

DPS Reporting
AS
APPLIED TO MINORS/JUVENILES

PRESENTED BY
CATHY RIEDEL

YOU WANT ME TO FILE WHAT? WHERE?



Who are we talking about?

Child – Minor - Juvenile

- Family Code defines child as age 10 – 16
- EC defines child as age 6-18
- TC defines minor as under age 17
- ABC defines minor as under age 21
- H&S defines minor as under age 18

Who else are they?

They are Millennials born from 1980-2000

- Their outlook on life is hopeful
- Their work ethic questionable
- Their view of authority is confrontational
- They are self-reliant and tech-savvy
- They do not tolerate intimidation
- They are accustomed to immediacy
- Their major turnoff is authority
- They are success-oriented

Who are the Millenials in Your Court

- *** Crystal challenge for best millenial story**

DPS Reporting

- **Alcoholic Beverage Code**
- **Penal Code**
- **Health and Safety**
- **Transportation Code**
- **Education Code**

- **For minors/juveniles: primarily forms DIC-15 and DIC-81**

Introducing... DIC – 15

NOTICE OF CONVICTION AND SUSPENSION/DISQUALIFICATION

WHEN DO YOU USE DIC-15?

Alcoholic Beverage Code

- Courts are required to report to DPS certain information regarding Alcohol Beverage Code offenses committed by minors. The Alcohol Beverage Code defines a minor as a person under the age of 21

Alcoholic Beverage Code

- **Convictions**
- **DL suspensions or denial**
- **Failure to complete Alcohol Awareness Program**
- **Failure to Complete Community Service**
- **Order of Deferred Disposition**
- **Acquittals of driving under the Influence (DUI)**

Alcoholic Beverage Code

- **Convictions- Possession, purchase, attempt to purchase, consumption of alcohol by a minor, or misrepresentation of age by a minor**
 - **Mandatory DL suspension**
 - **Suspension effective on 11th day after judgment**
 - **First conviction – 30 days**
 - **Second conviction (charge enhanced to allege prior conviction) – 60 days**
 - **Third offense – 180 days (no jurisdiction)**
 - **Report order on DIC-15**

Alcoholic Beverage Code

- **Failure to complete alcohol awareness program**
 - **Mandatory DL suspension**
 - For a period not to exceed six months
 - For a period not to exceed one year (offense filed as second or subsequent)
 - **Judge orders**
 - **Clerk reports court order on DIC-15**
 - **Must indicate beginning and ending date of suspension period**

Alcoholic Beverage Code

- **Failure to complete community service**
 - **Mandatory DL suspension**
 - For a period not to exceed six months
 - For a period not to exceed one year (offense filed as second or subsequent)
 - **Judge orders**
 - **Clerk reports court order on DIC-15**
 - **Must indicate beginning and ending date of suspension period**

Alcoholic Beverage Code

- **Orders of Deferred**
 - **Must report when ordered**
 - **Report order on DIC-15**
 - **If defendant fails to complete alcohol awareness program (required term)**
 - **Mandatory DL suspension or denial for up to six months**
 - **Judge orders**
 - **Court reports court order on DIC-15**

Alcoholic Beverage Code

- **DUI**
 - **Acquittal**
 - **Report to DPS**
 - **Report on DIC-15**

Penal Code

- **Public Intoxication (person under age 21 and at least age 17)**
 - **Punishment same as ABC offense**
 - **Mandatory DL suspension on conviction**
 - **Alcohol awareness course**
 - **Community Service**

Transportation Code

- **Passing School Bus Loading or Unloading Children**
 - **Second or Subsequent conviction**
 - **Court may order DL suspension**
 - **No longer than six (6) months**
 - **Report order on DIC-15 form**

Health and Safety Code

- **Failure to complete tobacco awareness program**
 - **Mandatory DL suspension or denial**
 - **Suspension not to exceed six months**
 - **Court orders suspension**
 - **Clerks report court order on DIC-15**

Education Code

- **Failure to Attend School Offense**
 - **DL suspension or denial sanction (discretionary with judge)**
 - **For a period not to exceed 365 days**
 - **Use DIC-15 form**

NOTICE OF CONVICTION AND SUSPENSION/DISQUALIFICATION
PLEASE PRINT OR TYPE

NAME _____
(FIRST) (MIDDLE) (LAST) (SO. SEC. NO.)

ADDRESS _____

DRIVER LICENSE # _____ DATE OF BIRTH _____ RACE _____ SEX _____
ID # OR NONE _____

OFFENSE COMMITTED _____

DATE OFFENSE COMMITTED _____ DISPOSITION DATE _____

TRANSPORTING HAZARDOUS MATERIAL _____ NO _____ YES

EMPLOYER _____
(IF CONVICTED OF VIOLATING OUT OF SERVICE ORDER)

NOTE: COURT MUST PROVIDE SUSPENSION OR DISQUALIFICATION DATES

BEGINNING DATE _____ ENDING DATE _____

CERTIFIED BY _____ TITLE _____
SIGNATURE _____

COURT _____ CAUSE # _____ COUNTY _____

MAIL TO: DRIVER IMPROVEMENT & CONTROL
TEXAS DEPARTMENT OF PUBLIC SAFETY
PO BOX 4087
AUSTIN TX 78773-0001

Introducing... DIC – 81

NOTICE OF VIOLATION NOTICE OF RESTORATION
MINOR'S LICENSE ONLY
FAILURE TO APPEAR FAILURE TO PAY FINE

WHEN DO YOU USE DIC-81

No Money, No Body – No DL

To report the failure to appear, contempt, failure to pay or of violation of a court order under Article 45.050, CCP, of a person under the age of 17, courts must use the DIC – 81 form. If the defendant appears in court and complies with all court orders, use the same DIC-81 form to report the final disposition.

Before filing a DIC – 81:

When a person under the age of 17 fails to pay a fine and costs or violates a court order, prepare and conduct a contempt hearing before filing the DIC – 81!

Article 45.050(c)(2), CCP

When to use the DIC - 81

- Special form for defendants under 17
 - Use for all offenses under the
 - Alcohol Beverage Code
 - Education Code
 - Health and Safety Code
 - Penal Code
 - Transportation Code

Show Cause/Contempt Form

SHOW CAUSE NOTICE (Sec. 21.002(c), GC; and Art. 45.050(c), CCP)

CAUSE NUMBER: _____

STATE OF TEXAS
VS.

§
§
§

IN THE MUNICIPAL COURT
CITY OF _____
_____ COUNTY, TEXAS

Name: _____ Offense: _____

Address: _____

You are hereby ordered to appear before the _____ Municipal Court at _____ o'clock
_____.m., on the _____ day of _____, 200__, to show cause why you failed to abide by the terms of the
judgment rendered against you on the _____, 200__. Specifically, you are accused of failing to:

WARNING

If you fail to appear pursuant to this order, the Court may have you taken into custody and refer you to juvenile court for delinquent conduct. Alternatively, the Court may impose a fine of \$500 and/or deny you the ability to possess a Texas driver's license until you fully comply with the Court's orders. If an allegation of contempt stems from an offense occurring on or after September 1, 2003, and if you have already been found guilty, you may be committed to jail upon turning age 17. To avoid such consequences you must fully comply with all of the Court's orders.

(Judge)(Clerk), Municipal Court
City of _____
_____ County, Texas

At the Contempt Hearing...

- **The Judge can refer the child to juvenile court for contempt if under 17**
- **Find that the defendant did not commit contempt and order additional time to complete**
- **Retain jurisdiction and find the child in contempt**
 - **Fine up to \$500.00 and/or Order DPS to suspend or deny issuance of DL until the defendant complies (only applies if the child is under 17)**
- **Report on DIC-81**
 - **Report on DIC-81 when defendant fully complies**

Failure to Appear

- Defendant under age 17 fails to appear, court:
 - **May** order DPS to suspend or deny issuance of DL
 - Must submit report within 2 years of FTA
 - Suspension or denial effective until person complies
- Report on DIC-81
 - Report on DIC-81 when defendant fully complies

Required DIC – 81 Info.

- NAME
- SOCIAL SECURITY NUMBER
- ADDRESS CITY , TEXAS ZIP CODE
- DRIVER LICENSE # OR ID #
- DATE OF BIRTH / RACE / SEX
- OFFENSE COMMITTED
- DATE OFFENSE COMMITTED
- COURT PRECINCT PLACE
- CAUSE # /CITY / COUNTY
- TELEPHONE NO. (Court #)
- CHECK IF IT IS FAIL TO APPEAR, CONTEMPT, FAIL TO PAY, COURT ORDER VIOLATION
- THIS IS TO CERTIFY THAT THE ABOVE NAMED INDIVIDUAL HAD MADE FINAL DISPOSITION OF THE CASE ON
- DATE
- CERTIFIED BY
- SIGNATURE / TITLE

Information Reported on Forms

- **DR-18**
 - **Transportation Code**
 - Traffic convictions
 - Bond forfeitures on traffic offenses
 - Dismissals of DSC/MOC and Teen Court
 - **Penal Code**
 - Possession of alcoholic beverage in motor vehicle
 - Theft of gasoline



Addresses

- **Automated reports**

- Texas Department of
Public Safety
Driver Records/Data
Submission
P.O. Box 4087
Austin, Texas, 78773-
0364

- **Manual reports**

- Texas Department of
Public Safety
Driver Records/Ticket
Verification
P.O. Box 4087
Austin, Texas 78773-
0361

Email Conviction Notices to

data.submission@txdps.state.tx.us

To Correct an Error

- **Send to one of the addresses listed or fax to (512) 424-5809**
- **If offense is not failure to maintain financial responsibility, court may call at**
 - **512/424-2031**
 - **512/424-3545**
 - **512/424-5988**

THE END