

Gilmer Municipal Court FAQs

Can the Court or its employees provide me with legal advice on how to handle my citation?

No. Court employees (including the judge) are strictly prohibited by law from providing legal advice to anyone.

Do I have to employ an attorney to represent me in Municipal Court?

No. You can represent yourself. Municipal Courts are not required by law to appoint you a lawyer, but you may retain one yourself. No one other than a lawyer can represent you in court. This applies to parents of juveniles. If you are not an attorney you cannot represent your child in a trial.

Can I pay my fine in installments?

The court has a payment plan option. You must be present to sign agreement.

I need an extension to pay the fine?

The court has a 30day extension anything passed 30 days extension will be considered payment plan an additional \$25.00 administrative fee will be required pursuant to Section 133.103, Local Government Code.

If there is a mistake on the ticket, does that make it invalid?

Not necessarily. If you plead "guilty" or "no contest" a complaint is generated. The contents of the complaint are relevant with regard to a trial.

Can the Judge dismiss my ticket?

A Judge can only dismiss a citation if he is given the authority by statute or because of a standing agreement with the City Attorney's Office. Please see the "Citation Dismissal" for more information.

I just want to tell the Judge my story. Will he/she talk to me?

Yes, but only if you enter a plea of "no contest" or "guilty". Upon a plea of "not guilty" the Judge is not allowed to hear any details of the case until the day of trial. This ensures fairness to both the defendant and the state. Also, all conversations with the Judge must be in the courtroom. The Judge is not allowed to discuss the case outside the courtroom and outside the presence of both parties. The judge cannot take phone calls.

What is a Pre-Trial? This is a meeting between you and the City Attorney to discuss your case. City Attorney represents the state. You will be directed to set up your appointment and it is your responsibility to contact court with your Pre-trial appointment.

Is this charge going on my driving record?

Generally, all moving violations will appear on your driving record. Some other such as Failure to Maintain Financial Responsibility and No Driver's license will appear as well. If you want to keep an offense off your record, you should request Defensive Driving or Deferred Disposition.

What about surcharges issued by the Texas Department of Public Safety?

For more information, visit DPS Surcharge FAQs (<http://www.txsurchargeonline.com>)

Can I reset my court date over the telephone?

No. All requests for reset or continuance must be made in writing. The request must be received 72 hours prior to your court date and must also list reason why need to reset with any proof that you can provide. Filing a request is not an automatic reset. All resets must be approved by the Judge.

What action may be taken if a defendant fails to respond to a summons to come to court?

If a defendant fails to appear in response to a summons to come to court and additional charge of "Failure to Appear" (FTA) will be filed and a warrant shall be filed and a warrant shall be issued. The fine for an FTA is \$379.00.

I have a warrant for my arrest, who do I need to speak with?

Authorized personnel are available to assist with questions with amounts due. Further information you may speak with Associate Judge at 903-843-2751.

I was placed on payment plan and for some reason I defaulted on the agreement. How can I reinstate the plan?

Payment Plans are administered by the court. You may contact court 903-843-2751 to determine options. Reinstating agreement requires individual to be present to sign reinstatement.

My deadline has passed to complete or return driving safety certificate and/or my driving record. What do I need to do?

Contact the Court 903-843-2751 or appear

I received a letter from the Department of Public Safety regarding the suspension of my driver license. How do I get this corrected?

You will need to contact DPS for further information at 512-424-2600

I received a collections letter from Linebarger Goggan Blair & Sampson what do I do?

You may contact court to discuss options. 903-843-2751