



**City of La Feria, Texas**

**Municipal Court**

**Local Rules of Court -and- Standing Orders of the Court**

BE IT KNOWN that on this, the 16th day of December, 2019, pursuant to statute and regulation, the Municipal Court of the City of La Feria, Texas has adopted its LOCAL RULES OF COURT and STANDING ORDERS, in order to provide efficiency, uniformity, fairness and justice in conducting the business of the Court. These Local Rules of Court, as identified and contained within the pages which follow (which are incorporated herein by reference) are hereby put into effect by this Order effectuating them, executed by the Presiding Judge below. Each Standing Order is separately identified and executed by the Presiding Judge.

BE IT SO ORDERED on this 16<sup>th</sup> day of December, 2019 at La Feria, Cameron County, Texas.



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William L. Pope, Presiding Judge

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## **RULE ONE AUTHORITY AND HOURS**

### **1.1 AUTHORITY FOR RULES.**

Under the inherent power of all Texas Courts as codified in Section 21.001 of the *Texas Government Code*, the following **Local Rules of the Municipal Court of the City of La Feria** (hereinafter **Local Rules of Court**) are promulgated and shall apply and govern any and all proceedings held within the Municipal Court of the City of La Feria, County of Cameron, State of Texas.

### **1.2 APPLICATION.**

The **Local Rules of Court** apply to each attorney, to each Defendant representing himself/herself (hereinafter referred to as “Pro Se Defendant”) in the Municipal Court of the City of La Feria, Texas, to all Court staff, as well as to any and all witnesses or observers who appear in the Municipal Court of the City of La Feria, Texas. The Local Rules of Court are effective the 16<sup>th</sup> day of December, 2019.

### **1.3 AVAILABILITY.**

A copy of these rules shall be available at the Court Clerk’s window and on the City of La Feria’s website.

### **1.4 CITATION FORM.**

These rules shall be known as the Local Rules of the Municipal Court of the City of La Feria and each rule may be cited as “La Feria Local Rule” or “L.F.L.R.”

### **1.5 AUTHORITY OF THE MUNICIPAL JUDGE AND ASSOCIATE MUNICIPAL JUDGE.**

The Presiding Municipal Judge and the Associate Judge(s) have all authority granted to them by state law for a non-record Municipal Court. The Presiding Municipal Court Judge and Associate Judge(s) are also Magistrates for Cameron County, Texas and have all authority as Magistrates in Cameron County, Texas as set forth in state law.

### **1.6 HOURS OF OPERATION**

The Court Clerk’s window shall be open from 8:00 am to 4:30 pm, Monday through Friday, with the exception of City observed holidays. The Court shall be in formal session, with the Municipal Judge presiding on the Bench, every Wednesday morning at 9:00 a.m., except on City observed holidays.

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## RULE TWO COURTROOM DECORUM

### 2.1 CONDUCT REQUIRED OF ALL PERSONS ATTENDING COURT (INCLUDING COURTROOM WAITING AREAS).

Court is in session whenever the Judge is on the Bench. While the Court is in session, unless the Judge directs otherwise, the following conduct must be observed:

- A. No smoking or use of tobacco products, including snuff or chewing tobacco.
- B. No reading of extraneous materials, such as books, newspaper or magazines.
- C. No propping of feet or sitting on tables, railings, or on the backs of chairs.
- D. No loud noises.
- E. No eating of food, drinking of beverages (beverages are permitted at counsel table), or chewing and/or popping of gum.
- F. No standing in the Courtroom, particularly in front of the Bench, except when addressing the Court, or by direction of the Judge, or as necessitated by the business of the Court.
- G. No gestures, facial expressions, or sounds indicating approval or disapproval of a ruling by the Court, a comment of the witness, or a comment/question by Counsel.
- H. No inappropriate attire, including shorts, tank tops, sleeveless shirts, T-shirts, low pants with underwear showing, and/or inappropriate "message" shirts. (Shorts of modest length and T-shirts with sleeves and no messages are acceptable for non-trial settings.)
- I. No unattended children in the Courtroom.
- J. No cellular telephones are to ring and no pagers are to sound in the Courtroom. Cellular telephones and pagers must be silenced.
- K. No hats or head coverings including scarves, bandanas or do-rags shall be worn in the Courtroom unless such items are religious in nature.
- L. No person other than a peace officer or a security guard employed by the City of La Feria and on duty who has a current and appropriate license shall possess a weapon in the Courtroom.
- M. No person may make audio, video or photographic recordings of the Court while in session without permission from the Judge. This also applies to jury deliberations.


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## 2.2 CONDUCT REQUIRED OF ALL ATTORNEYS AND PRO SE DEFENDANTS.

Attorneys shall observe both the letter and the spirit of all canons of ethics and the *Texas Disciplinary Rules of Professional Conduct*, including those canons concerning improper ex parte communications with the Judge and those dealing with discussions of cases with representatives of the media. In addition:

- A. Attorneys shall advise their clients and witnesses of all of the **Local Rules of Court** that may be applicable, and shall ensure that their clients and witnesses follow and fully adhere to all appropriate **Local Rules of Court**.
- B. Pro se Defendants (Defendants acting as their own attorney) shall conform their behavior to all provisions of the canons and ethics applicable to licensed Attorneys. Attorneys (and Pro se Defendants) shall be dressed appropriately while in attendance of the Court.
- C. All parties shall be prompt in arriving for Court and attending to Court business. Attorneys, Defendants represented by Attorneys and Pro se Defendants shall be on time. The Defendant shall appear as required by law.
- D. Failure of a Defendant to personally appear when required may result in a warrant being issued against the Defendant.
- E. Once an individual has entered the Courtroom and appeared before the Court, whether Defendant, attorney, or witness, he/she shall not leave the Courtroom without obtaining permission from the Judge.
- F. During trial or any hearing, any objections, arguments, and comments shall be directed to the Court and not to opposing counsel or to Pro se Defendants. Any objections which have been raised during the hearing or trial shall be supported by a legal basis for such objection.
- G. During trial or any hearing, all participants in the proceedings shall address each other and members of the Jury without familiarity. The use of first names should be avoided. While addressing the Court, attorneys and Pro se Defendants shall rise and remain standing at their positions at counsel table unless directed otherwise by the Judge.
- H. During trial or any hearing, Attorneys and Pro se Defendants shall remain seated at the counsel table at all times, except (1) when the Judge enters and leaves, (2) when addressing the Judge or Jury, (3) when objecting to the opposing party, (4) whenever it may be proper to handle documents, exhibits, or other evidence, or (5) when the Judge directs otherwise.
- I. Attorneys (and Pro se Defendants) shall not approach the Bench except after requesting and receiving permission from the Judge.

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**RULE THREE**  
**Entry of Plea**

**3.1 PLEA.**


A plea of not guilty, guilty or no contest must be announced to the Court. Not Guilty pleas may be made at the Clerk's Window or by mail. Pleas may be made by the Defendant or by the Defendant's Attorney of Record. Defendants who have received a citation for an offense that requires, by law, that a plea of No Contest or Guilty be made in open court shall do so. Court personnel shall not advise the Defendant as to which plea to enter.

**3.2 DEFERRED DISPOSITION NOT REQUESTED.**

A Defendant pleading No Contest or Guilty and not requesting deferred disposition may enter the plea in writing and sign a waiver of jury trial. The plea may be submitted to the Court either at the Clerk's Window or by mail. Payment of fines and court costs are required at the time of the plea, unless other arrangements have been made by the Defendant. Payment arrangements which require extended payment plans or modified payment arrangements due to special circumstances, including indigence must be presented to the Presiding Municipal Judge for consideration and/or approval.

**3.3 DEFERRED DISPOSITION REQUESTED.**

A Defendant pleading No Contest or Guilty and requesting that the Court grant a deferred disposition shall make his/her request in open court unless a deferred disposition is processed at the Clerk's window, if eligible under Judge's Standing Order #6.

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**RULE FOUR  
NOTICE**

**4.1 RESPONSIBILITY.**

It is the responsibility of all persons with business before the Court to determine the date, time and nature of each setting of the case(s) and to notify the Court Clerk of any changes of address of the Defendant or of counsel for the Defendant.

**4.2 VERBAL REPRESENTATIONS.**

Reliance by any party upon verbal representation from any Court personnel or a police officer concerning any matters shall not be binding as grounds for continuance, grounds for setting aside a warrant, or any other relief.

**4.3 COMPLAINT**

A copy of the Complaint will be made available to the Defendant or counsel for the Defendant upon request to the Court Clerk. The Complaint shall be available to the Defendant or to counsel for the Defendant within 60 days of the date of the entry of a plea of Not Guilty, but no later than 24 hours prior to a scheduled trial.

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**RULE FIVE  
PRETRIAL SETTINGS**

**5.1 MOTIONS.**

Pretrial Motions shall be filed in writing at the Court Clerk's window. Pretrial motions must be relevant and specific as to the case involved.

**5.2 HEARINGS.**

Any requests for a hearing must be approved by the Judge. Failure to file pretrial Motions as indicated herein shall constitute a waiver of having those issues heard before trial.

**5.3 DEADLINE TO FILE.**

Unless Leave of Court has been granted, all pretrial Motions (except Motions in Limine) shall be filed at least three (3) business days prior to trial date, and responses thereto, if any, shall be filed at least one (1) day prior to trial date. If a pretrial Motion has not been ruled upon before trial date, such Motion shall be heard on the date of trial.

**5.4 SERVICE.**


Service of a Motion of Response may be made as provided by law. Each Motion of Response shall contain a Certificate of Service signed by the Movant indicating that a copy of such Motion or Response has been served upon the opposing party; the manner of service; and the date of service.

**5.5 SETTING THE HEARING DATE.**

If a hearing prior to trial date is requested by a Movant and granted by the Court, it shall be the responsibility of the Movant to obtain a hearing date from the Court Clerk and to timely inform the opposing party of the date and time of such hearing.

**5.6 PRETRIAL CONFERENCES FOR PRO SE DEFENDANTS**

All Pro se defendants who have requested a jury trial, will be scheduled for a Pretrial Conference. The purpose of the conference is to provide the Pro se defendant with information regarding procedures and processes used in the court during jury trials.

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**RULE SIX  
JUVENILE PROCEEDINGS**

**6.1 JUVENILE DEFINED.**

A juvenile is defined as someone who is at least 10 years of age and younger than 17 years of age on the date a citation was issued.

**6.2 PARENT'S PRESENCE REQUIRED.**

A parent's presence is required for all juvenile court proceedings. A parent (includes a person standing in parental relation, a managing conservator, or a custodian) is required to be present with a juvenile at all Court proceedings.

**6.3 NOTICE OF CURRENT ADDRESS.**

The parent and child have a continuing obligation to give written notice of current address to the Court.

**RULE SEVEN  
POST TRIAL PROCEEDINGS**

**7.1 ADMONISHMENT.**

Pro se Defendants are admonished to seriously consider retaining counsel to represent them on appeal.

**7.2 INABILITY TO PAY FINE.**

If a Defendant does not appeal the Court's decision, but claims to be indigent, the Defendant must complete a form approved by the Court and request a hearing. (see Judge's Standing Order #4).

**7.3 INDIGENCY DURING APPEAL**

If a Defendant is indigent or otherwise financially unable to pay the Appeal Bond, she/he may file an Affidavit of Indigency with the Court and file a Motion to Waive Costs on forms approved by the Court. Such Affidavit of Indigency and/or Motion to Waive Costs must be filed within the ten (10) day statutory period to file an Appeal Bond. A hearing on the Motion to Waive Costs shall be scheduled by the Court.

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## RULE EIGHT SEVERABILITY AND CONSTRUCTION

### 8.1 SEVERABILITY.

If any provision of these policies, rules and regulations as contained in the Local Rules of Court or the application thereof to any person or circumstances is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of these policies, rules and regulations which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of these policies, rules and regulations are severable. In lieu thereof there shall be added a provision as similar in terms to such illegal, invalid, unconstitutional and unenforceable provision as may be possible and be legal, valid, constitutional and enforceable.

### 8.2 INAPPLICABILITY TO CIVIL CASES.

The Local Rules of Court set forth herein are applicable to criminal proceedings only with the exception of RULE TWO (Courtroom Decorum).

### 8.3 CONSTRUCTION.

The Local Rules of Court shall not be construed so as to enlarge, diminish, modify, or alter the jurisdiction, powers, or authority of the Municipal Court of the City of La Feria.

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**JUDGE'S STANDING ORDER NO. 1 – FINES**

**IT IS ORDERED** that all fines shall be set by the Presiding Judge. The fines will be set out in the Incode Case Management System and the fines so recorded in that System shall be assessed upon a plea of Guilty or No Contest at the Clerk's window, unless individually determined by the Judge.

SIGNED AND ENTERED on this the 16<sup>th</sup> day of December, 2019.



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William L. Pope  
Presiding Judge



**JUDGE'S STANDING ORDER NO. 2 – CONTINUANCES and PRETRIALS**

**IT IS ORDERED** that a Motion for Continuance must be in writing and filed with the Court three (3) days prior to the Court setting in order to continue a case on the court's docket. Any deviation from this procedure must be approved by the Judge.

Any party may obtain one (1) continuance without agreement of the opposing party and without the requirement of posting a bond. Any Motion for Continuance requested at the Court Clerk's window must be made within the required time period.

**IT IS ORDERED** that the Defendant, the Defendant's Attorney, or the City's Attorney may request that a pretrial hearing be placed on the docket of the court at the Clerk's window. The pretrial must be placed on the docket of the court no later than the 5<sup>th</sup> business day before the scheduled trial, unless the Presiding Judge orders or determines otherwise. All *pro-se* defendants who have requested a jury trial will be required to attend a pretrial conference to discuss courtroom and trial procedures and other material pre-trial matters.

**IT IS FURTHER ORDERED** that any pretrial motion(s) must be submitted in writing to the Court no later than the 3<sup>rd</sup> business day before the scheduled trial. Pretrial motions may be submitted at the Clerk's window and copies of the motions must be provided to the other party. If a pretrial motion has not been ruled upon before the trial date, such motion shall be heard on the date of the trial.

Failure to file pretrial motions as indicated herein shall constitute a waiver of having those issues heard before trial.

SIGNED AND ENTERED on this the 16th day of December, 2019.



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William L. Pope  
Presiding Judge



**JUDGE'S STANDING ORDER NO. 3 – EXTENSIONS/PAY PLANS**

**IT IS ORDERED** that a Defendant who appears at the Court Clerk's window to plead "Guilty" or "No Contest" may receive an extension to pay the fine and court costs of up to 45 days from the date of the "Guilty" or "No Contest" plea. The Defendant shall complete and sign the appropriate plea form and any other required documentation required by the Presiding Judge to effectuate the agreed payment schedule. A \$25 time payment fee will be added (per violation) for any Defendant who requires more than 30 days to complete payment of a fine and court costs, as required by the state.

**IT IS FURTHER ORDERED** that any Defendant requesting more than 45 days to pay a fine and court costs, shall need to appear before the Municipal Judge and, if asserting indigence or other special circumstances, will need to complete and provide any documentation/evidence necessary to establish indigence or other special circumstances.

SIGNED AND ENTERED on this the 16<sup>th</sup> day of December, 2019.



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William L. Pope  
Presiding Judge

**JUDGE'S STANDING ORDER NO. 4 – INDIGENCE HEARING**

**IT IS ORDERED** that any Defendant who alleges an inability to pay a fine and court cost within 45 days of entering a plea, due to indigence, shall be required to appear before the Court to determine if the Defendant is indigent. The Clerk shall provide any such Defendant with a "Financial Information Affidavit" and advise the Defendant to bring to the Court sufficient evidence to establish that the Defendant is indigent and unable to discharge the fine and court costs within 45 days.

The Defendant will need to bring documentation showing that he/she is receiving assistance through any of the following:

- a) Supplemental Security Income (SSI)
- b) Medicaid
- c) Food Stamps
- d) Temporary Assistance for Needy Families (TANF)
- e) Public Housing Assistance
- f) Women, Infants, Children Food and Nutrition Services (WIC)
- g) Worker's Compensation Benefits
- h) Unemployment Benefits
- i) Documentation of receipt of any other government assistance programs being received by the defendant for low income individuals.

If the Defendant is not receiving any type of government assistance for low income individuals, then the defendant must provide the following at the hearing;

- a) Past 2 years Federal Income Tax returns;
- b) Past 3 months bank(s) statement(s) (3 most recent months);
- c) Past 2 pay stubs;
- d) Address and telephone number of references who can verify financial information.

SIGNED AND ENTERED on this the 16<sup>th</sup> day of December, 2019.



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William L. Pope  
Presiding Judge

**JUDGE'S STANDING ORDER NO. 5 – COMPLIANCE DISMISSALS**

**IT IS ORDERED** that the Clerk may accept for processing and dismissal, after proof of compliance, the following cases:

1. Display Expired License Plates (Registration) (T.C. 502.407(b))
2. Expired Texas Driver's License (T.C. 521.026)
3. Fail to Display Driver's License (T.C. 521.025(d))
4. Fail to Change Address/Name on Driver's License (T.C. 521.054)
5. Violation of Driver's License Restriction (T.C. 521.221)
6. Financial Responsibility Violation

The clerk shall make a copy for the file of the document(s) establishing proof of compliance and present the file to the Judge for dismissal of the citation.

**ACCEPTABLE PROOF OF COMPLIANCE**

**EXPIRED LICENSE PLATES (Registration)**

- A. The form generated by the County Tax Assessor's office stamped by the County Tax Assessor's office with the amount paid and date paid; or
- B. The new registration receipt form generated by the County Tax Assessor's office stamped by the County Tax Assessor with the amount paid and date paid;
- C. The date of compliance is not more than ten (10) working days after the date of the offense.
- D. The Clerk shall collect a fee of \$20.00 before the case may be processed for dismissal.

**EXPIRED DRIVER'S LICENSE**

1. A temporary license issued by the Department of Public Safety indicating renewal of the license and the date renewed;
2. Proof of renewal not more than 20 working days after the date of the offense;
3. The Clerk shall collect a fee of \$20.00 before the case may be processed for dismissal.

**FAIL TO DISPLAY DRIVER'S LICENSE**

1. A valid Driver's License;
2. Issued by the Department of Public Safety before the time and date of the offense;
3. Appropriate for the type of vehicle being operated.
4. No fee shall be collected for the dismissal of this charge.

**FAIL TO CHANGE ADDRESS/NAME ON DRIVER'S LICENSE**

1. A valid Texas driver's license that indicates the name and address of the Defendant has been corrected.
2. A receipt issued by the Department of Public Safety indicating that the change was made within 20 working days after the date of the offense;
3. The Clerk shall collect a fee of \$20.00 before the case may be processed for dismissal.

**VIOLATION OF DRIVER'S LICENSE RESTRICTION**

1. A valid Texas driver's license without the restrictions or endorsement;
2. A receipt issued by the DPS dated as of or before the defendant's first court appearance;
3. The Clerk shall collect a fee of \$10.00 before the case may be processed for dismissal.

In the event the proof does not comply with the above requirements, at the request of the Defendant, the Clerk may set the case on the docket for hearing before the Court.

**FINANCIAL RESPONSIBILITY VIOLATIONS**

**IT IS ORDERED** that any time prior to the date of hearing for a charge of "Fail to Maintain Financial Responsibility" the Clerk may accept proof of financial responsibility for dismissal if it complies with the following requirements for "Acceptable Proof" set out below.

**IT IS ORDERED** that the status of violator's driver's license or right to obtain a driver's license shall not be considered when determining eligibility for financial responsibility dismissal.

**ACCEPTABLE PROOF**

Any valid company generated "Owner's Policy" of insurance coverage for the day and time of the offense, so long as the policy contains the name of the defendant or the make and model of the vehicle the defendant was driving and the state required minimum liability coverage.

Premium notices, payment receipts and/or handwritten documents are not "Acceptable Proof" of financial responsibility.

Fleet policies may be accepted by the Clerk for dismissal if the defendant presents valid proof consistent with the criteria above and indicia of authorization to drive the covered vehicle.

All documents presented to the Court as proof of Financial Responsibility may be submitted for verification prior to dismissal, unless directed otherwise by the Court.

**IT IS FURTHER ORDERED** that the Clerk shall set any cases regarding the sufficiency or validity of proof of financial responsibility for hearing before the Court.

If a Defendant presents acceptable proof for a case for which a warrant has been issued, the Clerk shall attempt to immediately verify the proof.

No fee shall be collected if the Defendant provides Acceptable Proof of Financial Responsibility as of the date the citation was issued.

THE COURT CLERK is authorized to process any other compliance dismissal not specifically mentioned in this order at the window, if it is authorized by statute and any supporting documentation required by the statute is provided. Any compliance dismissal fee will be collected as authorized by statute.

SIGNED AND ENTERED on this the 16<sup>th</sup> day of December, 2019.

A handwritten signature in blue ink, appearing to be 'W. Pope', is written above a horizontal line.

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William L. Pope  
Presiding Judge



### **JUDGE'S STANDING ORDER NO. 6 – DEFERRED DISPOSITION**

**IT IS ORDERED** that the Clerk may process requests for Deferred Disposition (“Deferred”) from a Defendant, or his/her attorney, at the Clerk’s window and may complete the paperwork for the Court’s signature, if the Defendant meets the eligibility requirements set forth below. Defendants not meeting said eligibility requirements may present their request for Deferred to the Court by setting the case on the Court’s docket for a hearing.

#### **MOVING VIOLATIONS**

A Defendant is eligible for Deferred Disposition at the Clerk’s window for a moving violation if:

1. The defendant shows proof of valid Driver’s License (not restricted to a Texas DL); and
2. The defendant is at least 25 years of age, or if less than 25 years of age agrees to complete a DSC (Driving Safety Course approved by the State of Texas); and
3. The defendant agrees to pay all court costs and the special expense fee (which is equal to the set fine plus an additional \$50.00); and
4. The defendant is not currently on Deferred in any other jurisdiction for a moving violation; and
5. The defendant is not currently under the order of any Texas court to complete a DSC.

**IT IS ORDERED** that final disposition shall be deferred for 30 days, unless otherwise ordered by the Municipal Judge.

A Defendant is not eligible for Deferred Disposition at the Clerk’s window for a moving violation if any of the following are true:

1. The driver is the holder of a Commercial Driver’s License;
2. The offense occurred in a construction or maintenance work zone when workers are present;
3. The defendant was involved in an accident resulting in property damage in excess of \$1,500 or personal injury;
4. The offense involves passing a school bus;
5. The offense involves failing to obey a school crossing guard;
6. The offense involves speeding in excess of **25 mph or more over** the posted speed limit or **in excess of 93 mph**;
7. The defendant is under the age of 17 years at the time of the offense;
8. The defendant has violated an original promise to appear date.

## NON-MOVING VIOLATIONS

A Defendant is eligible for Deferred Disposition at the Clerk's Window for non-moving violations if:

1. The defendant agrees to pay all court costs and the special expense fee (which is equal to the set fine) within thirty (30) days;
2. The defendant is not currently on Deferred in any other jurisdiction for a non-moving violation.

**IT IS ORDERED** that final disposition shall be deferred for 30 days, unless otherwise ordered by the Municipal Judge.

A Defendant is not eligible for Deferred Disposition at the Clerk's window for non-moving violations if any of the following are true:

1. The offense involves a violation of the Texas Alcoholic Beverage Code;
2. The offense is for Driving Under the Influence pursuant to 106.041 Texas Alcoholic Beverage Code;
3. The offense involves violations of Chapter 161 of the Texas Health and Safety Code (Tobacco violations);
4. The offense is a violation of the City of La Feria's Code of Ordinances;
5. The defendant has violated an original promise to appear.

## FAILURE TO MAINTAIN FINANCIAL RESPONSIBILITY

A Defendant is eligible for Deferred Disposition at the Clerk's window for the offense of Failure to Maintain Financial Responsibility if:

1. The defendant agrees to pay court costs and the special expense fee (which is equal to the set fine) within thirty (30) days of entering the plea; and
2. The defendant is not currently on Deferred in another jurisdiction; and
3. The defendant presents proof of Financial Responsibility that is valid on the day of the request (proof of financial responsibility must be valid on/or before the appearance date indicated on the citation), and extends for a coverage period of at least 180 days.

SIGNED AND ENTERED on this the 16<sup>th</sup> day of December, 2019.



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William L. Pope  
Presiding Judge

**JUDGE'S STANDING ORDER NO. 7 – DRIVING SAFETY COURSE**

**IT IS ORDERED** that the Clerk may accept a request for the Driving Safety Course (DSC) at the Clerk's window if the following requirements are met:

1. The defendant requests DSC no later than the "appearance date" stated on the citation. If the appearance date falls on a non-business day, then the first business day after the appearance date stated on the citation.
2. The defendant files with the court a signed affidavit complying with all eligibility requirements for DSC set forth in Sec. 45.0511(c)(3) of the Texas Code of Criminal Procedure (CCP).
3. The defendant provides proof of financial responsibility, pursuant to the Texas Transportation Code (TC), valid in force as of the date the Defendant "signs up" for DSC with the Court. Proof must conform to Standing Order No. 5.
4. The defendant presents a valid Driver's License or permit.
5. The defendant is not under 17 years of age,
6. The defendant pays the DSC fee instantaner.

**IT IS ORDERED** that the Clerk may accept proof of completion of a Driving Safety Course for dismissal of the case at the Clerk's window or by mail under the following circumstances:

1. The defendant presents a certificate indicating timely completion of the DSC and a driving record certified by the Texas Department of Public Safety (DPS) issued after the offense date.
2. Th driving record presented by the Defendant indicates the Defendant has not completed a driving safety course for the purpose of dismissing a moving violation citation within the twelve (12) months preceding the date of the citation.
3. The course certificate indicates "court copy," is signed by the Defendant and contains no alterations, modifications or erasures.

**IT IS ORDERED** that upon presentation and verification of completion, the Clerk shall present the case to the Court for dismissal.

If the Defendant fails to provide evidence of successful completion of the DSC withing 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 judgment shall be prepared for the Court's signature.

No time payment fee shall be assessed until the 31st day after a final judgment has been entered by the Court.

SIGNED AND ENTERED on this the 16<sup>th</sup> day of December, 2019.



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William L. Pope  
Presiding Judge

**JUDGE'S STANDING ORDER NO. 8 – PAYMENT OF FINES AT WINDOW**

**IT IS ORDERED** that the Clerk may accept payment of a fine or fee at the Clerk's window. The Clerk shall verify the identity of the person paying the fine or fee before acceptance.

SIGNED AND ENTERED on this the 16<sup>th</sup> day of December, 2019.



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William L. Pope  
Presiding Judge