

MUNICIPAL COURT

STANDING ORDER NO. 1 ACCEPTANCE OF PLEAS AND FINES BY CLERK

The following Standing Orders are to be used by the Municipal Court Deputy Court Clerks effective 9/19/24, and continuing until further notice. The Standing Orders are intended to provide a guideline to the clerks and staff for use in dealing with the general public who may request payment or other disposition of Class C Misdemeanor citations, either in person, via phone, or by mail, when the Judge of the Court is not present/available.

IT IS ORDERED that the Clerk may accept written (not verbal) pleas of guilty, no contest or not guilty at the Clerk's office or by mail.

IT IS FURTHER ORDERED that the Clerk may accept payment of fine or fee at the Clerk's office. However, if the case has not been adjudicated (plea or judgement of guilty or no contest), the Clerk may accept payment of a fine or fee from the Defendant only. The Clerk shall verify the identity of the person paying the fine or fee before acceptance.

*At no time shall the Clerk accept an initial payment or any proposed plea from any defendant under the age of 17, including parent or guardian of the juvenile. All such defendants shall be set a court appearance date and be advised by mail that it is necessary for a parent or guardian to appear with the juvenile in open court if the person charged is under the age of 17. This order shall not prevent the Clerk from accepting payment on a payment plan or deferred payment arrangement after approval by the Judge.

*At no time shall the Clerk accept an initial or any proposed plea from any defendant under the age of 21, charged with an offense involving the "Alcohol Beverage Code". All such defendants shall be set a court appearance date and be advised the Judge must take the defendant's plea in open court. This Order shall not prevent the Clerk from accepting payment on a payment plan or deferred payment arrangement after approval by the Judge.

* At no time shall the Clerk accept an initial or any proposed plea from any defendant under the age of 21, charged with an offense involving the "Health and Safety Code-CIGARETTES, E-CIGARETTES, OR TOBACCO PRODUCTS". All such defendants shall be set a court appearance date and be advised the Judge must take the defendant's plea in open court. This Order shall not prevent the Clerk from accepting payment on a payment plan or deferred payment arrangement after approval by the Judge.

*At no time shall the Clerk accept an initial payment or any proposed plea from any person charged with an offense involving family Violence. All such defendants shall be set a court appearance date and be advised the Judge must take the defendant's plea in open court. This Order shall not prevent the Clerk from accepting payment on a payment plan or deferred payment arrangement after approval by the Judge.

In the event a defendant 17 year of age or older desires to enter a plea of Guilty or No Contest, the Clerk is authorized to do one or more of the following:

Advise the defendant charged that they may either plead guilty, no contest or not guilty.

Advise the defendant charged of the standard fine, including all costs for the charge and that payment without DSC (Driver's Safety Course) or deferral will result in a conviction on their driving record.

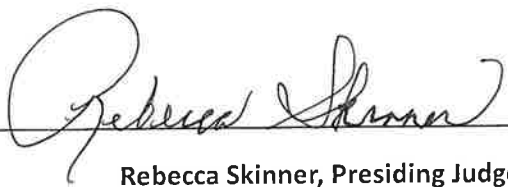
*If a defendant charged desires to enter a plea of Not Guilty, they will be sent to City Prosecutor for Pre Trial docket.

The Clerk is permitted to reschedule a Court hearing upon receipt of a request from the Defendant. The request must be in writing and the Clerk shall give the request to the Court for approval . The Defendant will be notified by mail of the approved request.

In any case in which a defendant's request to the Court is denied, the defendant will be given 30 days, from the time the order from the Judge is set, to comply with the order and /or request other arrangements.

Signed this 1 day of Oct., 2024.





Rebecca Skinner, Presiding Judge

City of Gilmer

MUNICIPAL COURT

STANDING ORDER NO. 2 PAYMENT PLANS

IT IS ORDERED that upon receipt of a defendant's written plea of guilty or no contest, the Court Clerks may process payments as follows:

***30 Day Extension to Pay:** The clerk may process paperwork for a 30-day extension to pay. If not paid in full within 30 days, the Time Payment Reimbursement Fee (TPRF) is to be added on the 31st day. If the defendant requests additional time to pay after the initial 30 days, the clerk may offer a payment plan.

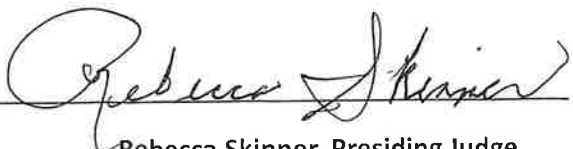
***Payment plans:** If the defendant is requesting more than 30 days to pay, the Clerk may offer a payment plan. The Clerk shall have the defendant fill out the Request for Payment plan form. Once the defendant signs, the Clerk shall give the defendant a copy and inform defendant that the request will be submitted to the Judge and the defendant will receive something in the mail with approval. The Clerk shall let the defendant know that if they do not receive anything in the mail within 30 days, they must contact the court to follow-up.

All persons who wish to request community service to satisfy the fines must be set for a Court date before the Judge.

The Clerk shall further inform the defendant that the Judge is the only person who can make changes to the time payment plan.

Signed this 1 day of Oct. 2024.




Rebecca Skinner, Presiding Judge

City of Gilmer

MUNICIPAL COURT

STANDING ORDER NO. 3 COMPLIANCE DISMISSALS

IT IS ORDERED that the Court Clerks are authorized to process the dismissal of the following offenses, upon payment of specified dismissal fee, if the evidence, set forth below, is presented. The clerk must place a copy of the evidence presented in the case file. If in doubt regarding any evidence, set the defendant for Court.

ADDITIONALLY, as a policy, this Court resets all initial appearance dates to a scheduled court docket if the case has not been taken care of. This new appearance date is an extension of the initial appearance for the purposes of allowing the defendant to remedy the defect within 20 working days from offense date or before the defendants first court appearance, whichever is later.

***EXPIRED REGISTRATION/LICENSE PLATES (Sec. 502.407 Trans. Code):**

If defendant presents a copy of the renewed registration receipt showing the 'Late Penalty fee' was paid no later than 20 working days from date of offense, the Clerk shall collect a \$10 dismissal fee and process the dismissal.

If registration was renewed but the 'Late Penalty fee' the Clerk may not process the dismissal. If the defendant wishes to discuss this further with the Judge, the Clerk may set them for a Court date.

If the registration had already been renewed prior to receiving citation and they just did not have the sticker on the car, they do not have to pay the 'Late Penalty fee', the Clerk shall make a copy of the receipt and collect a \$10 dismissal fee and process the dismissal.

*** FAIL TO DISPLAY REGISTRATION (Sec. 502.473 Trans. Code):**

If defendant presents copy of the new registration receipt or presents copy of the registration receipt showing the vehicle was already registered on the date of the offense no later than Initial Appearance date, the Clerk shall collect a \$10 dismissal fee and process the dismissal.

***OPERATE VEHICLE WITHOUT TWO VALID LICENSE PLATES (Sec. 504.943 Trans. Code):**

If defendant remedies the defect on or before Initial Appearance date and presents proof, the Clerk shall make a copy of evidence and collect a \$10 dismissal fee and process the dismissal.

***DISPLAY LICENSE PLATES ASSIGNED FOR A DIFFERENT REGISTRATION PERIOD (CANCELLED PLATES) (Sec. 504.945 Trans. Code):**

If the defendant presents a copy of the new registration receipt showing receipt of the correct plate number on or before Initial Appearance date, the Clerk shall collect a \$10 dismissal fee and process the dismissal.

If defendant presents a copy of the registration receipt showing the vehicle was already issued plates on the date of the offense, the clerk shall collect a \$10 dismissal fee and process the dismissal.

***FAIL TO DISPLAY DRIVER'S LICENSE (Sec. 521.025 and 522.011 Trans. Code):**

If the defendant presents a copy of a driver's license issued to that person appropriate for the class of vehicle being driven and valid at the time cited, the Clerk shall collect a \$10 dismissal fee and process the dismissal.

***EXPIRED DRIVER'S LICENSE (Sec. 521.026 Trans. Code):**

If defendant presents a copy of their renewed driver's license on or before the Initial Appearance date, the Clerk shall collect a \$10 dismissal fee and process the dismissal.

***FAIL TO REPORT CHANGE OF ADDRESS OR NAME (Sec. 521.054 Trans. Code):**

If defendant presents a copy of a valid driver's license that indicate the address or name has been corrected no later than 20 working days from offense date, the Clerk shall collect a \$10 dismissal fee and process the dismissal.

***VIOLATE DRIVER'S LICENSE RESTRICTION OR ENDORSEMENT (Sec. 521.221 Trans. Code):**

If defendant presents a copy of a valid driver's license without the restriction or endorsement before their Initial Appearance date, the Clerk shall collect a \$10 dismissal fee and process the dismissal.

***OPERATE VEHICLE WITH DEFECTIVE REQUIRED EQUIPMENT (OR UNSAFE CONDITION) (Sec. 547.004 Trans. Code) ex; Break light, tail light, head lamp, turn signal, window tint, Brakes, Wipers, Obstructed view through windshield, etc.:**

If defendant presents evidence that the defect was remedied on or before Initial Appearance date, the Clerk shall make a copy of the evidence, collect a \$10 dismissal fee and process the dismissal.

***FAIL TO MAINTAIN FINANCIAL RESPONSIBILITY (FMFR) (Sec. 601.193 Trans. Code):**

If defendant presents a copy of valid insurance indicating the defendant or vehicle had current insurance on the date and time citation was issued, and the Clerk can verify the coverage was in effect, the Clerk shall process the dismissal. DO NOT COLLECT DISMISSAL FEE

If the Clerk was unable to verify the coverage, the clerk shall set a court date for the defendant to see the Judge.

***PARKED IN DISABLED PARKING SPOT WITHOUT PLACARD**

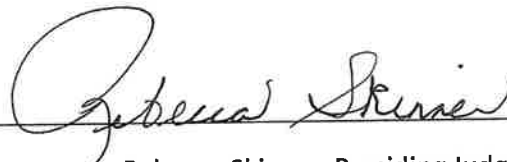
If defendant presents a copy of a placard that was valid at the time of the offense, and the last four digits of the defendant's driver's license or passenger at the time of the offense match the placard, the Clerk shall process the dismissal. **NO DISMISSAL FEE**

***EXPIRED DISABLED PARKING PLACARD (Sec. 681.013 Trans. Code):**

If defendant presents a copy of a renewed disabled parking placard no later than 20 working days from offense date, the Clerk shall collect a \$10 dismissal fee and process the dismissal.

Signed this 1 day of Oct, 2024.





Rebecca Skinner, Presiding Judge

City of Gilmer

MUNICIPAL COURT

STANDING ORDER NO. 4 DRIVING SAFETY COURSE

You must advise any person desiring to enter a plea of guilty or no contest on or before their Initial Appearance date that the Driving Safety course will be approved by the Court if the defendant:

- *Has not taken a driving safety course or motorcycle operator's course for a traffic offense within the last 12 months from the date of the current offense;
- *Is currently not taking the course for another traffic violation;
- *Does not hold a commercial driver's license (CDL) or have held a CDL at the time of the offense and:
 - * Is not charged with an ineligible offense(s):
 - Failure to Give information at Accident scene
 - Leaving Scene of Accident
 - Passing a School bus
 - A serious traffic violation, which applies to commercial motor vehicle operators
 - An offense in construction zone when workers are present
 - Speeding 25 mph or more over limit
 - Speeding 95 mph or more

IT IS ORDERED that a request for Driver's Safety Course (DSC) may be processed by the Clerk for a defendant if the defendant submits by their appearance date:

- *A plea of Guilty or No Contest
- *A Driver's Safety Course request form
- *Proof of a valid non-CDL Texas Driver's license or, if the defendant is a member, spouse, or dependents child of a member of the US Military Forces, a valid driver's license issue by another State
- *Proof of financial responsibility listing the defendant as a driver on the policy
- *Payment of the court costs plus \$10 administrative fee in the amount of \$144 (must be paid at time of request)

Upon meeting and submitting all the requirements stated above the defendant shall be given 90 days, from the date of their request to submit, prior to a show cause hearing:

*A court copy of a uniform certificate of completion of DSC approved by TDLR; the certificate must state the Court name/city and show a completion date after the date of the violation but not after the 90th day of the request.

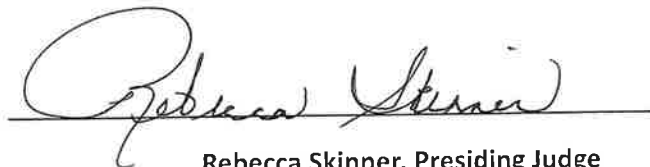
*A copy of a Texas Driving record, form 3A, as maintained by DPS, or, if military, a driving record from the State where the driver's license is issued, if available.

The clerk shall accept any of the requirements of a DSC and can forward those requirements to the Judge to review for judgement and/or dismissal.

If the defendant fails to provide evidence of successful completion of DSC within the time period allowed, the Clerk shall summon the Defendant to court to Show cause why such evidence was not submitted timely. If the defendant fails to appear, a final judgement shall be prepared for the Court's signature.

Signed this 1 day of Oct., 2024.



A handwritten signature in cursive script, reading "Rebecca Skinner", is written over a horizontal line.

Rebecca Skinner, Presiding Judge

City of Gilmer


MUNICIPAL COURT

STANDING ORDER NO. 5 FINES

IT IS ORDERED that all fines shall be set by the Presiding Judge. The fines will be recorded in the Incode system and the fines recorded in the system shall be assessed upon a plea of guilty or no contest at the Clerk's office unless individually altered by the Judge.

Signed this 1 day of Oct., 2024.





Rebecca Skinner, Presiding Judge

City of Gilmer