

Juveniles

The Forest Hill Municipal Court has jurisdiction over juveniles (16 years or younger) charged with Class C misdemeanor offenses except public intoxication. All juveniles are required to appear in open court with their parent or legal guardian for all proceedings in their cases. Juveniles who fail to appear in court may have an additional charge of "Failure to Appear" or "Violation of Promise to Appear" filed against them. Juveniles who fail to appear or who fail to pay their fine(s) will be reported to the Department of Public Safety, who will suspend their driver's license. If they do not have a driver's license, they will not be able to obtain one until they appear in court and/or pay their fine. Be aware that driving with a suspended license is a Class B misdemeanor which carries a range of punishment of a fine up to \$2,000 or incarceration in jail up to 180 days or both.

After a Class C Misdemeanor is filed with the municipal court for a juvenile, the court automatically schedules the juvenile to appear before the judge. A "parent summons" is mailed to the defendant's home, addressed to their legal parent or guardian (if that information is attainable). Included with the summons is a **Continuing Obligation Form**, informing both juvenile and guardian of their continued obligation to the court. This form must be completed by both the juvenile and the juvenile's guardian and returned to the judge on their scheduled court date. This notice is also available on our website under the **Forms** section.

FREQUENTLY ASKED QUESTIONS (FAQ's)

Does a parent or legal guardian HAVE TO appear with the juvenile for the court date?

Yes, under Article 45.0215 CCP, if a defendant is younger than 17 years of age and has not had the disabilities of minority removed, the judge or justice:

- must take the defendant's plea in open court; and
- shall issue a **summons** to compel the defendant's **parent**, guardian, or managing conservator to be present during:
 - the taking of the defendant's plea; and
 - all other proceedings relating to the case.

What will happen when my child and I appear in court?

The judge will explain the plea options available all at once.

From that point he will take each juvenile's plea individually.

After entering a plea, he will proceed to call each juvenile and their guardian to the bench to discuss their individual options.

Can I appear on my child's behalf?

No. The juvenile AND the parent or guardian must be present together.

If one or both are unable to make it on the scheduled court night, in some instances the judge will allow a one-time reset.

This reset must be requested at least 24 hours in advance in writing to the court clerk.

From that point the request will be submitted to the judge.

The clerk will notify the requestor of the judge's decision.

Will my child be allowed a payment plan or community service?

The judge, and only the judge, has the authority to allow either of those options. Each case is determined upon its individual basis. Please discuss this with the judge during the scheduled court setting.

What will happen if we fail to appear?

Notice will be sent to the Department of Public Safety to deny re-issuance of the juvenile's driver's license. If the juvenile has never been issued a driver's license, they will be unable to request one while the case is still pending. Upon the juvenile's 17th birthday, warrants of arrest will be issued.

What will happen if we do not follow the judge's orders after appearing in court?

If the juvenile becomes in default of the court's order, notice is mailed to Department of Public Safety to deny re-issuance of the driver's license. If the juvenile has never been issued a driver's license, they will be unable to request one while the case is still pending. Upon the juvenile's 17th birthday, warrants of arrest will be issued.