

# JIM WELLS COUNTY JUSTICE COURTS

**EFFECTIVE: January 1, 2018**

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\*\*\*\*\***JUSTICE COURT NOTICE**\*\*\*\*\*

This letter is furnished as a courtesy by the Justice Courts of Jim Wells County, Texas to assist you in processing the charge(s) filed against you. Please make payment by **MONEY ORDER or CASHIER'S CHECK ONLY** to the Justice Court indicated above. **PERSONAL CHECKS ARE NOT ACCEPTED.** Return this letter, a copy of the citation, written plea and payment amount to assure proper credit.

- **PLEASE NOTE:** The judge cannot discuss the merits of a pending Judicial proceeding prior to trial (Canon 3(5), Code of Judicial Conduct.)  
**This means the Judge cannot discuss your citation with you before the trial except for procedural questions.**
- If you **FAIL TO RESPOND** to the charge(s) BY THE APPEARANCE DATE SHOWN ON THE CITATION, an additional charge will be filed against you for Violate Promise To Appear and warrants will be issued for your arrest. (WARRANT FEES OF \$50.00 will be issued on each charge for EXECUTING OR PROCESSING A WARRANT.)
- A **JUVENILE** who fails to appear by the time and date on a citation may have their license suspended as required by law (Transportation Code Section 729.001)
- If you wish to **ENTER A PLEA OF GUILTY OR NOLO CONTENDERE**, please indicate in the proper space provide. A plea of Nolo Contendere means that you do not contest the state's charge(s) against you. The fine and conviction for a Nolo Contendere plea is the same as that for a plea of Guilty. Either plea indicates that you agree to waive appearance before the Court for trial.
- Refer to the schedule of fines shown on the reverse side to determine the total amount of fine(s) and costs acceptable by the Court. (These fines apply only to cases handled prior to court trial or judgment being entered.) **RETURN A COPY OF THE CITATION AND THIS LETTER WITH YOUR REMITTANCE TO ASSURE PROPER CREDIT.**
- If you wish to enter a plea of **NOT GUILTY** and desire a trial, advise the court by checking #3 on the Reply Form (on back) **Mail written plea to court On or Before the Appearance Date.** You will be notified by the court when to appear for trial and specific requirements of the particular court concerning bail requirements, etc.
- **DRIVING SAFETY COURSE** (Deferred DSC Code of Criminal Procedure Art. 45.0511)

Under Transportation Code Section 543.101 of the State of Texas, you may be able to require that this (one) charge be dismissed by taking a driving safety course. **HOWEVER**, you will lose that right if you do not provide written notice to the Court on or before your appearance date of your desire to do so (as shown on your citation.)

**A CHARGE MAY BE DISMISSED BY COMPLETING A DRIVER SAFETY COURSE IF:**

1. You are charged with a moving traffic violation **SPEEDING 95 OR** not exceeding 25 mph or above posted speed limit.
2. You have not used this option during the proceeding 12 months and you are not in the process of using this option for another offense.
3. You have a **VALID** Texas Driver's License; **DO NOT HOLD A COMMERCIAL DRIVER'S LICENSE**
4. You provide court with proof of liability insurance that complies with state law;
5. A form for your Driving Record will be mailed to you by **Court once your written reply is submitted** for a Driving Safety Course.

**If you are requesting a Driving Safety Course, Read and Complete the Reply Form on the Back of this page.**

**Fill out Reply Form, go to #4 enter plea and sign the bottom of form in front of a Notary.**

**SUBMIT THE FOLLOWING TO COURT BY CERTIFIED RETURN RECEIPT MAIL ON OR BEFORE YOUR APPEARANCE DATE.**

1. **Reply Form Notarized**
2. **Copy of Auto Insurance**
3. **Copy of Driver's License**
4. **\$115.00 Money Order or Cashiers Check**

**ALTERNATIVES TO PAYMENT OF FINES AND COSTS**

A defendant who is convicted of a criminal offense punishable by fine only is entitled to alternative methods of satisfying the judgment against them if they are unable to pay the fine or costs, in whole or in part.

Those alternative methods include:

- 1) A payment plan, allowing the defendant to make payments toward the fine and costs in designated intervals. Note that if any amount is paid more than 30 days after the judgment assessing the fine or costs then a \$25 time payment fee must be assessed.
- 2) Disposition of the amount assessed by performing community service. There are many options that meet the requirements of the law for community service, see Art. 45.049 of the Code of Criminal Procedure for full details. A defendant is entitled to a minimum of \$100 credit for every 8 hours of community service performed.
- 3) If performing community service imposes an undue hardship, a defendant who is indigent or who lacks sufficient resources to pay is entitled to a waiver of the fine and costs, in whole or in part.

**PERSONAL CHECKS ARE NOT ACCEPTED!!!**

**COURTS ARE PROHIBITED FROM GRANTING DEFERRED ADJUDICATION PROBATION AND/OR A DRIVER SAFETY COURSE TO PERSONS WHO HOLD A COMMERCIAL DRIVER'S LICENSE, REGARDLESS OF VEHICLE AT A TIME OF VIOLATION. (TRANSPORTATION CODE, 542.404, 729.004 & 45.0511**