



MUNICIPAL COURT
622 E, MARKET STREET
ROCKPORT, TEXAS 78382
court@cityofrockport.com

FAX (361) 729-9645

(361) 729-2213 ext. 237

INSTRUCTIONS FOR JUVENILE DEFENDANTS

Juvenile's rights and plea forms are attached which may be printed and reviewed before your required court appearance.

Juvenile Court Appearances

Juveniles under 17 years of age must appear in person with a parent or guardian before the Judge at the time on the ticket or as notified by the court.

Traffic Violation

If your violation is a moving traffic violation, you have a valid Texas Driver's License and financial responsibility (insurance) and have not taken a Driving Safety Course within the past 12 months prior to receiving your citation, you may, at your court appearance, request a Driving Safety Course to have your citation dismissed without it appearing on your driving record.

Alcohol Violation

You must appear with a parent or guardian for alcohol violations if you are under 18 years of age. If you are convicted of an alcohol offense, the court must order you to complete an alcohol awareness course and complete a period of community service. A period of driver's license suspension is also mandatory.

Tobacco Violation

Upon conviction of a tobacco offense, the court will require completion of a tobacco awareness course in addition to payment of court cost and fees.

Driver's License Suspension

Your license to drive may be suspended or denied if you:

- Fail to appear in court for your citation
- Fail to pay or discharge your fine and cost
- Fail to take and present proof of completion of an alcohol or tobacco awareness course
- Are held in contempt for violating the court's judgment

**IN THE MUNICIPAL COURT OF
THE CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS**

THE STATE OF TEXAS
VS.

CAUSE NO. _____

JUVENILE PLEA FORM

You have been charged with the offense of _____.
You may enter a plea of no contest, guilty, or not guilty.

NO CONTEST

A plea of no contest states you are not contesting the charges filed. If you plead no contest, a finding of guilty will be entered by the Court and the Judge will set the amount of your fine.

GUILTY

A guilty plea states you are guilty of the charges as filed. The fine and costs on a plea of guilty are the same as plea of no contest.

NOT GUILTY

A not guilty plea states you are not guilty of the charge as filed. If you plead not guilty, a trial date will be set. You are required to appear for trial. Failing to appear may result in you being charged with Failure to Appear (Sec 38.11 PC) and a warrant being issued for your arrest. YOU HAVE THE RIGHT TO HIRE AN ATTORNEY. The State is represented by the County Attorney. NOTICE OF YOUR COURT DATE WILL BE MAILED TO THE MAILING ADDRESS YOU HAVE LISTED BELOW.

TO THIS CHARGE:

CHECK ONE

- I hereby enter a plea of NOT GUILTY and request a non-jury trial and do hereby waive my right to a trial by jury.
- I hereby enter a plea of NOT GUILTY and request a trial by jury.
- I hereby enter a plea of GUILTY and do hereby waive my right to a trial by jury.
- I hereby enter a plea of NOLO CONTENDERE and do hereby waive my right to a trial by jury.
- I hereby enter a plea of NOLO CONTENDERE and request DEFERRED ADJUDICATION.

DEFENDANT'S SIGNATURE/DATE DEFENDANT'S ATTORNEY/PARENT SIGNATURE DATE

DRIVER'S LICENSE NO. OR I.D. NO. DATE OF BIRTH SOCIAL SECURITY NO.

PHYSICAL ADDRESS APT # CITY, STATE, ZIP PHONE

MAILING ADDRESS (IF DIFFERENT FROM PHYSICAL)

EXPLANATION OF RIGHTS/WAIVER

On this the ____ day of _____, 2013, the following facts and explanations of my Constitutional Rights were given to me:

I UNDERSTAND THAT I HAVE THE FOLLOWING RIGHTS:

- ___ 1. The right to remain silent and refuse to testify.
- ___ 2. The right to confront or face the State’s witnesses and bring my own witnesses;
- ___ 3. The right to be represented by an Attorney.
- ___ 4. The right to a trial by jury of six persons.
- ___ 5. The right to have my trial before a Judge
- ___ 6. The right to know the charges and accusations made against me.
- ___ 7. The right to know the nature and possible consequences of the trial.

FURTHER UNDERSTAND THAT:

- ___ 8. If I violate a court order, a Contempt charge could be filed against me in Juvenile Court. A declaration of delinquency based on a Contempt would give me a juvenile record which could be used against me in a future sentence hearing.
- ___ 9. At the age of 18, any person convicted of not more than one violation for failing to attend school may apply to the court in which he was convicted to have the conviction expunged. Code of Criminal procedure, Art 45.0216, Expunction of Certain Conviction Records of Children (on back of this page).

I UNDERSTAND THE ABOVE RIGHTS (1-7) AND EXPLANATION (8-9):

X _____
Defendant

WAIVER OF RIGHTS:

I understand my rights and the information as set forth on this form, and I hereby voluntarily, intelligently, and knowingly waive the following rights:

- ___ 10. My right to remain silent.
- ___ 11. My right to trial by jury.
- ___ 12. My right to face the state’s witnesses and to bring my own witnesses.
- ___ 13. My right to be represented by an attorney.

X _____
Defendant

I am the respondent’s parent or legal guardian. I approve of my child waiving the above noted rights and admitting/disputing the alleged offenses. I further do hereby enter my appearance for all purposes, including the assessment of fees and costs (in the cases of a parent or legal guardian only). I also waive service of a summons by a Peace Officer.

X _____
Parent/Guardian of Defendant

**CODE OF CRIMINAL PROCEDURE, Article 45.0216
EXPUNCTION OF CERTAIN CONVICTION RECORDS OF CHILDREN**

- (a) In this article, "child" has the meaning assigned by Section 51.02, Family Code.
- (b) A person may apply to the court in which the person was convicted to have the conviction expunged as provided by this article on or after the person's 17th birthday if:
- (1) the person was convicted of not more than one offense described by Section 8.07(a)(4) or (5), Penal Code, while the person was a child; or
 - (2) the person was convicted only once of an offense under Section 43.261, Penal Code.
- (c) The person must make a written request to have the records expunged. The request must be under oath.
- (d) The request must contain the person's statement that the person was not convicted of any additional offense or found to have engaged in conduct indicating a need for supervision as described by Subsection (f)(1) or (2), as applicable.
- (e) The judge shall inform the person and any parent in open court of the person's expunction rights and provide them with a copy of this article.
- (f) The court shall order the conviction, together with all complaints, verdicts, sentences, and prosecutorial and law enforcement records, and any other documents relating to the offense, expunged from the person's record if the court finds that:
- (1) for a person applying for the expunction of a conviction for an offense described by Section 8.07(a)(4) or (5), Penal Code, the person was not convicted of any other offense described by Section 8.07(a)(4) or (5), Penal Code, while the person was a child; and
 - (2) for a person applying for the expunction of a conviction for an offense described by Section 43.261, Penal Code, the person was not found to have engaged in conduct indicating a need for supervision described by Section 51.03(b)(7), Family Code, while the person was a child.
- (f-1) After entry of an order under Subsection (f), the person is released from all disabilities resulting from the conviction and the conviction may not be shown or made known for any purpose.
- (g) This article does not apply to any offense otherwise covered by:
- (1) Chapter 106, Alcoholic Beverage Code;
 - (2) Chapter 161, Health and Safety Code; or
 - (3) Section 25.094, Education Code.
- (h) Records of a person under 17 years of age relating to a complaint dismissed as provided by Article 45.051 or 45.052 may be expunged under this article.
- (i) The justice or municipal court shall require a person who requests expungement under this article to pay a fee in the amount of \$30 to defray the cost of notifying state agencies of orders of expungement under this article.
- (j) The procedures for expunction provided under this article are separate and distinct from the expunction procedures under Chapter 55.

**CODE OF CRIMINAL PROCEDURE, ARTICLE 45.057 (h) OFFENSES COMMITTED BY JUVENILES
CURRENT ADDRESS NOTIFICATION REQUIRED IN WRITING**

(h) 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 the child. The obligation does not end when the child reaches age 17. On or before the seventh day after the date the child or parent changes residence, the child or parent shall notify the court of the current address in the manner directed by the court. A violation of this subsection may result in arrest and is a Class C misdemeanor. The obligation to provide notice terminates on discharge and satisfaction of the judgment or final disposition not requiring a finding of guilt.

ALL FINES (PAYABLE TO CITY OF ROCKPORT – MUNICIPAL COURT), COMMUNITY SERVICE FORMS, PROOF OF CLASS COMPLETION, ETC, SHALL BE RETURNED TO THIS COURT AT CITY OF ROCKPORT, MUNICIPAL COURT, 622 EAST MARKET STREET, ROCKPORT, TEXAS 78382 ON OR BEFORE DATE DUE. **HB 2319 MADE IT THE LEGAL OBLIGATION OF BOTH THE YOUTH AND PARENT TO KEEP THE COURT ADVISED OF THE DEFENDANT'S PLACE OF RESIDENCE. FAILURE TO INFORM THE COURT OF CHANGES IN ADDRESS IS A CLASS C MISDEMEANOR.**

**IN THE MUNICIPAL COURT
CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS**

**THE STATE OF TEXAS
VS.**

CAUSE NUMBER: _____

**CONDITIONS OF COURT COMPLIANCE FOR
TOBACCO, ALCOHOL AND/OR CURFEW VIOLATION**

You were present in Municipal Court on _____, 20____, to appear and answer regarding criminal charges filed against you in the above referenced cause for the offense of _____ citation issued on _____, 20____.

YOU ARE PLEADING NO CONTEST/GUILTY

(IF DEFERRED MARK BOX). The court, in agreement with the prosecuting attorney, has placed this case on 'HOLD' and will dismiss the case if the defendant complies fully with all terms and conditions set out below.

Failure to comply may result in contempt charges being filed against child and/or parents. This is a court order. Contempt charges may consist of fine, and/or jail time or incarceration in juvenile shelter.

Pay fine in the amount of \$_____ on or before _____ for the charge of :_____ ;
AND,

The defendant shall perform ____ hours of community service per Article 45.521 of the Texas Code of Criminal Procedure to be completed by _____.

Pay fine in the amount of \$_____ on or before _____ for the charge of:
_____.

The defendant shall not have any additional criminal charges filed nor any convictions for violations of any laws of the city, county or state after the court hearing date above.

The defendant shall obey rules and curfews set by parents, guardians, and county and or city. Any violations shall be reported to the court in writing by the parents or guardians and the report shall detail the corrective action taken. Curfew hours mean:

1. 11 PM on any Sunday through Thursday until 6 AM of the following day.
2. 12:30 AM until 6 AM on any Saturday or Sunday.
3. 9 AM until 3:30 PM on any Monday through Friday when ACIS regular session except during prescribed lunch period when RFHS students may leave school as provided in ACISD policy.

The defendant and parent shall successfully complete a counseling program to address the students and parent's needs through the following agencies;

___ Juvenile Case Manager, Lora Rios, 790-0188

___ Star 729-4774

___ Access 728-0633

Defendant's parent shall report within two working days, any change of address, school suspension or arrest to this office.

Defendant's parent/guardian are responsible for transportation to and from any programs or school activities which have been ordered by the court. Failure to comply may result in contempt or court charges being filed.

Defendant shall attend TOBACCO Awareness classes by _____.

Defendant shall attend ALCOHOL awareness classes by _____.

Driver's License to be suspended for ____ days.

Deferred Sentence:

This court order is in effect until _____

Signed and Entered on this the ____ day of _____, 20____.



Judge, Rockport Municipal Court
City of Rockport, Aransas County, Texas

ACKNOWLEDGE RECEIPT OF A COPY OF THE CONDITIONS OF COMPLIANCE

Parent/Guardian Name
(please print)

Defendant Signature

Parent/Guardian Signature

DOB ____ GRADE ____ PHONE: HOME _____ WORK _____

NOTE:

HB 2013 MAKE IT THE LEGAL OBLIGATION OF BOTH THE YOUTH AND PARENT TO KEEP THE COURT ADVISED OF THE DEFENDANT'S PLACE OF RESIDENCE. FAILURE TO INFORM THE COURT OF CHANGES IN ADDRESS IS A CLASS C MISDEMEANOR.

MAILING ADDRESS

PHYSICAL ADDRESS

Effective 3/1/2013