

CITY OF HAMILTON MUNICIPAL COURT
Honorable Randy Mills, Municipal Judge
200 East Main Street
Hamilton TX 76531
254.386. 8116 x 3 Fax 254.386.3508
court@ci.hamilton.tx.us

PAY ONLINE
www.hamiltontexas.com
 card used must be in your name

Please read both sides before contacting the Court.

You (or your attorney) may appear **in person or by mail, enclose a copy of your DL/ID**. If you want to see the Judge, contact the Court and you will be set on the next available docket. The judgment and sentence for the offense of which you are charged is the payment of a fine and cost. If ordered to pay a fine and cost, and you cannot pay, notify the court immediately and you will set on the next available docket. If you choose to pay the fine/fees without going to trial or are convicted at trial and unable to pay in full the fine/fees, options are: additional time to pay in full or pay specified amount at designated intervals. Contact the Court for more information. If you are determined by the Court to have insufficient resources or income to pay, (personal appearance required), the Court is required to provide you other ways to discharge the fine and costs.

Juveniles (under 17) must appear in person with a parent/guardian, please contact the Court.

Speeding Violations/NOT in school zone

1-7 Miles over _____	\$173.00
8-14 Miles over _____	\$213.00
15-20 Miles over _____	\$253.00
21 Miles over _____	\$313.00

Seat Belt Violations

Under 8 Years less than 4'9" _____	\$145.00
At least 8 and under 17 Years _____	\$226.00
Open Bed Pickup Under 18 Years _____	\$177.00
No Seat Belt - Adult _____	\$145.00

Driving without Valid DL _____	\$177.00
Driving While License Invalid _____	\$180.00
Disregard Stop Sign _____	\$193.00
Disregard Red Light _____	\$220.00
Disregard Traffic Control Device _____	\$220.00
Fail Display DL upon Request _____	\$166.00
Fail to Signal Turn _____	\$155.00
Fail to Control Speed _____	\$221.00
Unsafe Speed _____	\$158.00
Fail to Yield Right of Way _____	\$218.00
Fail to Yield ROW to Emergency Vehicle _____	\$315.00
Passing in No Passing Zone _____	\$318.00
Fail to Stop for School Bus _____	\$645.00
Use Wireless Device in School Zone _____	\$245.00
No Liability Insurance _____	\$347.00

Public Intoxication _____	\$207.00
Possession of Drug Paraphernalia _____	\$357.00
Open Container-Alcohol Bev _____	\$206.00
Theft under \$100 _____	\$166.00
Littering _____	\$166.00
Allow Dog Run at Large _____	\$166.00
Unnecessary Noise _____	\$166.00
Permit Weeds /Rubbish _____	\$166.00
Allow Junk Vehicle _____	\$166.00

dismissed upon proof that insurance was in effect on the date of citation.

Expired Registration* _____	\$158.00
Expired Driver's License* _____	\$158.00

*may be dismissed if defendant remedies defect, shows proof to the Court within 20 working days and pays an administrative fee. CONTACT COURT.

Disorderly Conduct-Fighting _____	\$271.00
Assault by Threat _____	\$216.00
Assault by Contact _____	\$271.00
Failure to Appear _____	\$261.00

ANY OFFENSE NOT LISTED, INCLUDING SCHOOL ZONE / CONSTRUCTION ZONE VIOLATIONS - CONTACT THE COURT.

NAME _____ **CITATION #** _____ **OFFENSE** _____

CHECK ONE

___ I enter a plea of **NO CONTEST**, (you do not contest the charge against you) waive my right to a jury trial or hearing by the Court and agree to pay the fine and fees assessed by the judge. I have enclosed payment. I understand this will be report to my driving record.
*Money orders/personal checks are accepted. *Online payment is available.*
If you are unable to pay the amount in full, you should contact the Court (see above) regarding alternatives.

___ I enter a plea of **GUILTY**, waive my right to a jury trial or hearing by the Court, and agree to pay the fine and fees assessed by the judge. I have enclosed payment. I understand this will report to my driving record. *Money orders/personal checks are accepted. *Online payment is available.*
If you are unable to pay the amount in full, you should contact the Court (see above) regarding alternatives.

___ I enter a plea of **NOT GUILTY** and request a trial by **JURY**. I understand the Court will notify me by mail of a trial date. I acknowledge, if I fail to appear at trial, I may be charged with Failure to Appear, fined up to \$500 plus court costs, arrest warrants will be issued, and I may be ordered to pay the costs of summoning a jury. I will advise the Court of address changes.

___ I enter a plea of **NOT GUILTY**, waive my right to a jury trial, and request a trial before the judge (Bench Trial). I the understand the Court will notify me by mail of a trial date. I acknowledge, if I fail to appear at trial, I may be charged with Failure to Appear, be fine up to \$500 plus court costs, warrants will be issued for my arrest. I will advise the Court of address changes.

Signature _____ DL # _____ Date _____

If mailing, this must be postmarked on or before the appearance date indicated at the bottom of your citation. Mail to the address above.
If you fail to respond to your citation or contact the Court by the APPEARANCE DATE indicated, you will be set for a hearing before the Judge. If you fail to appear at this hearing, an additional charge of Failure to Appear will be filed against you, warrants may be issued for your arrest, & as a result, you may be ineligible to renew your driver's license.



OPTION #1 - DRIVER SAFETY COURSE _____ pursuant to Texas CCP Art. 45.0511.

You may request this option / IF eligible. (see criteria below*). You have the **right**, once a year to have a moving traffic violation dismissed with completion/submission of a driver safety course.

Do not pay the amount listed on the other side, follow directions below.

HOWEVER, YOU LOSE THAT RIGHT: **If you fail to submit or postmark this request on or before the appearance date on your citation.**

***To be eligible for a driver safety course:**

You MUST have: A valid Texas driver's license/permit. (OR Active duty military ID, or be spouse/dependent). **CDL holders are NOT ELIGIBLE**, Valid vehicle liability insurance.

You CANNOT have: Taken have taken a driver safety course for dismissal of a citation within the last year.
Been cited for: Speeding 25/more mph above the posted speed limit, Speeding 95 mph/more, Leaving the scene of an accident, Failing to give information at the scene, Fleeing/Attempting to elude the Police, Reckless Driving, Passing a school bus, In construction zone / workers present.

____ Address is correct as shown on citation ____ New Address _____

*I _____ state under oath, on the date of this request, I was not taking such a course, nor had I completed one within the preceding 12 months from the date of my current offense that is not shown on my driving record as maintained by Texas DPS. I plead no contest to this offense, waive my right to a jury trial, & request the driver safety course option. I understand, if not completed within 90 days, I will be set for a show cause hearing before the Judge.

I HAVE ENCLOSED this notarized request, a non-refundable fee for Municipal Court \$129.10 or \$154.10 for school zone violations, (DO NOT send the \$ fine amount listed on other side.) I HAVE ENCLOSED proof of liability insurance, a copy of my Texas Driver's License and a self-addressed, stamped envelope.

Signature

SWORN TO AND SUBSCRIBED BEFORE ME this the _____ day of _____, 20____.

Notary Public in and for the State of Texas

- **If requesting a Driver Safety Course, the following items MUST be mailed to the Court:**
- 1. Cashier's Check, Money Order, or personal check in the exact amount of \$129.10 (\$154.10 school zone) payable to : City of Hamilton
- 2. Request Form * NOTARIZED !! for Driver Safety Course - *above.
- 3. Copy of your Texas driver's license.
- 4. Copy of your liability insurance coverage .
- 5. Stamped, self-address ed business size envelope. ← PLEASE ENCLOSE WITH YOUR REQUEST!
- 6. Mail CERTIFIED to : City of Hamilton Municipal Court, 200 E Main, Hamilton , Texas 765 31

I _____, understand, I DO NOT take the course prior to mailing this request, I will have 90 days to complete a driver safety course, obtain my driving record from DPS, & return all required documents to the Court on or before due date. This due date will be listed on receipt/DSC documents, which will be mailed to me by the Court upon receipt and Court approval of this request.

DO NOT complete both the top & bottom sections!

OPTION #2 DEFERRED DISPOSITION OPTION _____ pursuant to Texas CCP Art. 45.051

A DRIVER SAFETY COURSE IS REQUIRED WITH THIS OPTION. **Moving violations only.**

NAME - please print _____ Citation # _____

____ Address is correct as shown on citation ____ Address has changed to _____

I hereby enter a plea of no contest, waive my right to a jury trial, & request deferred disposition. I understand, if my request is approved, I will be placed on deferral for **90 days**.

I understand, **any of the following will make me ineligible** for Deferred Disposition in this case:

- a. Holder of CDL Driver's License, **no exceptions**.
- b. Convicted or granted deferred disposition by a Court on moving traffic violation within the past 2 years.
- c. Cited for speeding 15 mph or more over the posted limit.
Cited in a construction/maintenance work zone with workers present.
Cited passing a school bus in relation to this citation.
Cited for passing an authorized emergency vehicle.
- d. Involved in an accident or leaving the scene of an accident in relation to this citation.

I agree to the terms of this Deferred Disposition as follows:

- 1. I **must** submit ***payment** in full with this request. ***Amount listed on front plus \$125.00 deferral special expense fee;**
- 2. I **must** postmark or deliver this request to the court **on or before the court date indicated on my citation.**
- 3. I **must** submit with my request a **copy of my Drive r's License** , & a **COPY OF MY CURRENT DRIVING RECORD.**
- 4. I **understand, I will be required to complete/submit a driver safety course** approved by Texas Education Agency by the end of the deferral period.

Defendant Signature _____ Date _____ Amount enclosed \$_____

Information about Traffic Cases Options for Responding to a Traffic Ticket

Rights of Defendants

You have the right to see the complaint or citation that has been filed with the Court.

You have the right to a trial by jury, but you may waive that right and be tried by the Court (bench trial).

You have the right to be represented by an attorney of your choice. The court will not provide you an attorney, but you have the right to hire one. You are not required to be represented by an attorney. An attorney may make an appearance on your behalf.

You have the right to remain silent and not to give evidence against yourself. You may waive this right and discuss your case with a prosecutor in an effort to dispose of your case without trial.

If you choose to pay the fine/fees without going to trial or are convicted at trial and unable to pay in full the fine/fees, options are: additional time to pay in full or pay specified amount at designated intervals. Contact the Court for more information. If the Judge determines you have insufficient resources or income, the court is required to provide you other ways to discharge the fine and costs, in court personal appearance required.

Appearance

Your traffic citation will specify a date on which you are required to appear. You may appear **in person or by mail** with the courtesy form* given to you by the officer. **If you want to see the Judge**, contact the Court and you will be set on the next available docket.

If You Do Not Want To Appear In Court

Pay Fine and Fees Online. For most offenses for which a citation has been issued, fines/fees can be paid online by using the City of Hamilton website. A credit/debit card **must** be in the name of the person receiving the citation. www.hamiltontexas.com

Pay the Fine and Fees by Mail or in Person.

If you do not want to **appear** in court, you have the option of paying your fine/fees by mail or by paying in person at the City of Hamilton Municipal Court. If you are paying by mail, you may pay by personal check, cashier's check or money order, payable to the City of Hamilton, or online at www.hamiltontexas.com. If you are paying in person, you may pay your fine/fees in cash, personal check, by cashier's check or money order, or by credit/debit card. Payment of the fine/fees constitute a finding of guilt as though you had entered a plea of no contest.

Enter a Plea of Not Guilty by Mail. Later Court appearance required.

In response to the appearance date on your citation, you may mail/bring to the court a plea of not guilty using the courtesy form* given to you by the officer. The court will set your case for a jury trial, unless you waive that right. You may request a trial before the judge, referred to as bench trial. All contested cases are set for pre-trial hearings. You will be notified by mail of your pre-trial hearing and your jury or bench trial.

Pleas are not guilty, no contest, & guilty.

If you plead **not guilty**, your case will be set for a future pre-trial and trial. You may enter a plea of not guilty by mail, using the courtesy form* given to you by the officer. You have the right to a jury trial or have the case heard by the Court (bench trial). All contested cases are set for a pre-trial hearing. At your request, the Court will subpoena a witness on your behalf, but you must furnish the court with the name, address, and telephone number of each witness prior to trial. **It is your responsibility to notify the Court of address change.** If you plead **guilty or no contest**, the Court will find you guilty and assess a fine as punishment. A plea of no contest has the same result as a plea of guilty, but it may not be used against you in any civil proceeding. Payment of fine/fees not accompanied by a plea, constitute a plea of no contest and finding of guilt. If you plead **guilty or no contest**, you may present any evidence or documents to the court regarding the offense and you may explain any mitigating circumstances that may affect punishment.

If you refuse to enter a plea, the Court will enter a plea of not guilty for you, your case will be set for a jury trial unless you waive that right.

Discovery: You may request documents and evidence in your case from the State by following the discovery procedures set out in Art. 39.14 of the Texas Code of Criminal Procedure. ("Discovery" is the process by which the defendant may request evidence related to the case from the State.)

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