

## REQUIRED TO BE READ BEFORE COURT DATE

### PRE-TRIAL CONFERENCE

All individuals who request a trial are required to attend a pre-trial conference. At the pre-trial conference, you have the opportunity to meet with the prosecutor who may offer a lower fine or various sentencing options including deferred disposition or a driving safety course in lieu of going to trial. **If you agree to a plea bargain, be prepared to pay court costs and a special expense fee for deferred disposition and court costs and a fee for a driving safety course.**

You do not have to explain your side to the prosecutor if you do not want to, as you have the right to remain silent and not say anything at all. If you do choose to speak to the prosecutor, anything that you say could be used against you. In addition, you do not have to accept a plea bargain if one is offered as you have a right to a trial. **You have the right to have an attorney represent you. The court, however, does not have to appoint an attorney to represent you.**

### CONTINUANCES

If you need to request a continuance, you must put the **request in writing** stating the reason for the continuance and mail, fax or deliver the request to the court.

- If you have a **pre-trial scheduled**, you must submit your request to the court **two days before your scheduled date**.
- If you have a **trial before the judge scheduled**, you must submit your request to the court **two days before your trial date**.
- If you have a **jury trial scheduled**, you must submit your request to the court **three days before your trial date**.

### THE TRIAL

#### **NO PLEA BARGAINS WILL BE OFFERED THE DAY OF TRIAL.**

#### **Information on Your Rights**

A trial in municipal court is a fair, impartial and public trial as in any other court. Under Texas law, you may be brought to trial only after a sworn complaint is filed against you. A complaint is a document that charges you with the offense that you are alleged to have committed. You may be tried only for what is alleged in the complaint. You have the following rights in court:

1. The right to have a notice of the complaint not later than the day before any proceedings
  2. The right to inspect the complaint before trial, and have it read to you at trial
  3. The right to have your case tried before a jury, if you so desire
  4. The right to hear all testimony introduced against you
  5. The right to cross-examine witnesses who testify against you
  6. The right to testify in your behalf
  7. The right not to testify, if you so desire. If you choose not to testify, your refusal to do so may not be held against you in determining your innocence or guilt
  8. You may call witnesses to testify in your behalf at trial, and have the court issue a subpoena (a court order) to any witness to ensure his or her appearance at trial. The request for a subpoena must be in writing, directed to the Clerk of the Court at least three weeks prior to your trial date, and you must give the name, current address, and telephone number of each witness that you want subpoenaed.
- **If you are convicted at trial, you may appeal.**
  - **If you are convicted and choose not to appeal, be prepared to pay fine and costs.**
  - **If you are acquitted (found not guilty), there are no costs.**

(See other side for general rules of court attire and conduct.)

## *GENERAL RULES OF ATTIRE AND CONDUCT IN COURT*

### **ALL PEOPLE IN THE COURTROOM MUST BE DRESSED APPROPRIATELY AND RESPECTFULLY.**

#### **UNACCEPTABLE ATTIRE INCLUDES BUT IS NOT LIMITED TO:**

1. Shorts and cut-offs
2. Muscle shirts, clothing with offensive, vulgar, racist, sexist, obscene, or suggestive words, slogans, depictions, or pictures including grotesque creatures
3. Mini-skirts or halter-tops
4. Clothing that is dirty, torn, or ragged
5. Clothing that is too tight or too short; and
6. Hats

**IF YOU ARE NOT DRESSED APPROPRIATELY, YOU WILL BE ASKED TO LEAVE. YOU WILL BE RESCHEDULED FOR ANOTHER COURT APPEARANCE AND DIRECTED TO DRESS APPROPRIATELY.**

#### **CONDUCT IN COURT:**

Pro se parties (individuals representing themselves without an attorney) should be prepared to present their cases in a proper manner. The Court cannot protect or represent you, nor may the Court instruct you on proper court procedure, evidence, rules, or how to present and prove your case. If you are unprepared, unaware unknowledgeable about how to present your case, you may lose.

1. Be on time. The courtroom will open 30 minutes prior to docket call.
2. Do not argue with the Court. However, you should always seek to correct any factual misunderstanding.
3. Address the Court as “Judge” or “Your Honor.”
4. Address opposing parties, counsel, witnesses, and Court Officers as “Mr.,” “Mrs.,” “Miss,” “Officer” and so on. Do not use first names, except with children 14 years of age or younger.
5. Do not read newspapers, magazines, books or any similar item in the courtroom during proceedings.
6. Do not talk at the same time as the Court, counsel, witnesses or other court personnel.
7. Racist, sexist, obscene or profane language or gestures are prohibited unless it is pertinent to a case and is elicited and quoted from facts in the case.
8. Do not enter and depart the courtroom excessively.
9. Do nothing to disturb or distract the court, counsel, witnesses or court personnel. If a child becomes noisy, you should remove the child from the courtroom until that situation is resolved.
10. Do not approach the Judge’s bench or Clerk’s desk without permission. **Remain one foot from the Judge’s bench. Do not rest arms or hands on the bench.**
11. Leave all purses, bags, brief cases and other similar items, at the defense table when you are called to the Judge’s bench.
12. Have all paperwork, Driver’s License, Insurance, evidence and similar items ready when called to approach the Judge’s bench.
13. Rise when the Judge enters and remain standing until the Judge or Bailiff announces, “Be seated,” or until the Judge is seated. Rise when the Judge exits the courtroom.
14. No food or drinks are allowed in the courtroom.

**MUTE ALL PHONES AND PAGERS WHILE IN THE COURTOOM. NO PHONE CALLS ALLOWED IN THE COURTOOM.**