I want a jury trial.
 I waive my right to a jury trial and request a trial by Judge.

By entering a plea of NOT GUILTY, I hereby waive my right to request Defensive Driving for this violation at a later date. I understand that a Pre-Trial notice will be mailed to the above address with date and time to appear.

2. I hereby enter a plea of GUILTY and waive appearance before Court for trial.
Payment in full or partial payment with request for Payment Plan is due at time plea is entered.

3. I hereby enter a plea of NOLO CONTENDERE and waive appearance before Court for trial.
Payment in full or partial payment with request for Payment Plan is due at time plea is entered.

DEFENDANT'S SIGNATURE: _____ DATE: _____

I am requesting a payment plan for the remaining balance after my 1/2 has been paid. I understand that a payment plan will be mailed to the address provided above and I am required to sign and return the document to the Court. I would like to request a payment plan for (circle one):

30 days 2 months 3 months 4 months

Any payment plan requested for longer than 30 days will have a one-time fee of \$25 added to the balance (as required pursuant to Sec. 51.921, Government Code.)

DRIVING SAFETY COURSE (DSC) REPLY FORM

IMPORTANT NOTICE: This reply form is only for person's age 17 and older.

You may be able to request that this charge be dismissed by taking a driving safety course, motorcycle operator course or specialized driver safety course for seatbelt offenses. **However, you will lose that right if you do not provide written notice to the Court on or before your appearance date and pay the court costs in full.**

Active duty military personnel please contact the court at 512-446-0812.

DSC DISQUALIFICATION REASONS: Person's holding a commercial driver's license; non-Texas driver's license; speeding 25 mph or more over the posted speed limit; committing a traffic offense in a construction or maintenance work zone when workers are present; passing a school bus loading or unloading children; leaving the scene of an accident are excluded from taking a driving safety course.

REQUESTING DSC ART 45.0511 Texas C.C.P., PLEASE SUBMIT 1 – 5 LISTED BELOW:

1. A written request on or before appearance date on the citation; if mailing the plea, it must be sent to the court by **certified mail, return receipt requested and postmarked on or before the appearance date.** (The written request is the affidavit below, which must be **NOTARIZED.**)
2. Plead guilty or nolo contendere (no contest) and waive a jury trial;
3. Pay court costs in the amount of \$110.00 or \$135.00 if offense occurred in a school-crossing zone: payable to Rockdale Municipal Court in the form of a money order or cashier's check (**NO PERSONAL CHECKS**)
4. Submit a clear photo copy of your valid Texas driver's license (**CORRECT ADDRESS LISTED**). No FAXES please.
5. Contact your insurance company and have them email or fax proof of your personal insurance to our office. Your citation number must be listed on subject line of email or fax cover sheet. Email: municipalcourt@rockdalecityhall.com
Fax: **(512)-446-6258**

Once the Judge has granted/denied a driving safety course (DSC), the Court will notify you by 1st class mail of the Judge's decision.
PLEASE DO NOT TAKE THE CLASS UNTIL NOTIFIED TO DO SO BY THE COURT

Once approved you will be required to:

- A. Present to the Court a certified copy of your driver's license record from the Texas Department of Public Safety within 90 days: (ORDER online at www.txdps.state.tx.us (Version 3 A)
- B. Present to the Court a uniform certificate of driving safety course completion certificate from a Texas Department of Licensing and Regulation approved course (the signed COURT COPY) within 90 days from the date of your request by 5:00 p.m.

DRIVING SAFETY COURSE (DSC) AFFIDAVIT

Check only one (1) plea:

_____ I hereby enter a plea of GUILTY; waive my right to a jury trial or any trial and request to take a driving safety course.

_____ I hereby enter a plea of NOLO CONTENDERE (no contest); waive my right to a jury trial or any trial and request to take a driving safety course.

I _____, hereby plea to the attached moving traffic citation and request the Court to dismiss the charge under the terms of the Texas Code of Criminal Procedure, Article 45.0511 by certified return receipt mail. I certify that I have not taken a course under the above mentioned article within the 12 months preceding the date of the offense, that I am not taking a course under this article and have not completed a course that is not reflected on my driving record within the 12 months preceding the date of offense. I have a valid Texas driver's license and the evidence of financial responsibility provided to the court is valid. I understand that I must enclose the state fee of \$110.00 (\$135.00 if in a school zone) in the form of a money order or cashier's check and that the fee is non-refundable even if for any reason I do not take the driving course. I understand that I have 90 (ninety) days from the date of this request in which to complete the driving safety course and provide proof of completion in the form of the court copy signed by me to the Court. I further understand that I must obtain a certified Texas driving record that would reflect any driving safety course and submit my driving record along with my court copy of certificate of completion to the Court by the 90th day at 5:00 p.m.

CITATION NUMBER: _____

DRIVER'S LICENSE #: _____

DEFENDANT'S SIGNATURE: _____

Signed and sworn to before me the undersigned authority on this the _____ day of _____, 20 _____.

Notary Public – State of Texas **OR** – Municipal Court Clerk

(NOTARY SEAL)

Court Address: P O Box 586 *or*
505 West Cameron Avenue
Rockdale, Texas 76567

Rockdale Municipal Court Fine Schedule

as of December 1, 2015

Offense	Total Fine including State Costs	
Animal at large	\$ 391.00	
Assault by Contact/Threat	\$ 391.00	
Attempt to Purchase Alcohol - Minor	\$391.00	
Cut across Driveway to Make Turn	\$ 200.00	
Defective Equipment	\$199.00	
Disorderly Conduct	\$ 391.00	
Disregard Official Traffic Control Device	\$ 203.00	
Driving While License Invalid/Suspended	\$ 424.00	
Expired Driver's License	\$ 203.00	
Expired Registration/Inspection	\$ 199.00	
Fail to Meet Req upon Striking Unattended Vehicle/Fixed Object	\$ 199.00	
Fail to Stop at Designated Point	\$199.00	
Fail to Stop for Bus Loading and Unloading	\$ 895.00	
Fail to Yield Right-of-Way	\$ 200.00	
Failure to Appear	\$ 249.00	
Failure to Attend School	\$ 586.00	
Failure to Change Name/Address on Driver's License	\$ 166.00	
Following Too Closely	\$ 200.00	
No Driver's License	\$ 203.00	
Fail to Maintain Financial Responsibility - 1st Offense (No Insurance)	\$ 391.00	
Fail to Maintain Financial Responsibility - 2nd Offense (No Insurance)	\$ 836.00	
No Seat Belt - Driver/Passenger	\$ 149.00	
Parked in Handicap Zone	\$ 845.00	
Parked in Prohibited Area	\$ 245.00	
Permit Unlicensed Person or Minor to Drive	\$ 166.00	
Possession/Consumption of Alcohol in Vehicle	\$ 391.00	
Ran Red Light/Stop Sign	\$ 200.00	
Speeding	\$ 155.00	(+ \$5/mile over speed limit)
Speeding in a School Zone	\$ 180.00	(+ \$5/mile over speed limit)
Theft Under \$100	\$ 392.00	
Unrestrained Child - Fail to Secure Child in Seat Belt ages 2-14	\$ 199.00	
Unsafe Lane Change	\$ 200.00	
Use of Communication Device in a School Zone	\$ 225.00	
Violate Promise to Appear	\$ 255.00	
Violation of City Ordinance	\$ 411.00	
Violation of Curfew	\$ 411.00	
Violation of Driver's License Restriction	\$ 167.00	