



## MUNICIPAL JUVENILE/MINOR CHART

	Alcoholic Beverage Code	Alcoholic Beverage Code/DUI/BUI	Education Code	Health and Safety Code	Penal Code	Transportation Code Chapter 729
<b>Jurisdiction</b>	Yes. (See Art. 4.14, C.C.P.; Sec. 29.003, G.C.; Sec. 8.07, P.C.; and Sec. 51.03, F.C.)	Yes. (See Art. 4.14, C.C.P.; Sec. 29.003, G.C.; Sec. 8.07, P.C.; and Sec. 51.03, F.C.)	Yes. (See Art. 4.14, C.C.P.; Sec. 29.003, G.C.; Sec. 8.07, P.C.; and Sec. 51.03, F.C.)	Yes. (See Art. 4.14, C.C.P.; Sec. 29.003, G.C.; Sec. 8.07, P.C.; and Sec. 161.256, H.S.C.)	Yes. (See Art. 4.14, C.C.P.; Sec. 29.003, G.C.; Sec. 8.07, P.C.; and Sec. 51.03(f), F.C.) All fine-only offenses.	Yes. (See Art. 4.14, C.C.P.; Sec. 29.003, G.C.; Sec. 51.03, F.C.; and Sec. 729.001(a), T.C.) For exceptions, see section on common offenses.
<b>Waiver of Jurisdiction - Transfer to Juvenile Court<sup>1</sup></b> Sec. 51.08, F.C.	<b>Sec. 51.08, F.C.</b> Under age 17: <ul style="list-style-type: none"> <li>•<b>May waive</b> jurisdiction over first and second violations;</li> <li>•<b>Shall waive</b> jurisdiction after two previous convictions of any non-traffic fine-only offenses.</li> <li>•<b>Shall waive</b> jurisdiction if the court or another court has previously dismissed a complaint against the child under Section 8.08, Penal Code.</li> <li>•At age 17 or more, after two previous convictions, charge may be enhanced and filed in county court.</li> </ul>	<b>Sec. 51.08, F.C.</b> Under age 17: <ul style="list-style-type: none"> <li>•<b>May waive</b> jurisdiction over first and second violations;</li> <li>•<b>Shall waive</b> jurisdiction after two previous convictions of any non-traffic fine-only offenses.</li> <li>•<b>Shall waive</b> jurisdiction if the court or another court has previously dismissed a complaint against the child under Section 8.08, Penal Code.</li> </ul> <ul style="list-style-type: none"> <li>•At age 17 or more, after two previous convictions, charge may be enhanced and filed in county court.</li> </ul>	<b>Sec. 51.08, F.C.</b> Under age 17: <ul style="list-style-type: none"> <li>•<b>May waive</b> jurisdiction over first and second violations;</li> <li>•<b>Shall waive</b> jurisdiction after two previous convictions of any non-traffic fine-only offenses.</li> <li>•<b>Shall waive</b> jurisdiction if the court or another court has previously dismissed a complaint against the child under Section 8.08, Penal Code.</li> </ul> <ul style="list-style-type: none"> <li>•Age 17 – court retains jurisdiction.</li> </ul>	<b>Sec. 161.257, H.S.C</b> <b>May not waive</b> jurisdiction. Title 3, Family Code (including transfer to juvenile court) does not apply to Subchapter N, H.S.C.	<b>Sec. 51.08, F.C.</b> Under age 17: <ul style="list-style-type: none"> <li>•<b>May waive</b> jurisdiction over first and second violations;</li> <li>•<b>Shall waive</b> jurisdiction after two previous convictions of any non-traffic fine-only offenses.</li> <li>•<b>Shall waive</b> jurisdiction if the court or another court has previously dismissed a complaint against the child under Section 8.08, Penal Code.</li> <li>•<b>Shall waive</b> jurisdiction if there is pending Sexting (section 43.261, P.C.) complaint against a child (under 17 years of age)</li> </ul>	<b>Sec. 51.08, F.C.</b> Municipal court <b>may not waive</b> its jurisdiction over traffic violations.
<b>Age</b> Art. 45.058(h), C.C.P.; Sec. 51.02, F.C. Sec. 8.07, P.C.	<b>Sec. 106.01.</b> Definition of a minor - Under age 21. <b>Sec. 51.02, F.C. &amp; Art. 45.058(h), C.C.P.</b> Child defined as at least 10 years of age & younger than age 17. <b>Sec. 8.07, P.C.</b> <ul style="list-style-type: none"> <li>•Person may not be prosecuted for or convicted of a fine-only offense committed when younger than 10 years of age.</li> <li>•Person at least 10 but younger than 15 is presumed incapable of committing a fine only offense (other than curfew).</li> <li>•Presumption may be refuted if prosecution proves by preponderance of evidence that child had sufficient capacity to understand that conduct was wrong at time conduct was</li> </ul>	<b>Sec. 106.01.</b> Definition of a minor - Under age 21. <b>Sec. 51.02, F.C. &amp; Art. 45.058(h), C.C.P.</b> Child defined as at least 10 years of age & younger than age 17. <b>Sec. 8.07, P.C.</b> <ul style="list-style-type: none"> <li>•Person may not be prosecuted for or convicted of a fine-only offense committed when younger than 10 years of age.</li> <li>•Person at least 10 but younger than 15 is presumed incapable of committing a fine only offense (other than curfew).</li> <li>•Presumption may be refuted if prosecution proves by</li> </ul>	<b>Sec. 8.07, P.C.</b> <ul style="list-style-type: none"> <li>•Person may not be prosecuted for or convicted of a fine-only offense committed when younger than 10 years of age.</li> <li>•Person at least 10 but younger than 15 is presumed incapable of committing a fine only offense (other than curfew).</li> <li>•Presumption may be refuted if prosecution proves by preponderance of evidence that child had sufficient capacity to understand that conduct was wrong at time conduct was engaged in.</li> </ul>	<b>Sec. 161.252, H.S.C.</b> Definition of a minor - Under age 18. <b>Sec. 51.02, F.C. &amp; Art. 45.058(h), C.C.P.</b> Child defined as at least 10 years of age & younger than age 17. <b>Sec. 8.07, P.C.</b> <ul style="list-style-type: none"> <li>•Person may not be prosecuted for or convicted of a fine-only offense committed when younger than 10 years of age.</li> <li>•Person at least 10 but younger than 15 is presumed incapable of committing a fine only offense (other than curfew).</li> </ul>	<b>Sec. 8.07. Age Affecting Criminal Responsibility under age 17.</b> <b>Sec. 51.02, F.C. &amp; Art. 45.058(h), C.C.P.</b> Child defined as at least 10 years of age & younger than age 17. <b>Section 43.261</b> Defendant must be 17 for municipal court to have jurisdiction. <b>Sec. 8.07, P.C.</b> <ul style="list-style-type: none"> <li>•Person may not be prosecuted for or convicted of a fine-only offense committed when younger than 10 years of age.</li> <li>•Person at least 10 but younger than 15 is presumed incapable of committing a fine only offense (other than curfew).</li> <li>•Presumption may be refuted if prosecution proves by preponderance of evidence that</li> </ul>	<b>Sec. 729.001. Operation of Motor Vehicle by Minor- Under age 17.</b> <b>Sec. 51.02, F.C. &amp; Art. 45.058(h), C.C.P.</b> Child defined as at least 10 years of age & younger than age 17. <b>Sec. 8.07, P.C.</b> <ul style="list-style-type: none"> <li>•Person may not be prosecuted for or convicted of a fine-only offense committed when younger than 10 years of age.</li> <li>•Person at least 10 but younger than 15 is presumed incapable of committing a fine only offense (other than curfew).</li> <li>•Presumption may be refuted if prosecution proves by preponderance of evidence that child had sufficient capacity to understand that conduct was</li> </ul>



## MUNICIPAL JUVENILE/MINOR CHART

	Alcoholic Beverage Code	Alcoholic Beverage Code/DUI/BUI	Education Code	Health and Safety Code	Penal Code	Transportation Code Chapter 729
	engaged in.	preponderance of evidence that child had sufficient capacity to understand that conduct was wrong at time conduct was engaged in.		•Presumption may be refuted if prosecution proves by preponderance of evidence that child had sufficient capacity to understand that conduct was wrong at time conduct was engaged in.	child had sufficient capacity to understand that conduct was wrong at time conduct was engaged in.	wrong at time conduct was engaged in.
<b>Common Offenses</b>	<ul style="list-style-type: none"> <li>•Sec. 106.02. Purchase of Alcohol by Minor;</li> <li>•Sec. 106.025. Attempt to Purchase Alcohol by a Minor;</li> <li>•Sec. 106.04. Consumption of Alcohol by a Minor;</li> <li>•Sec. 106.05. Possession of Alcohol by a Minor;</li> <li>•Sec. 106.07. Misrepresentation of Age by a Minor.</li> </ul>	•Sec. 106.041. Driving or Operating Watercraft Under the Influence of Alcohol by a Minor.	<ul style="list-style-type: none"> <li>•Sec. 37.102. Rules (Enacted by School Board);</li> <li>•Sec. 37.107. Trespass on School Grounds;</li> <li>•Sec. 37.122. Possession of Intoxicants on School Grounds;</li> </ul>	<b>Sec. 161.252</b> <ul style="list-style-type: none"> <li>•Possession of cigarettes, e-cigarettes, or tobacco;</li> <li>•Purchase of cigarettes, e-cigarettes, or tobacco;</li> <li>•Consumption of cigarettes, e-cigarettes, or tobacco;</li> <li>•Acceptance of cigarettes, e-cigarettes, or tobacco;</li> <li>•Display false proof of age.</li> </ul>	<ul style="list-style-type: none"> <li>•Sec. 22.01. Assault by threat;</li> <li>•Sec. 28.03. Criminal Mischief;</li> <li>•Sec. 31.03. Theft under \$100;</li> <li>Sec. 38.10. Bail Jumping/Failure to Appear;</li> <li>Sec. 42.01. Disorderly Conduct.</li> </ul>	<b>Sec. 729.001(a), T.C.; Sec. 8.07(a)(2), P.C.; Sec. 51.02(16), F.C.</b> <ul style="list-style-type: none"> <li>•Ch. 502. Registration of Vehicles, except Secs. 502.282 or 502.412;</li> <li>•Ch. 521. Driver's Licenses, except Sec. 521.457;</li> <li>•Subtitle C. Rules of the Road, except offenses punishable by imprisonment or by confinement in jail;</li> <li>•Ch. 601. Safety Responsibility</li> <li>•Ch. 621. Vehicle Size &amp; Weight;</li> <li>•Ch. 661. Motorcycles &amp; All Terrain Vehicles;</li> <li>•Ch. 681. Parking, Towing &amp; Storage of Vehicles.</li> </ul>
<b>School Offenses<sup>2</sup></b>	<b>Sec. 37.143, E.C.</b> A peace officer may not issue a citation to a child who is alleged to have committed a school offense. A school district employee may file a complaint with the municipal court.	<b>Sec. 37.143, E.C.</b> A peace officer may not issue a citation to a child who is alleged to have committed a school offense. A school district employee may file a complaint with the municipal court.	<b>Sec. 37.143, E.C.</b> A peace officer may not issue a citation to a child who is alleged to have committed a school offense. A school district employee may file a complaint with the municipal court.	<b>Sec. 37.143, E.C.</b> A peace officer may not issue a citation to a child who is alleged to have committed a school offense. A school district employee may file a complaint with the municipal court.	<b>Sec. 37.143, E.C.</b> A peace officer may not issue a citation to a child who is alleged to have committed a school offense. A school district employee may file a complaint with the municipal court.	<b>Sec. 37.141, E.C.</b> A school offense is an offense other than a traffic offense. A peace officer may issue a citation to a juvenile for traffic offenses committed on property under the control and jurisdiction of a school district.
<b>Penalties<sup>3</sup></b>	<b>Sec. 106.071 for offenses under Secs. 106.02, 106.025, 106.04, 106.05, 106.07.</b> <b>1<sup>st</sup> conviction</b> <ul style="list-style-type: none"> <li>•Class C misdemeanor (max \$500);</li> <li>•Mandatory drug or alcohol awareness program or Drug and Alcohol Driving Awareness Program (DADAP), Sec. 106.115 (if defendant resides in county of 75,000 or less and no readily available drug or alcohol awareness program, court may allow</li> </ul>	<b>Sec. 106.041.</b> <b>1<sup>st</sup> conviction</b> <ul style="list-style-type: none"> <li>•Class C misdemeanor (max \$500);</li> <li>•Mandatory drug or alcohol awareness program or Drug and Alcohol Driving Awareness Program (DADAP), Sec. 106.115 (if defendant resides in county of 75,000 or less and no readily available program, court may</li> </ul>	<b>Secs. 37.102, 37.107, 37.122, 37.124, 37.126.</b> Class C misdemeanors (max \$500)	<b>Secs. 161.252 and 161.253</b> <b>1<sup>st</sup> conviction</b> <ul style="list-style-type: none"> <li>•A fine not to exceed \$250, but court shall suspend execution of sentence (court costs must still be assessed and imposed) and order e-cigarette and tobacco awareness program. Court dismisses charge on</li> </ul>	<b>Sec. 12.23</b> Class C misdemeanor (max fine \$500). Under age 17 & two prior convictions, see waiver provisions in chart. <b>Public Intoxication (Sec. 49.02):</b> Persons under age 21 charged with public intoxication, the penalty is under Sec. 106.071, A.B.C.: See penalties for Alcoholic Beverage Code Offenses other than DUI.	<b>Secs. 729.001 and 729.002</b> Penalty same as adult defendant. See general and specific penalty clauses throughout Transportation Code.



## MUNICIPAL JUVENILE/MINOR CHART

Alcoholic Beverage Code	Alcoholic Beverage Code/DUI/BUI	Education Code	Health and Safety Code	Penal Code	Transportation Code Chapter 729	
	<p>online drug or alcohol awareness program or not less than eight hours of drug- or alcohol-related community service; DADAP is available online);</p> <ul style="list-style-type: none"> <li>•Mandatory 8-12 hours drug or alcohol-related community service;</li> <li>•DL suspension or denial – 30 days; eff. 11<sup>th</sup> day after conviction.</li> </ul> <p><b>2<sup>nd</sup> conviction</b></p> <ul style="list-style-type: none"> <li>•Class C misdemeanor (max \$500);</li> <li>•Optional drug or alcohol awareness program;</li> <li>•Mandatory 20-40 hours drug or alcohol-related community service;</li> <li>•DL suspension or denial – 60 days; eff. 11<sup>th</sup> day after conviction.</li> </ul> <p><b>3<sup>rd</sup> conviction</b></p> <p>Under age 17:</p> <ul style="list-style-type: none"> <li>•See waiver provisions in chart.</li> </ul> <p>Age 17 &amp; under 21</p> <ul style="list-style-type: none"> <li>•Fine \$250 to \$2000 and/or confinement not to exceed 180 days if charge enhanced.</li> </ul> <hr/> <p><b>Complete drug or alcohol awareness program</b></p> <p>Court may reduce the fine to half the amount assessed.</p> <p><b>Failure to complete drug or alcohol awareness program</b></p> <p>Court may give another 90 days to complete.</p> <ul style="list-style-type: none"> <li>•1<sup>st</sup> conviction: court must order DPS to suspend or deny issuance of DL for up to six months. Sec. 106.115(c), A.B.C.</li> <li>•2<sup>nd</sup> or subsequent conviction: court must order DPS to suspend or deny issuance of DL not to exceed one year.</li> </ul>	<p>allow online drug or alcohol awareness program or not less than eight hours of drug or alcohol-related community service; DADAP is available online);</p> <ul style="list-style-type: none"> <li>•Mandatory 20 to 40 hours alcohol-related community service;</li> <li>•Administrative DL suspension (separate proceeding under Chapters 524 and 724, T.C.—court does not suspend).</li> </ul> <p><b>2<sup>nd</sup> conviction</b></p> <ul style="list-style-type: none"> <li>•Class C misdemeanor (max \$500);</li> <li>•Optional drug or alcohol awareness program;</li> <li>•Mandatory 40 to 60 hours of drug or alcohol-related community service;</li> <li>•Administrative DL suspension (separate proceeding—Chapters 524 and 724, T.C.).</li> </ul> <p><b>3<sup>rd</sup> conviction</b></p> <p>Under age 17:</p> <ul style="list-style-type: none"> <li>•See waiver provisions in chart.</li> </ul> <p>Age 17 &amp; under 21</p> <ul style="list-style-type: none"> <li>•Fine \$250 to \$2000 and/or confinement not to exceed 180 days if charge enhanced.</li> </ul> <hr/> <p><b>Complete drug or alcohol awareness program</b></p> <p>Court may reduce the fine to half the amount assessed.</p> <p><b>Failure to complete drug or alcohol awareness program</b></p> <p>Court may give another 90 days to complete.</p> <ul style="list-style-type: none"> <li>•1<sup>st</sup> conviction: court must order DPS to suspend or deny issuance of DL for up to six months. Sec. 106.115(c), A.B.C.</li> </ul>		<p>completion of course.</p> <ul style="list-style-type: none"> <li>•If no course available, court shall require 8-12 hours e-cigarette and tobacco-related community service.</li> <li>•Failure to complete tobacco awareness course or community service, court required to order DPS to suspend or deny issuance of DL for up to 180 days after date of order.</li> </ul> <p><b>Subsequent offenses (enhanced)</b></p> <ul style="list-style-type: none"> <li>•A fine not to exceed \$250;</li> <li>•Court shall suspend execution of sentence and order e-cigarette and tobacco awareness course;</li> <li>•Upon completion of course, court may reduce fine to not less than half;</li> <li>•Failure to complete e-cigarette and tobacco awareness course or community service, court required to order DPS to suspend or deny issuance of DL not to exceed 180 days after date of order.</li> </ul>	<p><b>Art. 45.061, C.C.P.</b></p> <p>Minor convicted of sexting may be ordered to attend and successfully complete an educational program addressing legal aspects, consequences, and effects of sexting, bullying, cyber-bullying, and harassment.</p>	



## MUNICIPAL JUVENILE/MINOR CHART

	Alcoholic Beverage Code	Alcoholic Beverage Code/DUI/BUI	Education Code	Health and Safety Code	Penal Code	Transportation Code Chapter 729
		•2 <sup>nd</sup> or subsequent conviction: court must order DPS to suspend or deny issuance of DL not to exceed one year.				
<b>Appearance</b>	<p><b>Sec. 106.10, A.B.C.</b> •Plea of guilty must be in open court. <b>Art. 45.0215, C.C.P.</b> Under age 17: •Must be in open court; •Parent or guardian required to appear with child; •Court must summon parent or guardian; •Court may waive presence, if unable to locate or compel parent's presence. <b>Art. 45.057, C.C.P.</b> Court should provide notice to the child and parent of child's (under age 17) and parent's obligation to notify the court in writing of the child's current address.</p>	<p><b>Sec. 106.10, A.B.C.</b> •Plea of guilty must be in open court. <b>Art. 45.0215, C.C.P.</b> Under age 17: •Must be in open court; •Parent or guardian required to appear with child; •Court must summon parent or guardian; •Court may waive presence, if unable to locate or compel parent's presence. <b>Art. 45.057, C.C.P.</b> Court should provide notice to the child and parent of child (under age 17) and parent's obligation to notify the court in writing of the child's current address.</p>	<p><b>Art. 45.0215, C.C.P.</b> Under age 17: •Must be in open court; •Parent or guardian required to appear with child; •Court must summon parent or guardian; •Court may waive presence, if unable to locate or compel parent's presence. <b>Art. 45.057, C.C.P.</b> Court should provide notice to the child and parent of child's (under age 17) and parent's obligation to notify the court in writing of the child's current address.</p>	<p><b>Art. 45.0215, C.C.P.</b> Under age 17: •Must be in open court; •Parent or guardian required to appear with child; •Court must summon parent or guardian; •Court may waive presence, if unable to locate or compel parent's presence. Age 17 – parent's presence not required. <b>Art. 45.057, C.C.P.</b> Court should provide notice to the child and parent of child's (under age 17) and parent's obligation to notify the court in writing of the child's current address.</p>	<p><b>Art. 45.0215, C.C.P.</b> Under age 17, generally, or under age 18 if charged with Sexting under Section 43.261, P.C.: •Must be in open court; •Parent or guardian required to appear with child; •Court must summon parent or guardian; •Court may waive presence, if unable to locate or compel parent's presence. <b>Art. 45.057, C.C.P.</b> Court should provide notice to the child and parent of child's (under age 17) and parent's obligation to notify the court in writing of the child's current address.</p>	<p><b>Art. 45.0215, C.C.P.</b> Under age 17: •Must be in open court; •Parent or guardian required to appear with child; •Court must summon parent or guardian; •Court may waive presence, if unable to locate or compel parent's presence. <b>Art. 45.057, C.C.P.</b> Court should provide notice to the child and parent of child's (under age 17) and parent's obligation to notify the court in writing of the child's current address.</p>
<b>Custody<sup>4</sup> Art. 45.058, C.C.P.</b>	<p>•A child at least age 10 and under age 17 may be taken into nonsecure custody. •Child may be: -released to parent, guardian, custodian, or other responsible adult; -taken before a municipal or justice court; -taken to a place of nonsecure custody – held for not more than 6 hours. •If a minor who is a child has been referred to juvenile court under Sec. 51.08(b), F.C., or Art. 45.050, C.C.P., the child may be detained in a juvenile detention facility. •A minor age 17 when offense committed may be handled as an adult.</p>	<p>•A child at least age 10 and under age 17 may be taken into nonsecure custody. •Child may be: -released to parent, guardian, custodian, or other responsible adult; -taken before a municipal or justice court; -taken to a place of nonsecure custody – held for not more than 6 hours. •If a minor who is a child has been referred to juvenile court under Sec. 51.08(b), F.C., or Art. 45.050, C.C.P., the child may be detained in a juvenile detention facility. •A minor age 17 when offense committed may be</p>	<p>•A child at least age 10 and under age 17 may be taken into nonsecure custody. •Child may be: -released to parent, guardian, custodian, or other responsible adult; -taken before a municipal or justice court; -taken to a place of nonsecure custody – held for not more than 6 hours.</p>	<p>•A child at least age 10 and under age 17 may be taken into nonsecure custody. •Child may be: -released to parent, guardian, custodian, or other responsible adult; -taken before a municipal or justice court; -taken to a place of nonsecure custody – held for not more than 6 hours. •If a minor who is a child has been referred to juvenile court under Sec. 51.08(b), F.C., or Art. 45.050, C.C.P., the child may be detained in a</p>	<p>•A child at least age 10 and under age 17 may be taken into nonsecure custody. •Child may be: -released to parent, guardian, custodian, or other responsible adult; -taken before a municipal or justice court; -taken to a place of nonsecure custody – held for not more than 6 hours. •If a child has been referred to juvenile court under Sec. 51.08(b), F.C., or Art. 45.050, C.C.P., the child may be detained in a juvenile detention facility.</p>	<p>•A child at least age 10 and under age 17 may be taken into nonsecure custody. •Child may be: -released to parent, guardian, custodian, or other responsible adult; -taken before a municipal or justice court; -taken to a place of nonsecure custody – held for not more than 6 hours. •If a child has been referred to juvenile court under Sec. 51.08(b), F.C., or Art. 45.050, C.C.P., the child may be detained in a juvenile detention facility.</p>



## MUNICIPAL JUVENILE/MINOR CHART

	Alcoholic Beverage Code	Alcoholic Beverage Code/DUI/BUI	Education Code	Health and Safety Code	Penal Code	Transportation Code Chapter 729
		handled as an adult.		juvenile detention facility. •A minor age 17 when offense committed may be handled as an adult.		
<b>Failure to Appear</b>	<p><b>Sec. 38.10, P.C.</b>—Failure to Appear may be charged.</p> <p><b>Art. 45.058, C.C.P.</b> Court may issue an order for nonsecure custody.</p> <p><b>Art. 45.057(h), C.C.P.</b> Child may be charged with the offense of failure to provide written notice of current address. (It is an affirmative defense to prosecution if the child and parent were not informed of their obligation to notify the court of change of address.)</p> <p><b>Secs. 521.201(8) and 521.294(6), T.C.</b> Court may report failure to appear to DPS.</p>	<p><b>Sec. 38.10, P.C.</b>—Failure to Appear may be charged.</p> <p><b>Art. 45.058, C.C.P.</b> Court may issue an order for nonsecure custody.</p> <p><b>Art. 45.057(h), C.C.P.</b> Child may be charged with the offense of failure to provide written notice of current address. (It is an affirmative defense to prosecution if the child and parent were not informed of their obligation to notify the court of change of address.)</p> <p><b>Secs. 521.201(8) and 521.294(6), T.C.</b> Court may report failure to appear to DPS.</p>	<p><b>Sec. 38.10, P.C.</b>—Failure to Appear may be charged.</p> <p><b>Art. 45.058, C.C.P.</b> Court may issue an order for nonsecure custody.</p> <p><b>Art. 45.057(h), C.C.P.</b> Child may be charged with the offense of failure to provide written notice of current address. (It is an affirmative defense to prosecution if the child and parent were not informed of their obligation to notify the court of change of address.)</p> <p><b>Secs. 521.201(8) and 521.294(6), T.C.</b> Court may report failure to appear to DPS.</p>	<p><b>Sec. 38.10, P.C.</b>—Failure to Appear may be charged.</p> <p><b>Art. 45.058, C.C.P.</b> Court may issue an order for nonsecure custody.</p> <p><b>Art. 45.057(h), C.C.P.</b> Child may be charged with the offense of failure to provide written notice of current address. (It is an affirmative defense to prosecution if the child and parent were not informed of their obligation to notify the court of change of address.)</p> <p><b>Secs. 521.201(8) and 521.294(6), T.C.</b> Court may report failure to appear to DPS.</p>	<p><b>Sec. 38.10, P.C.</b>—Failure to Appear may be charged.</p> <p><b>Art. 45.058, C.C.P.</b> Court may issue an order for nonsecure custody.</p> <p><b>Art. 45.057(h), C.C.P.</b> Child may be charged with the offense of failure to provide written notice of current address. (It is an affirmative defense to prosecution if the child and parent were not informed of their obligation to notify the court of change of address.)</p> <p><b>Secs. 521.201(8) and 521.294(6), T.C.</b> Court may report failure to appear to DPS.</p>	<p><b>Sec. 543.009, T.C.</b>—Violation of Promise to Appear may be charged for Subtitle C, Rules of the Road offenses.</p> <p><b>Sec. 38.10 P.C.</b>—Failure to Appear may be charged for other traffic offenses.</p> <p><b>Art. 45.058, C.C.P.</b> Court may issue an order for nonsecure custody.</p> <p><b>Art. 45.057(h), C.C.P.</b> Child may be charged with the offense of failure to provide written notice of current address. (It is an affirmative defense to prosecution if the child and parent were not informed of their obligation to notify the court of change of address.)</p> <p><b>Sec. 521.3452, T.C.</b> Court shall report failure to appear to DPS.</p>
<b>Violation of a Court Order; Failure to Pay Fine; Art. 45.050, C.C.P.</b>	<p><b>Art. 45.050, C.C.P.</b> Applies to: children under age 17; children who turn age 17 before contempt proceedings can be held; and persons who failed to obey court order while age 17 or older. Court must provide notice of and conduct a hearing on contempt, before court may:</p> <ul style="list-style-type: none"> <li>• refer the child to the juvenile court for delinquent conduct for contempt of the municipal court order (if child turns age 17 court may not refer to juvenile court); or</li> <li>• retain jurisdiction and hold child/person in contempt of court               <ul style="list-style-type: none"> <li>- max fine \$500; and/or</li> <li>- order suspension or denial of DL until child/person fully complies with orders.</li> </ul> </li> </ul> <p>All defendants:</p> <ul style="list-style-type: none"> <li>• Failure to complete alcohol awareness course, see section on penalties this chart.</li> </ul>	<p><b>Art. 45.050, C.C.P.</b> Applies to: children under age 17; children who turn age 17 before contempt proceedings can be held; and persons who failed to obey court order while age 17 or older. Court must provide notice of and conduct a hearing on contempt, before court may:</p> <ul style="list-style-type: none"> <li>• refer the child to the juvenile court for delinquent conduct for contempt of the municipal court order (if child turns age 17 court may not refer to juvenile court); or</li> <li>• retain jurisdiction and hold child/person in contempt of court               <ul style="list-style-type: none"> <li>- max fine \$500; and/or</li> <li>- order suspension or denial of DL until child/person fully complies with orders.</li> </ul> </li> </ul>	<p><b>Art. 45.050, C.C.P.</b> Applies to: children under age 17; children who turn age 17 before contempt proceedings can be held; and persons who failed to obey court order while age 17 or older. Court must provide notice of and conduct a hearing on contempt, before court may:</p> <ul style="list-style-type: none"> <li>• refer the child to the juvenile court for delinquent conduct for contempt of the municipal court order (if child turns age 17 court may not refer to juvenile court); or</li> <li>• retain jurisdiction and hold child/person in contempt of court               <ul style="list-style-type: none"> <li>- max fine \$500; and/or</li> <li>- order suspension or denial of DL until child/person fully complies with orders.</li> </ul> </li> </ul>	<p><b>Art. 45.050, C.C.P.</b> Applies to: children under age 17; children who turn age 17 before contempt proceedings can be held; and persons who failed to obey court order while age 17 or older. Court must provide notice of and conduct a hearing on contempt, before court may:</p> <ul style="list-style-type: none"> <li>• refer the child to the juvenile court for delinquent conduct for contempt of the municipal court order (if child turns age 17 court may not refer to juvenile court); or</li> <li>• retain jurisdiction and hold child/person in contempt of court               <ul style="list-style-type: none"> <li>- max fine \$500; and/or</li> <li>- order suspension or denial of DL until child/person fully complies with orders.</li> </ul> </li> </ul>	<p><b>Art. 45.050, C.C.P.</b> Applies to: children under age 17; children who turn age 17 before contempt proceedings can be held; and persons who failed to obey court order while age 17 or older. Court must provide notice of and conduct a hearing on contempt, before court may:</p> <ul style="list-style-type: none"> <li>• refer the child to the juvenile court for delinquent conduct for contempt of the municipal court order (if child turns age 17 court may not refer to juvenile court); or</li> <li>• retain jurisdiction and hold child/person in contempt of court               <ul style="list-style-type: none"> <li>- max fine \$500; and/or</li> <li>- order suspension or denial of DL until child/person fully complies with orders.</li> </ul> </li> </ul>	<p><b>Art. 45.050, C.C.P.</b> Applies to: children under age 17; children who turn age 17 before contempt proceedings can be held; and persons who failed to obey court order while age 17 or older. Court must provide notice of and conduct a hearing on contempt, before court may:</p> <ul style="list-style-type: none"> <li>• refer the child to the juvenile court for delinquent conduct for contempt of the municipal court order (if child turns age 17 court may not refer to juvenile court); or</li> <li>• retain jurisdiction and hold child/person in contempt of court               <ul style="list-style-type: none"> <li>- max fine \$500; and/or</li> <li>- order suspension or denial of DL until child/person fully complies with orders.</li> </ul> </li> </ul>



## MUNICIPAL JUVENILE/MINOR CHART

	Alcoholic Beverage Code	Alcoholic Beverage Code/DUI/BUI	Education Code	Health and Safety Code	Penal Code	Transportation Code Chapter 729
		<p>All defendants:</p> <ul style="list-style-type: none"> <li>•Failure to complete alcohol awareness course, see section on penalties this chart.</li> </ul>		<p>- max fine \$500; and/or</p> <p>- order suspension or denial of DL until child/person fully complies with orders.</p> <p>All defendants:</p> <ul style="list-style-type: none"> <li>•Failure to complete e-cigarette and tobacco awareness course, see section on penalties this chart.</li> </ul>		
<b>Expunction<sup>5</sup></b>	<p><b>Sec. 106.12, A.B.C.</b></p> <p>Yes. May apply to municipal court at age 21 if only one conviction under Alcoholic Beverage Code.</p> <p><b>Sec. 106.12(d), A.B.C.</b></p> <p>Court shall charge \$30 fee for each application.</p>	<p><b>Sec. 106.12, A.B.C.</b></p> <p>Yes. May apply to municipal court at age 21 if only one conviction under Alcoholic Beverage Code.</p> <p><b>Sec. 106.12(d), A.B.C.</b></p> <p>Court shall charge \$30 fee for each application.</p>	<p><b>Art. 45.0216, C.C.P.</b></p> <p>Fine-only Education Code Offenses:</p> <ul style="list-style-type: none"> <li>• Court must notify child of right;</li> <li>•Court must give copy of Art. 45.0216, C.C.P.;</li> <li>•Not more than one conviction;</li> <li>•Child may apply on or after age 17;</li> <li>•Apply to trial court;</li> <li>•Child makes request under oath;</li> <li>•Court shall charge \$30 fee.</li> </ul>	<p><b>Sec. 161.255, H.S.C.</b></p> <ul style="list-style-type: none"> <li>•May apply to municipal court to have conviction expunged;</li> <li>•Applicant must have completed e-cigarette and tobacco awareness course;</li> <li>•May have multiple convictions expunged as long as applicant completed e-cigarette and tobacco awareness course for each conviction.</li> <li>•Court shall charge \$30 fee.</li> </ul>	<p><b>Art. 45.0216, C.C.P.</b></p> <ul style="list-style-type: none"> <li>•Court must notify child of right;</li> <li>•Court must give copy of Art. 45.0216, C.C.P., to defendant and parent;</li> <li>•Not more than one conviction;</li> <li>•Child may apply on or after age 17;</li> <li>•Apply to trial court;</li> <li>•Child makes request under oath;</li> <li>•Court shall charge \$30 fee.</li> </ul>	<p><b>Ch. 55, C.C.P.</b></p> <p>Expunction order must be filed in district court.</p>
<b>Child Turns Age 17 after Failure to Appear</b>	<p><b>Art. 45.060, C.C.P.</b></p> <p>Court must have used all available procedures under Chapter 45 to secure appearance while under the age of 17 before proceeding under Art. 45.060, C.C.P.</p> <p>At age 17 or older, court issues an order to appear. Order must have a warning about continuing obligation to appear and that failure to appear may result in a warrant being issued.</p> <p>If person fails to appear after notice, prosecutor may file complaint for violation of obligation to appear under Art. 45.060 and court may issue a warrant of arrest.</p>	<p><b>Art. 45.060, C.C.P.</b></p> <p>Court must have used all available procedures under Chapter 45 to secure appearance while under the age of 17 before proceeding under Art. 45.060, C.C.P.</p> <p>At age 17 or older, court issues an order to appear. Order must have a warning about continuing obligation to appear and that failure to appear may result in a warrant being issued.</p> <p>If person fails to appear after notice, prosecutor may file complaint for violation of obligation to appear under Art. 45.060 and court may</p>	<p><b>Art. 45.060, C.C.P.</b></p> <p>Court must have used all available procedures under Chapter 45 to secure appearance while under the age of 17 before proceeding under Art. 45.060, C.C.P.</p> <p>At age 17 or older, court issues an order to appear. Order must have a warning about continuing obligation to appear and that failure to appear may result in a warrant being issued.</p> <p>If person fails to appear after notice, prosecutor may file complaint for violation of obligation to appear under Art. 45.060 and court may issue a</p>	<p><b>Art. 45.060, C.C.P.</b></p> <p>Court must have used all available procedures under Chapter 45 to secure appearance while under the age of 17 before proceeding under Art. 45.060, C.C.P.</p> <p>At age 17 or older, court issues an order to appear. Order must have a warning about continuing obligation to appear and that failure to appear may result in a warrant being issued.</p> <p>If person fails to appear after notice, prosecutor may file complaint for violation of obligation to appear and that failure to appear may result in a warrant being issued.</p> <p>If person fails to appear after notice, prosecutor may file complaint for violation of obligation to</p>	<p><b>Art. 45.060, C.C.P.</b></p> <p>Court must have used all available procedures under Chapter 45 to secure appearance while under the age of 17 before proceeding under Art. 45.060, C.C.P.</p> <p>At age 17 or older, court issues an order to appear. Order must have a warning about continuing obligation to appear and that failure to appear may result in a warrant being issued.</p> <p>If person fails to appear after notice, prosecutor may file complaint for violation of obligation to appear under Art. 45.060 and court may issue a warrant of arrest.</p>	<p><b>Art. 45.060, C.C.P.</b></p> <p>Court must have used all available procedures under Chapter 45 to secure appearance while under the age of 17 before proceeding under Art. 45.060, C.C.P.</p> <p>At age 17 or older, court issues an order to appear. Order must have a warning about continuing obligation to appear and that failure to appear may result in a warrant being issued.</p> <p>If person fails to appear after notice, prosecutor may file complaint for violation of obligation to appear under Art. 45.060 and court may issue a warrant of arrest.</p>



## MUNICIPAL JUVENILE/MINOR CHART

	Alcoholic Beverage Code	Alcoholic Beverage Code/DUI/BUI	Education Code	Health and Safety Code	Penal Code	Transportation Code Chapter 729
		issue a warrant of arrest.	warrant of arrest.	appear under Art. 45.060 and court may issue a warrant of arrest.		
<b>Child Turns age 17 after Failing to Pay Fine; Capias Pro Fine; Art. 45.045, C.C.P.</b>	<b>Art. 45.045, C.C.P.</b> Court must determine before issuing a <i>capias pro fine</i> : <ul style="list-style-type: none"> <li>that person is age 17 or older;</li> <li>that issuance of <i>capias pro fine</i> is justified (must consider sophistication &amp; maturity, criminal record and history of individual, and the reasonable likelihood of bringing about the discharge of judgment by other procedures); and</li> <li>that the court has proceeded under Art. 45.050, C.C.P.</li> </ul>	<b>Art. 45.045, C.C.P.</b> Court must determine before issuing a <i>capias pro fine</i> : <ul style="list-style-type: none"> <li>that person is age 17 or older;</li> <li>that issuance of <i>capias pro fine</i> is justified (must consider sophistication &amp; maturity, criminal record and history of individual, and the reasonable likelihood of bringing about the discharge of judgment by other procedures); and</li> <li>that the court has proceeded under Art. 45.050, C.C.P.</li> </ul>	<b>Art. 45.045, C.C.P.</b> Court must determine before issuing a <i>capias pro fine</i> : <ul style="list-style-type: none"> <li>that person is age 17 or older;</li> <li>that issuance of <i>capias pro fine</i> is justified (must consider sophistication &amp; maturity, criminal record and history of individual, and the reasonable likelihood of bringing about the discharge of judgment by other procedures); and</li> <li>that the court has proceeded under Art. 45.050, C.C.P.</li> </ul>	<b>Art. 45.045, C.C.P.</b> Court must determine before issuing a <i>capias pro fine</i> : <ul style="list-style-type: none"> <li>that person is age 17 or older;</li> <li>that issuance of <i>capias pro fine</i> is justified (must consider sophistication &amp; maturity, criminal record and history of individual, and the reasonable likelihood of bringing about the discharge of judgment by other procedures); and</li> <li>that the court has proceeded under Art. 45.050, C.C.P.</li> </ul>	<b>Art. 45.045, C.C.P.</b> Court must determine before issuing a <i>capias pro fine</i> : <ul style="list-style-type: none"> <li>that person is age 17 or older;</li> <li>that issuance of <i>capias pro fine</i> is justified (must consider sophistication &amp; maturity, criminal record and history of individual, and the reasonable likelihood of bringing about the discharge of judgment by other procedures); and</li> <li>that the court has proceeded under Art. 45.050, C.C.P.</li> </ul>	<b>Art. 45.045, C.C.P.</b> Court must determine before issuing a <i>capias pro fine</i> : <ul style="list-style-type: none"> <li>that person is age 17 or older;</li> <li>that issuance of <i>capias pro fine</i> is justified (must consider sophistication &amp; maturity, criminal record and history of individual, and the reasonable likelihood of bringing about the discharge of judgment by other procedures); and</li> <li>that the court has proceeded under Art. 45.050, C.C.P.</li> </ul>
<b>Reports</b>	<b>Sec. 51.08(c), F.C.</b> Under age 17 <ul style="list-style-type: none"> <li>Juvenile court when case filed;</li> <li>Juvenile court when case disposed.</li> </ul> <b>Secs. 521.201(8) and 521.294(6), T.C.</b> Under age 17 <ul style="list-style-type: none"> <li>DPS, if child fails to appear;</li> <li>DPS, when case adjudicated.</li> </ul> <b>Sec. 521.3451, T.C.</b> <ul style="list-style-type: none"> <li>DPS, when child found in contempt for failure to pay under Art. 45.050, C.C.P. &amp; court orders suspension or denial of DL;</li> <li>DPS, when child makes final disposition.</li> </ul> <b>Sec. 106.116, A.B.C.</b> <ul style="list-style-type: none"> <li>Tex. Alcoholic Bev. Commission, if requested.</li> </ul> <b>Sec. 106.117, A.B.C.</b> All minors <ul style="list-style-type: none"> <li>DPS, upon conviction or order of deferred.</li> </ul> <b>Sec. 106.115(d), A.B.C.</b> All minors <ul style="list-style-type: none"> <li>DPS, court order of DL suspension or</li> </ul>	<b>Sec. 51.08(c), F.C.</b> Under age 17 <ul style="list-style-type: none"> <li>Juvenile court when case filed;</li> <li>Juvenile court when case disposed.</li> </ul> <b>Secs. 521.201(8) and 521.294(6), T.C.</b> Under age 17 <ul style="list-style-type: none"> <li>DPS, if child fails to appear;</li> <li>DPS, when case adjudicated.</li> </ul> <b>Sec. 521.3451, T.C.</b> <ul style="list-style-type: none"> <li>DPS, when child found in contempt for failure to pay under Art. 45.050, C.C.P. &amp; court orders suspension or denial of DL;</li> <li>DPS, when child makes final disposition.</li> </ul> <b>Sec. 106.116, A.B.C.</b> <ul style="list-style-type: none"> <li>Tex. Alcoholic Bev. Commission, if requested.</li> </ul> <b>Sec. 106.117, A.B.C.</b> All minors <ul style="list-style-type: none"> <li>DPS, upon conviction, order of deferred, and acquittal under</li> </ul>	<b>Sec. 51.08(c), F.C.</b> Under age 17 <ul style="list-style-type: none"> <li>Juvenile court when case filed;</li> <li>Juvenile court when case disposed.</li> </ul> <b>Secs. 521.201(8) and 521.294(6), T.C.</b> Under age 17 <ul style="list-style-type: none"> <li>DPS, if child fails to appear;</li> <li>DPS, when case adjudicated.</li> </ul> <b>Sec. 521.3451, T.C.</b> <ul style="list-style-type: none"> <li>DPS, when child found in contempt for failure to pay under Art. 45.050, C.C.P. &amp; court orders suspension or denial of DL;</li> <li>DPS, when child makes final disposition.</li> </ul> <b>Sec. 71.0352, G.C.</b> Report number of cases filed for: <ul style="list-style-type: none"> <li>Violation of local daytime curfew ordinance</li> <li>Referrals to juvenile court for delinquent conduct for contempt</li> </ul>	<b>Sec. 161.254, H.S.C.</b> All minors <ul style="list-style-type: none"> <li>DPS, if defendant fails to present evidence of completion of e-cigarette and tobacco-related program or community service. Court required to order DL suspended or denied for a period not to exceed 180 days.</li> </ul> <b>Secs. 521.201(8) and 521.294(6), T.C.</b> Under age 17 <ul style="list-style-type: none"> <li>DPS, if child fails to appear;</li> <li>DPS when case adjudicated.</li> </ul> <b>Sec. 521.3451, T.C.</b> <ul style="list-style-type: none"> <li>DPS, when child found in contempt for failure to pay under Art. 45.050, C.C.P. &amp; court orders suspension or denial of DL;</li> <li>DPS, when child makes final disposition.</li> </ul> <b>Sec. 15.27, P.C.</b> <ul style="list-style-type: none"> <li>Upon conviction, prosecutor required to notify school of conviction of assault and possession of drug paraphernalia.</li> </ul>	<b>Sec. 51.08(c), F.C.</b> Under age 17 <ul style="list-style-type: none"> <li>Juvenile court when case filed;</li> <li>Juvenile court when case disposed.</li> </ul> <b>Secs. 521.201(8) and 521.294(6), T.C.</b> Under age 17 <ul style="list-style-type: none"> <li>DPS, if child fails to appear;</li> <li>DPS when case adjudicated.</li> </ul> <b>Sec. 521.3451, T.C.</b> <ul style="list-style-type: none"> <li>DPS, when child found in contempt for failure to pay under Art. 45.050, C.C.P. &amp; court orders suspension or denial of DL;</li> <li>DPS, when child makes final disposition.</li> </ul> <b>Sec. 15.27, P.C.</b> <ul style="list-style-type: none"> <li>Upon conviction, prosecutor required to notify school of conviction of assault and possession of drug paraphernalia.</li> </ul>	<b>Sec. 543.203, T.C.</b> <ul style="list-style-type: none"> <li>Convictions reported to DPS.</li> </ul> <b>Sec. 521.3452, T.C.</b> Under age 17 <ul style="list-style-type: none"> <li>Court required to report failure to appear.</li> </ul> <b>Secs. 521.201(7) and 521.294(5), T.C.</b> <ul style="list-style-type: none"> <li>DPS, if child fails to appear;</li> <li>DPS when case adjudicated.</li> </ul> <b>Sec. 521.3451, T.C.</b> <ul style="list-style-type: none"> <li>DPS, when child found in contempt for failure to pay under Art. 45.050, C.C.P. &amp; court orders suspension or denial of DL;</li> <li>DPS, when child makes final disposition.</li> </ul>



## MUNICIPAL JUVENILE/MINOR CHART

	Alcoholic Beverage Code	Alcoholic Beverage Code/DUI/BUI	Education Code	Health and Safety Code	Penal Code	Transportation Code Chapter 729
	denial not to exceed six months upon failure to complete alcohol awareness program or community service.	106.041. <b>Sec. 106.115(d), A.B.C.</b> All minors •DPS, court order of DL suspension or denial not to exceed six months upon failure to complete alcohol awareness program or community service.	•Children held in contempt	•DPS, when child makes final disposition.		
<b>Parents</b>	<p><b>Art. 45.0215, C.C.P.</b> •Court required to issue summons for parents. • Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Art. 45.057(a), C.C.P.</b> •Parent includes a person standing in parental relation, a managing conservator, or a custodian.</p> <p><b>Art. 45.057(g), C.C.P.</b> •Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Art. 45.057(h), C.C.P.</b> •Failure to notify the court in writing of the child’s current address is a Class C misdemeanor.</p> <p><b>Art. 45.057, C.C.P.</b> Court may order: •Attend a parenting class. •Attend child’s school classes &amp; functions. •Pay up to \$100 for special program for child. •Parent to do an act or refrain from doing an act that will increase likelihood that child will comply.</p> <p><b>Sec. 106.115(d), A.B.C.</b> •Court may order parent to do any act or refrain from an act to increase likelihood that minor will complete alcohol awareness program after child fails to complete program.</p>	<p><b>Art. 45.0215, C.C.P.</b> •Court required to issue summons for parents. • Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Art. 45.057(a), C.C.P.</b> •Parent includes a person standing in parental relation, a managing conservator, or a custodian.</p> <p><b>Art. 45.057(g), C.C.P.</b> •Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Art. 45.057(h), C.C.P.</b> •Failure to notify the court in writing of the child’s current address is a Class C misdemeanor.</p> <p><b>Art. 45.057, C.C.P.</b> Court may order: •Attend a parenting class. •Attend child’s school classes &amp; functions. •Pay up to \$100 for special program for child. •Parent to do an act or refrain from doing an act that will increase likelihood that child will comply.</p> <p><b>Sec. 106.115(d), A.B.C.</b> •Court may order parent to do any act or refrain from an act to increase likelihood that minor will complete alcohol awareness program after child fails to complete program.</p>	<p><b>Art. 45.0215, C.C.P.</b> •Court required to issue summons for parents. • Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Sec. 25.093, E.C.</b> •May be charged with the offense of Parent Contributing to Nonattendance, a Class C misdemeanor.</p> <p><b>Art. 45.057(a), C.C.P.</b> •Parent includes a person standing in parental relation, a managing conservator, or a custodian.</p> <p><b>Art. 45.057, C.C.P.</b> Court may order: •Attend a parenting class.<sup>5</sup> •Attend child’s school classes &amp; functions. •Pay up to \$100 for special program for child. •Parent to do an act or refrain from doing an act that will increase likelihood that child will comply.</p> <p><b>Art. 45.057(h), C.C.P.</b> •Failure to notify the court in writing of the child’s current address is a Class C misdemeanor.</p>	<p><b>Art. 45.0215, C.C.P.</b> •Court required to issue summons for parents. • Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Art. 45.057(a), C.C.P.</b> •Parent includes a person standing in parental relation, a managing conservator, or a custodian.</p> <p><b>Art. 45.057(g), C.C.P.</b> •Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Art. 45.057(g), C.C.P.</b> •Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Art. 45.057, C.C.P.</b> Court may order: •Attend a parenting class. •Attend child’s school classes &amp; functions. •Pay up to \$100 for special program for child. •Parent to do an act or refrain from doing an act that will increase likelihood that child will comply.</p> <p><b>Art. 45.057(h), C.C.P.</b> •Failure to notify the court in writing of the child’s current address is a Class C misdemeanor.</p> <p><b>Art. 45.057(h), C.C.P.</b> •Failure to notify the court in writing of the child’s current address is a Class C misdemeanor.</p>	<p><b>Art. 45.0215, C.C.P.</b> •Court required to issue summons for parents. • Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Art. 45.057(a), C.C.P.</b> •Parent includes a person standing in parental relation, a managing conservator, or a custodian.</p> <p><b>Art. 45.057(g), C.C.P.</b> •Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Art. 45.057, C.C.P.</b> Court may order: •Attend a parenting class. •Attend child’s school classes &amp; functions. •Pay up to \$100 for special program for child. •Parent to do an act or refrain from doing an act that will increase likelihood that child will comply.</p> <p><b>Art. 45.057(h), C.C.P.</b> •Failure to notify the court in writing of the child’s current address is a Class C misdemeanor.</p> <p><b>Art. 45.061, C.C.P.</b> •Parent (or defendant) must pay for court-ordered educational program for child convicted of sexting.</p>	<p><b>Art. 45.0215, C.C.P.</b> •Court required to issue summons for parents. • Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Art. 45.057(a), C.C.P.</b> •Parent includes a person standing in parental relation, a managing conservator, or a custodian.</p> <p><b>Art. 45.057(g), C.C.P.</b> •Failure to appear with child in court is a Class C misdemeanor.</p> <p><b>Art. 45.057, C.C.P.</b> Court may order: •Attend a parenting class. •Attend child’s school classes &amp; functions. •Pay up to \$100 for special program for child. •Parent to do an act or refrain from doing an act that will increase likelihood that child will comply.</p> <p><b>Art. 45.057(h), C.C.P.</b> •Failure to notify the court in writing of the child’s current address is a Class C misdemeanor.</p>





## MUNICIPAL JUVENILE/MINOR CHART

<sup>1</sup>Art. 45.056, C.C.P., provides authority for municipal courts to employ case managers for juvenile cases. Sec.51.08, F.C., provides that a court that has implemented a juvenile case manager program under Art. 45.056, C.C.P., may, but is not required to, waive its original jurisdiction under subsection (b)(1) of Section 51.08, F.C. Article 102.0174, C.C.P., provides that cities may adopt an ordinance creating a juvenile case manger fund and collect a fee of up to \$5 to fund a juvenile case manager.

<sup>2</sup>A “School Offense” is an offense other than a traffic offense that is a Class C Misdemeanor committed by a child enrolled in a public school, and that is committed on property under the control and jurisdiction of a school district. In addition to the requirements imposed by Art. 45.019, C.C.P., a complaint alleging the commission of a school offense must: (1) be sworn to by a person with personal knowledge of the facts; (2) be accompanied by a statement from a school employee stating whether the child is eligible for or receives special services, and the graduated sanctions, if any, imposed prior to the filing of the complaint. An attorney representing the state in a court with jurisdiction over a school offense may adopt rules pertaining to the filing of a complaint under this subchapter that the state considers necessary in order to: (1) determine whether there is probable cause to believe that the child committed the alleged offense; (2) review the circumstances and allegations in the complaint for legal sufficiency; and (3) see that justice is done.

<sup>3</sup>Art. 45.057, C.C.P. – When a child who is at least 10 years old and younger than age 17 is charged with a fine-only offense, the court may, in addition to a fine, order the following sanctions: 1) Refer the child or child’s parent for services under Sec. 264.302, F.C.; 2) Require child to attend a special program that is in best interest of child, including rehabilitation, counseling, self-esteem and leadership, work and job skills training, job interviewing and work preparation, self-improvement, parenting, manners, violence avoidance, tutoring, sensitivity training, parental responsibility, community service, restitution, advocacy or mentoring program; 3) Require parents to do an act or refrain from an act that will increase the likelihood that the child will comply with court orders, including attending a parenting class or parental responsibility program and attending the child’s school classes or functions; 4) Order the parents of a child required to attend a special program to pay an amount not greater than \$100 for the costs of the program; 5) Require both the child and parent to submit proof of attendance. (If program involves the expenditure of county funds, county must approve child’s attendance.)

### Deferred Disposition

- If the court grants deferred for all Alcoholic Beverage Code offenses except DUI, the court must require the defendant to perform the community service requirements and attend an alcohol awareness course; for DUI, the court must require an alcohol awareness course.
- If defendant charged with the offense of public intoxication is under age 21, and the court grants deferred, the court must order the community service requirements under Sec. 106.071, A.B.C., and attendance at an alcohol awareness course.

<sup>4</sup> Art. 45.059, C.C.P., Children Taken into Custody for Violation of Juvenile Curfew or Order: 1) Release person to parent, guardian or custodian; 2) Take person before a justice or municipal court; or 3) Take person to juvenile curfew processing office (similar to nonsecure custody and not held for more than six hours).

<sup>5</sup> Art. 45.0216, C.C.P., provides that proceedings under Art. 45.051, C.C.P. (Deferred Disposition), and proceedings under Art. 45.052, C.C.P. (Teen Court), may be expunged under Art. 45.0216, C.C.P.

<sup>6</sup> Under Sec. 25.093(f), E.C., when a court grants deferred disposition to a parent charged with parent contributing to nonattendance, the court may require the defendant to attend a program that provides instruction designed to assist the parent in identifying problems that contribute to his or her child’s absence from school and strategies for resolving those problems.