

WHAT ARE MY OPTIONS?

On any traffic offense, you have the absolute right to plead Not Guilty and request a trial. If you choose to go to trial, you will need to post an appearance bond. An appearance bond simply means you are putting up collateral (usually surety) to guarantee your appearance in Court.

If you wish to plea Not Guilty, you may also request a trial by Judge or Jury. That choice is yours. You are not required to have an attorney in court, but you may hire one if you wish. The District Attorney of Wood County will have an attorney present to prosecute the case against you. The Judge is prohibited, by law, from discussing your ticket with you unless you have pled guilty or no contest, or the District Attorney is also present.

If you choose to go to Court, you are responsible for bringing all papers, pictures, and exhibits with you to the Court hearing. You may also contact the Court for information on how to subpoena witnesses.

You may also plead Guilty or Nolo Contendre (No Contest) and pay the fine amount listed below, or you may refer to the Defensive Driving Option listed below. Drivers under 17 who get tickets are required to appear in Court with their parents.

HOW MUCH IS IT IF I WANT TO PAY THE FINE?

Fine Schedule (All costs are included in the listed amount)

If your citation is filed as a violation in a construction zone with workers present, the fine is doubled.

All commercial driver license violators must contact the Court.

If your violation is not listed here or you have a question, you may contact the Court by telephone at 903-763-2713. Other options are listed under frequently asked questions.

SCHEDULE OF ACCEPTABLE FINES

EFFECTIVE January 01, 2020

For the offense of Speeding, the base fine is \$160.00 plus \$5.00 for each mile over the posted limit.

Fail to Control Speed/Unsafe Speed	\$215.00	Permit Unlicensed Person to Drive	\$280.00
Ran Stop Sign or Red Signal	\$215.00	Driver/Passenger Safety Belt Violation	\$185.00
Fail to Yield Right of Way	\$215.00	Expired Vehicle Registration	\$175.00
Pass in No Pass Zone	\$215.00	Expired Drivers License	\$175.00
Fail to Drive in Single Lane	\$215.00	No Liability Insurance	\$315.00
Illegal, Unsafe or Improper Turn	\$215.00	No Drivers License	\$175.00
Defective Equip., e.g. Headlight, etc.	\$180.00	Driving While License Invalid (1 st)	\$315.00
Fail to Change Address on DL	\$175.00		
Violate Drivers License Restriction	\$175.00		

Alternatives to Payment of Fines and Costs

A defendant who is convicted of a criminal offense punishable by fine only is entitled to alternative methods of satisfying the judgment against them if they are unable to pay the fine or costs, in whole or in part.

Those alternative methods include:

- 1) A payment plan, allowing the defendant to make payments toward the fine and costs in designated intervals. Note that if any amount is paid more than 30 days after the judgment assessing the fine or costs then a \$15.00 time payment fee must be assessed.
- 2) Disposition of the amount assessed by performing community service. There are many options that meet the requirements of the law of community service, see Art. 45.049 of the Code of Criminal Procedure for full details. A defendant is entitled to a minimum of \$100.00 credit for every eight (8) hours of community service performed.
- 3) If performing community service imposes an undue hardship, a defendant who is indigent or who lacks sufficient resources to pay is entitled to a waiver of the fine and costs, in whole or in part.

WHAT ABOUT DEFENSIVE DRIVING?

Where can a citizen get a copy of their driving record from the Department of Public Safety?
www.texas.gov

If your ticket is in Judge Gilbreath's Court, and you have not taken Defensive Driving in the last twelve months preceding the date of this offense, you may wish to take the course to keep the offense off of your driving record. You are not allowed to take defensive driving for some offenses, including but not limited to speeding more than 24 miles per hour over the limit, passing a school bus, fleeing a police officer, speeding 95 miles per hour or more, and certain other offenses. If the Department of Public Safety refuses to accept the defensive driving course because your record reflects you have had one within the last twelve months preceding this offense, a warrant may be issued for your arrest. You must receive permission from the court to complete the course. The traffic offense will be dismissed if you take the course and present proof to the Court. To apply for defensive driving, you must do the following:

1. Submit a cashier's check or money order for \$146.00.
2. Submit the cashier's check/money order, the ticket, a copy of your driver's license, and proof of insurance to the court in person or by mail. The insurance must have the phone number and name of your insurance company to be considered valid.
3. Also include the signed and notarized affidavit. (provided to you by the officer or can be downloaded from this website)

The course must be state approved. YOU are responsible for making sure the course is completed and that the court receives proof you took the course. If the Court has not received proof of a defensive driving course within the time prescribed by law, a warrant may be issued for your arrest.

HOW DO I KEEP THIS OFF OF MY DRIVING RECORD?

In some circumstances, you may request deferred adjudication from the Court. If you have a good driving record, and you are not currently on deferred disposition, you may make a request of the court. Deferred Disposition means you will be placed on probation for a period of up to 180 days. If you successfully complete the probationary period without receiving a conviction of any violation in the State of Texas and submit a notarized Affidavit of Dismissal to the Court, the charge will be dismissed. As part of deferred disposition, if you are under the age of 25 and you are charged with a traffic violation classified as a moving violation, you are required by law to take a defensive driving course.

Deferred disposition must be approved by the Judge and is at his discretion.

I GOT A TICKET FOR EXPIRED INSPECTIN CERTIFICATE, EXPIRED DRIVERS LICENSE, OR EXPIRED LICENSE PLATES. CAN IT BE DISMISSED?

Expired Inspection Certificate – You must show proof of inspection and that the vehicle passed on or before the appearance date on the citation. Proof must identify the same vehicle. You must also pay a dismissal fee not to exceed \$20.00.

Expired Drivers License - You must renew your driver license no later than 20 working days after the offense or by the appearance date, whichever is later and pay a dismissal fee not to exceed \$20.00.

Expired License Plate – You must renew your registration no later than 20 working days after the offense or by the appearance date, whichever is later and show proof of payment of the delinquent registration fee to the DMV. You must also pay a dismissal fee not to exceed \$20.00.

NO SEAT BELT TICKET

The **Only Circumstance** in which a no seatbelt ticket may be dismissed would be a medical circumstance, and would require a letter from your doctor on his letterhead.

AFFIDAVIT OF INDIGENCE

(CRIMINAL CASE)

This section to be filled out by Court Personnel

No. _____

The State of Texas

In the Justice Court, Pct 4 Court

vs.

Wood County

Offense _____

Level of Offense _____

All information must be completed by the defendant and must be current, accurate, and true. Intentionally or knowingly giving false information may result in your prosecution for the offense of aggravated perjury, a felony. The punishment for aggravated perjury includes imprisonment not to exceed ten (10) years and a fine not to exceed ten thousand dollars (\$10,000). Please fill in all blanks. If you do not know the information being asked, enter DO NOT KNOW in the blank. If the information being asked does not apply to you, enter N/A in the blank.



Defendant's Personal Information

Name	
Phone Number	
Street Address	
City, State, Zip	
Social Security #	
Driver's License #	
Date of Birth	
Name of Spouse	

Dependents:

Name(s) (list below):	Age	Relation	Income

Are you currently in jail or in a correctional institution?

No

Yes If yes, provide name of institution: _____

Are you currently residing in a mental health facility?

No

Yes If yes, provide name of facility: _____

Do you have an application pending at a mental health facility?

No

Yes If yes, provide name of facility: _____

Employer Information	
Employer	
Phone Number	
Supervisor's Name	
Street Address:	
City, State, Zip	
Hours worked	___ per week or ___ per month
Pay rate	
Spouse's Employer	
Street Address:	
City, State Zip	
Hours worked	___ per week or ___ per month
Pay rate	

If unemployed, list:	
Length of time unemployed	
Name of previous employer	
Street Address of previous employer:	
City, State, Zip	

Defendant's Financial Information

Public Assistance
Are you currently receiving (check all that apply)
<input type="checkbox"/> Food Stamps
<input type="checkbox"/> Medicaid
<input type="checkbox"/> Public housing
<input type="checkbox"/> Temporary Assistance to Needy Families (TANF)
<input type="checkbox"/> Supplemental Security Income (SSI)

Income (Monthly)	Monthly Amount
Take Home Pay	
Spouse's Take Home Pay	
Investment Income	
Stock Dividend	
Bond Dividend	
Rental Income	
Pension Payments	
Unemployment	
Social Security Benefits	
Child Support	
Public Assistance	
TANF	
SSI	
Medicaid	
Other	
Cash Gifts	
Other (Describe)	
TOTAL GROSS MONTHLY INCOME	

Expenses (Monthly)	Monthly Payment
Rent or Mortgage Payment	
Car Payment	
Insurance (Life, Health, Car, Homeowners, etc.)	
Child Care	
Child Support	
Water	
Gas	
Telephone	
Electricity	
Food	
Clothes	
Medical	
Cable TV or Satellite TV	
Pager	
Cell Phone	
Loan and Debt Payments	
Outstanding Loans (list type of Loans)	
Credit Card Debt (list name of cards)	
Balance:	
\$ _____	
Balance:	
\$ _____	
Other Monthly Expenditures (Describe)	
TOTAL MONTHLY EXPENSES	

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 Adopted 11/15/06 – Task Force on Indigent Defense

Assets																	
Asset		Value															
A. Place of Residence ___ Rent ___ Own Describe if house, condominium, apartment, other:	\$																
B. Real Property Owned; Description/Location:	\$																
C. Automobile(s)																	
Make Model Year	\$																
Make Model Year	\$																
Make Model Year	\$																
D. Stock and Bonds (provide description)	\$																
	\$																
	\$																
E. Other Property (list all jewelry, equipment, watercrafts, etc.)	\$																
	\$																
	\$																
F. Bank Accounts																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 35%; padding: 5px;">Bank Name</th> <th style="width: 35%; padding: 5px;">Type of Account</th> <th style="width: 30%; padding: 5px;">Balance</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> <td style="padding: 5px;">\$</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> <td style="padding: 5px;">\$</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> <td style="padding: 5px;">\$</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> <td style="padding: 5px;">\$</td> </tr> </tbody> </table>	Bank Name	Type of Account	Balance			\$			\$			\$			\$		
Bank Name	Type of Account	Balance															
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G. Other Assets (Identify)	VALUE																
	\$																
ASSETS TOTAL VALUE	\$																

I have / have not (circle one) attempted to hire an attorney. The names of the attorneys I have contacted are as follows:

On this _____ day of _____, 20 ____, I have been advised by the (name of the court) Court of my right to representation by counsel in the trial of the charge pending against me. I am without means to employ counsel of my own choosing and I hereby request the court to appoint counsel for me. By signing my name below, I swear, that all of the above information about my financial condition is current, accurate, and true.

Defendant's Signature

SUBSCRIBED and SWORN to before me, the undersigned authority, this ___ day of _____, 20 __

Clerk's Signature

This court finds the defendant **is / is not** indigent.

Signature of Judge

VERIFICATION AGREEMENT

I do / do not (circle one) authorize the court to verify the financial information given to determine my eligibility by contacting my employer and/or other third parties who can confirm the information provided. I understand that if I do not authorize the court to contact the necessary parties, then I must provide verification of the information in a manner that is acceptable to the court or I will not have an attorney appointed.

Applicant's Signature

SUBSCRIBED and SWORN to before me, the undersigned authority, this ____ day of _____, 20__

Clerk's Signature

MY EMPLOYMENT INFORMATION:

JOB TITLE: _____

EMPLOYER'S NAME: _____

EMPLOYER'S ADDRESS: _____

SUPERVISOR'S NAME: _____

WORK PHONE: _____

HOURS OF WORK: _____

PAY RATE: _____

MY FINANCIAL INFORMATION:

NAME OF FINANCIAL INSTITUTION: _____

ACCOUNT NUMBER: _____

BALANCE: _____

SIGNATURE OF EMPLOYEE/PERSON SUBJECT TO FINANCIAL INFORMATION