HOW TO REQUEST DEFERRED DISPOSITION

You are eligible for Deferred Disposition if:

1) You did not possess a Commercial Drivers License at the time of the offense.
2) You have not participated in any Deferred Disposition program during the past one year (calculated from date of previous dismissal to the date of your current citation) in this Court.
3) You are not currently participating in a Deferred Disposition in any other Court.
4) Your violation was not in a construction/work zone with workers present.

You may NOT be eligible for Deferred Disposition for the following moving violations: Speeding: 25+MPH over limit, traffic-related offenses involving a school bus, or cases in which an accident occurred. You may request Deferred Disposition for only ONE moving violation.

If you are 24 or younger you will be required to complete a Driver's Safety Course as a condition of your deferral.
If you are eligible, you may sign up for Deferred Disposition by sending the following three items to the Court or appearing at the Court on or before your appearance date:

1) Required fee – the same amount as the fine amount listed on your citation or brochure.
2) The Deferred Disposition Request form below (completed).
3) The Deferred Disposition Affidavit form below (completed) and notarized.

DEFERRED DISPOSITION REQUEST

I wish to enter a plea of NO CONTEST, waive my right to a jury trial and request Deferred Disposition for citation #_____.
Violation Charged: _____.
I understand that the Court will defer further proceedings without entering an adjudication of guilt and place me on probation for a period of 120 days. I understand that during the first 90 days I must not receive any moving traffic violation. If I successfully complete the deferral period without receiving an additional traffic violation, the case will be dismissed and will not appear on my record as a conviction.

_____ _____
Signature Street Address

_____
City State Zip Code

_____
Day Time Telephone Number Home Telephone Number

DEFERRED DISPOSITION AFFIDAVIT

Now comes the Defendant in the above styled and numbered case and requests that he/she be granted Deferred Disposition pursuant to Article 45.051 of the Texas Code of Criminal Procedure, as amended, and that in support of the Defendant's application would show the Court the following:

1) That I have not participated in a Deferred Disposition Program during the past one year in this court (calculated from the date of previous dismissal to the date of your current citation).
2) I am not currently participating in a Deferred Disposition Program in any other Court.
3) Pursuant to Art. 39.14 of the Code of Criminal Procedure, I have certain rights to view documents or information pertaining to my criminal case. I hereby decline to review such information and request that the Court accept my plea herein.

The foregoing representations are true and correct in all respects, and by signing below acknowledge the accuracy of the above statements.

_____
Defendant's Signature

Sworn and Subscribed before me, the undersigned authority on this the _____ day of _____, _____

_____
Notary Public

FULL PAYMENT OF THE FEES AND THE ABOVE FORMS PROPERLY COMPLETED MUST BE MAILED TO THE COURT OFFICE ON OR BEFORE THE APPEARANCE DATE SHOWN ON THE FRONT OF YOUR CITATION (15 CALENDAR DAYS FROM DATE OF OFFENSE). LATE OR INCOMPLETE REQUESTS WILL BE REJECTED. REQUESTS THAT ARE APPROVED WILL BE MAILED AN INSTRUCTION PACKET TO THE ADDRESS INDICATED ABOVE.

PLEASE READ IMPORTANT NOTICES:

Driver's responsibility system:

A conviction of an offense under a traffic law of this state or a political subdivision of this state may result in the assessment on your driver's license of a surcharge under the Driver Responsibility Program.

Insurance violation notice:

A second or subsequent conviction of an offense under the Texas Motor Vehicle Safety Responsibility Act will result in the suspension of your driver's license and motor vehicle registration unless you file and maintain evidence of financial responsibility with the Department of Public Safety for two years from the dateof conviction. The department may waive the requirement to file evidence of financial responsibility if you file satisfactory evidence with the department showing that at the time this citation was issued, the vehicle was covered by a motor vehicle liability insurance policy or that you were otherwise exempt from the requirements to provide evidence of financial responsibility.

Offense involving violence:

If you are convicted of a misdemeanor offense involving violence where you are or were a spouse, intimate partner, parent, or guardian of the victim or are or were involved in another similar relationship with the victim, it may be unlawful for you to possess or purchase a firearm, including a hand gun or long gun, or ammunition, pursuant to federal law under 18 U.S.C. Section 922(g)(9) or Section 46.04(b). Texas Penal Code. If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.

Notice regarding discovery:

Pursuant to Art. 39.14 of the Code of Criminal Procedure, a Defendant has the right to request and examine documents and evidence to be used against them. Prior to entering your plea, you can submit to the Court a written request for such information. If you choose to make payment via the mail or the Court's website, you explicitly decline to review such information and request that the Court accept your plea.

This brochure is provided to you as a courtesy and sets forth general information. It is not meant to replace the advice of an attorney and nothing in this brochure is intended to be legal advice. The employees of the Court are prohibited from offering or providing you legal advice. You are encouraged to seek the advice of an attorney if you have questions about the law, procedures and your rights under law.

Revised 12-14-15

THE TOWN OF FLOWER MOUND TEXAS

Flower Mound Municipal Court
4150 Kirkpatrick Lane
Flower Mound, Texas 75028
Telephone: (972) 874-3370
Fax: (972) 874-3379

Monday – Friday
7:30 a.m. to 5:00 p.m.

Municipal Court Hours will be 7:30 a.m. to 5:00 p.m. Please disregard any notice referring to 5:30 p.m. on your preprinted citation.

www.flower-mound.com

YOU HAVE **FIFTEEN (15) CALENDAR DAYS** FROM THE DATE OF OFFENSE TO MAKE A COURT APPEARANCE.

Please allow three business days for your citation to be entered before contacting the court.

A telephone call does not constitute an appearance. Information only can be given by phone.

Pay fines on line at www.flower-mound.com with Visa or MasterCard. Payment of fines on-line will result in a conviction.

IMPORTANT INFORMATION:
Failure to appear in person, by mail, or fax on or before your appearance date may result in additional fines and costs, a warrant for your arrest, denial of your vehicle registration by the Tax Assessor's office, suspension of your driver's license and your case being reported to a collection agency.

YOUR OPTIONS FOR HANDLING YOUR CITATION:

OPTION 1 - PLEAD NO CONTEST OR GUILTY AND PAY THE FINE

A. IN PERSON - at 4150 Kirkpatrick Lane, between 7:30 a.m. - 5:00 p.m., Monday – Friday. Only the defendant or their attorney may appear on their behalf.
B. BY MAIL – Circle the appropriate plea on the reverse side of your citation and sign your name. Mail the citation along with your check or money order (made payable to the Town of Flower Mound) for full payment. Payment must be postmarked on or before the appearance date on your citation.
C. PAY ON-LINE at www.flower-mound.com with Visa or MasterCard.

OPTION 2 - REQUEST A COURT HEARING

A. IN PERSON – at 4150 Kirkpatrick Lane between 7:30 a.m. - 5:00 p.m., Monday – Friday.
B. BY MAIL – Check the appropriate box on the reverse side of your citation. Sign your name and fill in your current address. Your date and time to appear will be mailed to you. Your request must be postmarked on or before your appearance date on your citation.
C. BY FAX – Fax your request on or before your appearance date on your citation. The fax number is (972) 874-3379. Please call (972) 874-3370 to confirm receipt of fax. Your date and time to appear will be mailed to you.

Court Hearings **CANNOT** be scheduled by telephone.

The following two options will keep the violation from appearing on your driving record if completed successfully.

OPTION 3 - REQUEST DRIVING SAFETY COURSE (DSC)
See instructions titled How to Request a Driving Safety Course.

OPTION 4 - REQUEST DEFERRED DISPOSITION
See instructions titled How to Request Deferred Disposition.

SPECIAL INSTRUCTIONS FOR JUVENILES

Juveniles (ages 10-16) **MUST APPEAR IN PERSON WITH A PARENT OR LEGAL GUARDIAN** for a court hearing (not within 15 calendar days). A hearing date will be scheduled and a notice will be mailed to the address on the front of your citation. A court hearing is also required to request Driving Safety Course or Deferred Disposition. **DO NOT MAIL PLEA OR PAYMENT TO THE COURT.**

JUVENILES

Pursuant to HB 2319(h): You and your parent have a legal obligation to provide the Court in writing with your current address and residence. The obligation does not end when you reach the age of 17. On or before the seventh day after the date you or your parent changes residence, you or your parent shall notify the Court of the current address by completing a "Juvenile Change of Address" form. A violation of this requirement may result in arrest and is a Class C misdemeanor punishable by fine up to $500.00.

The obligation terminates **only** on **full** discharge and satisfaction of the judgment.

HOW TO REQUEST A DRIVING SAFETY COURSE

You may be eligible to attend a driving safety course or a motorcycle safety course (if you were operating a motorcycle at the time of the citation) for dismissal of your citation. You can only take a driving safety course for ONE violation.

You are eligible for a Driving Safety Course if:

1) You did not possess a Commercial Driver's License at the time of the offense.
2) You have not completed a Driving Safety Course for citation dismissal in the previous 12 months (calculated from date of previous completion to the violation date of your current citation).
3) You have a valid Texas driver's license or permit.
4) You have valid proof of insurance showing you as a covered driver.
5) Your violation was not in a construction/work zone with workers present.
6) Your citation was for a moving violation.
7) If cited for speeding, your actual speed must be less than 25mph over the speed limit.

If you are eligible, you may sign up for a Driving Safety Course by sending the following 5 items to the Court or appearing at the Court on or before your appearance date:

1) Required fees: $109.00 for Non-School Zone Violations and $134.00 for School Zone Violations
2) A copy of your valid Texas Driver's license.
3) A copy of your valid insurance showing you as a covered driver.
4) The Driving Safety Course request form below (completed).
5) The Driving Safety Course Affidavit form below (completed) and notarized.

DRIVING SAFETY COURSE REQUEST

I wish to enter a plea of NO CONTEST, waive my right to a jury trial and request a Driving Safety Course for citation # _____. Violation Charged:_____.
I understand that the instructions will be mailed to me at the address indicated below.

_____
Signature Street Address

_____
City State Zip Code

_____
Day Time Telephone Number Home Telephone Number

DRIVING SAFETY COURSE AFFIDAVIT

I, _____ state under oath that I am not in the process of taking a driving safety course under Code of Criminal Procedure Article 45.0511, or a motorcycle operators course nor have I completed a driving safety course under that section or a motorcycle operators course under the mandatory provisions that is not yet reflected on my driver's record as maintained by the Texas Department of Public Safety.

Pursuant to Art. 39.14 of the Code of Criminal Procedure, I have certain rights to view documents or information pertaining to my criminal case. I hereby decline to review such information and request that the Court accept my plea herein

The foregoing representations are true and correct in all respects, and by signing below acknowledge the accuracy of the above statements.

_____
Defendant's Signature

Sworn and Subscribed before me, the undersigned authority on this the _____ day of

_____, _____.

_____
Notary Public

FULL PAYMENT OF THE FEES AND THE ABOVE FORMS PROPERLY COMPLETED MUST BE MAILED TO THE COURT OFFICE ON OR BEFORE THE APPEARANCE DATE SHOWN ON THE FRONT OF YOUR CITATION (15 CALENDAR DAYS FROM DATE OF OFFENSE). LATE OR INCOMPLETE REQUESTS WILL BE REJECTED. REQUESTS THAT ARE APPROVED WILL BE MAILED AN INSTRUCTION PACKET TO THE ADDRESS INDICATED ABOVE. DO NOT TAKE THE COURSE BEFORE OBTAINING COURT APPROVAL.

COMPLIANCE DISMISSALS

You must appear as directed in the Municipal Court of Flower Mound, Texas on or before fifteen (15) calendar days from the date of offense.

OPERATE MOTOR VEHICLE W/O LICENSE PLATES, DISPLAY OBSCURED/ALTERED LICENSE PLATES, VIOLATE DRIVER'S LICENSE RESTRICTION/ENDORSEMENT, DEFECTIVE EQUIPMENT, NO REGISTRATION STICKER
These violations may be dismissed. A court date must be scheduled and you must appear before the Judge to determine if your citation is eligible for dismissal.

You may request to have up to twenty (20) working days to correct the following violations, expired registration, expired drivers license, and fail to change name/address on DL. Please contact court for more information.

3. EXPIRED REGISTRATION
The violation may be dismissed, if the vehicle was registered, sufficient proof is submitted to the court, **the penalty fee was paid to the tax assessor office** and the $20.00 dismissal fee is paid to the court.

Or pay the fine of $200.00

4. ATTACHING OR DISPLAYING ON A MOTOR VEHICLE A REGISTRATION INSIGNIA THAT IS ASSIGNED FOR A PERIOD OTHER THAN THE PERIOD IN EFFECT
The violation may be dismissed, if sufficient proof **showing the vehicle had current registration at the time of offense** is presented to the court on or before your appearance date, and the $10.00 dismissal fee is paid to the court.

Or pay the fine of $200.00

5. EXPIRED DRIVERS LICENSE
The violation may be dismissed, if the **driver's license was renewed**, sufficient proof is submitted to the court and the $20.00 dismissal fee is paid to the court.

Or pay the fine of $171.00

6. DRIVING WITHOUT LICENSE IN POSSESSION
The violation may be dismissed, if sufficient proof of a **valid license on the date of the citation** is presented to the court on or before your appearance date and the $10.00 dismissal fee is paid to the court.

Or pay the fine of $200.00

7. NO INSURANCE/FMFR
The violation may be dismissed, if sufficient proof of a **valid insurance policy on the date and at the time of the citation** is presented to the court on or before your appearance date and after verification from your insurance company.

Or pay the fine of $366.00
Subsequent Conviction $416.00

8. FAIL TO CHANGE NAME/ADDRESS ON DL
The violation may be dismissed, if sufficient proof is presented to the court on or before your appearance date and the $20.00 dismissal fee is paid to the court.

Or pay the fine of $166.00

SPEEDING VIOLATIONS

Alleged Speed		School Zone	Work Zone w/ Workers Present
1-10 MPH	$175.00	$200.00	$250.90
11	$179.00	$204.00	$258.90
12	$183.00	$208.00	$266.90
13	$187.00	$212.00	$274.90
14	$191.00	$216.00	$282.90
15	$195.00	$220.00	$290.90
16	$199.00	$224.00	$298.90
17	$203.00	$228.00	$306.90
18	$207.00	$232.00	$314.90
19	$211.00	$236.00	$322.90
20	$215.00	$240.00	$330.90
21	$219.00	$244.00	$338.90
22	$223.00	$248.00	$346.90
23	$227.00	$252.00	$354.90
24	$231.00	$256.00	$362.90
25	$235.00	$260.00	$370.90
26 & Over	$299.00	$324.00	$498.90

TRAFFIC VIOLATIONS

9	STOP/STAND IN CROSSWALK – SCHOOL ZONE	$175.00
10	NO REGISTRATION	$171.00
11	STOP SIGN VIOLATION	$250.00
12	STOP SIGN VIOLATION IN SCHOOL ZONE	$276.00
13	STOP SIGN VIOLATION – WORK ZONE W/WORKERS	$362.90
14	RED LIGHT VIOLATION	$231.00
15	RED LIGHT VIOLATION IN SCHOOL ZONE	$276.00
16	RED LIGHT VIOLATION – WORK ZONE W/WORKERS	$362.90
17	DISREGARD TRAFFIC CONTROL DEVICE	$275.00
18	DISREGARD TRAFFIC CONTROL DEVICE – WORK ZONE W/WORKERS	$350.90
19	FAIL TO YIELD RIGHT OF WAY	$190.00
20	FYROW EMERGENCY VEHICLE	$299.00
21	PASSING STOPPED EMERGENCY VEHICLE	$221.00
22	FAIL TO SIGNAL INTENT	$200.00
23	IMPROPER TURN	$226.00
24	IMPROPER PASSING	$231.00
25	PASSING IN A NO PASSING ZONE	$206.00
26	DROVE ON WRONG SIDE OF ROAD	$256.00
27	FAIL TO DRIVE IN SINGLE LANE	$216.00
28	UNSAFE LANE CHANGE	$249.00
29	FAIL TO USE DESIGNATED LANE	$206.00
30	CUTTING ACROSS PARKING LOT	$230.00
31	FOLLOWING TOO CLOSELY	$250.00
32	UNSAFE BACKING	$200.00
33	NO DRIVERS LICENSE	$225.00
34	UNSAFE SPEED	$275.00
35	FAIL TO CONTROL SPEED	$295.00
36	FAIL TO STOP FOR SCHOOL BUS	$299.00
37	FAIL TO STOP AT RAILROAD XING	$225.00
38	FAIL TO DIM HEADLIGHTS	$215.00
39	DRIVE W/O HEADLIGHTS	$206.00
40	RIDING IN BED OF TRUCK <18 YRS	$299.00
41	UNRESTRAINED CHILD 8YRS<16YRS	$274.00
42	CHILD NOT IN SAFETY SEAT	$124.00
43	SEATBELT VIOLATION	$149.00
44	LEAVING CHILD UNATTENDED IN VEHICLE	$466.00
45	PARKING VIOLATION	CALL
46	NO MOTORCYCLE HELMET	$166.00
47	NO MOTORCYCLE ENDORSEMENT	$167.00
48	VIOLATE DL RESTRICTION	$167.00
49	FAIL TO OBTAIN TX DL	$200.00
50	ALLOW UNLICENSED DRIVER TO DRIVE	$226.00
51	DRIVE WITH WRONG CLASS DL	$266.00
52	FAIL TO LIGHT/FLAG EXTENDED LOAD	$201.00
53	LOAD ON NON-LOAD SURFACE	$262.00
54	INADEQUATE BED	$241.00
55	NO REGISTRATION RECEIPT	$174.00
56	NO SAFETY CHAINS	$299.00
57	REGISTRATION ON WRONG VEHICLE	$216.00
58	NO REAR OR FRONT LICENSE PLATE	$171.00
59	NO LICENSE PLATE LIGHT	$171.00
60	ILLEGIBLE LICENSE PLATE	$181.00
61	DEFECTIVE EQUIPMENT	CALL
62	IMPROPER WINDOW TINT	$176.00
63	UNNECESSARY USE OF HORN	$156.00
64	DRIVING WHILE LICENSE INVALID	$416.00
65	SUBSEQUENT DRIVING WHILE LICENSE INVALID	$566.00
66	CELL PHONE USED IN ACTIVE SCHOOL ZONE	$275.00
67	DISREGARD SCHOOL XING GUARD	$324.00

OTHER VIOLATIONS

68	SOLICITING WITHOUT A PERMIT	$366.00
69	NOISE ORDINANCE	$266.00
70	ORDINANCE VIOLATION (OTHER)	CALL
71	FAILURE TO IDENTIFY	$171.00
72	DISOBEY POLICE OFFICER	$266.00
73	CRIMINAL MISCHIEF	$366.00
74	DISORDERLY CONDUCT	CALL
75	RECKLESS DAMAGE	$266.00
76	ASSAULT (CLASS C)	APPEAR
77	CRIMINAL TRESPASS	$366.00
78	LITTERING	$316.00
79	THEFT UNDER $100.00	$366.00
80	ATTEMPTED THEFT	$266.00
81	CURFEW VIOLATION – MINOR	APPEAR
82	DISRUPT SCHOOL CLASSROOM	APPEAR
83	POSSESS DRUG PARAPHERNALIA	$366.00
84	SUBSEQUENT POSSESS DRUG PARAPHERNALIA	CALL
85	POSSESS FIREWORKS	$266.00
86	DISCHARGE FIREWORKS	$250.00
87	BURNING OPEN GROUND FIRE	$366.00
88	GLASS CONTAINER IN PARK	$282.00

ALCOHOL/TOBACCO VIOLATIONS

89	ADULT - PUBLIC INTOXICATION	$416.00
90	SUBSEQUENT ADULT - PUBLIC INTOXICATION	$516.00
91	OPEN CONTAINER IN VEHICLE	$266.00
92	OPEN CONTAINER ON PREMISES UNLAWFULLY	$191.00
93	CONSUME ALC. ON PREMISES UNLAWFULLY	$216.00
94	POSSESS ALCOHOL IN PUBLIC PARK	$282.00
95	MISREPRESENTATION OF AGE (ID)	APPEAR
96	POSS./SMOKING TOBACCO SCHOOL PROPERTY	APPEAR
97	TOBACCO VIOLATION (OTHER)	APPEAR
98	MINOR IN POSSESSION OF TOBACCO	APPEAR
99	MINOR DRIVING UNDER THE INFLUENCE	APPEAR
100	MINOR IN POSSESSION OF ALCOHOL	APPEAR
101	MINOR IN CONSUMPTION OF ALCOHOL	APPEAR
102	MINOR – PUBLIC INTOXICATION	APPEAR

ANIMAL VIOLATIONS

103	ANIMAL AT LARGE	$195.00
104	BARKING DOG	$166.00
105	NO ANIMAL RABIES SHOT	$181.00
106	NO ANIMAL REGISTRATION	$121.00
107	FAIL TO STERILIZE ANIMAL	$261.00
108	FAIL TO ATTACH TAG (ANIMAL)	$96.00
109	LOOSE LIVESTOCK	$166.00

All fines and costs are subject to change. If you do not see your violation listed in this brochure please contact the court at (972) 874-3370 for more information.