

Rusk County Justice of the Peace Court

Late Payments/Missed Court Appearance – Notice to Defendants

Fines are due at the time you are convicted. In the event you are found guilty of the offense with which you are charged, you should make every effort to pay your fine in full immediately on conviction.

Additional \$25.00 Fee:

If you pay any part of the fine and cost due on or after the 31st day after the date of the judgment, you must pay a time payment fee of \$25.00. (Texas code of criminal procedure Art 103.003)

Additional 30% Collection fee:

If you fail timely to pay the fine and costs, and the fine and cost are more than 60 days past due, the Court may refer this Judgment to private attorneys for collection. You will be charged a collection fee equal to 30% of the amount due. (Tex. Code of Crim. Proc. Art 103,031)

Denial of Driver's license Renewal and Additional Fee:

If you fail to pay the fine and costs as directed, the Court may notify the Department of Public Safety to deny the renewal of your driver's license. You will be required to pay an additional \$30 administrative fee prior to the renewal of your license. (Tex. Trans. Code 706.006)

Issuance of Warrant and Additional Fees:

If you fail to pay the fees and costs as directed, the Court may issue a capias pro fine ordering your arrest to be brought before the Court. You will be required to pay additional fees for processing of this warrant and for the release of your arrest. (Tex. Code of Crim. Pro Art. 102.011)

Your Failure to pay on time will cost you additional Money: For example: if your judgment in total is \$200.

- **If you fail to pay in 31 days you owe \$225, If you are delinquent more than 60 days you owe \$292.50, If you are placed on DPS license hold you owe \$322.50, If you still haven't paid and a capias pro fine issued you owe \$372.50**
- **In addition, if you fail to pay fines and fees and fail to make court appearance by appearance date noted on your citation you will be charged with a VPTA which is an additional \$227. It likewise will multiply same as the original charge does when past due.**

The Rusk County Justice of Peace clerks are not allowed to give legal advice. You are urged to review the applicable laws and to consult an attorney of your choice for further information or answers to specific legal questions. Disclaimer: The law is constantly changing and there will be times when the information on the web will not be current.

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Information about Traffic Cases

- **Failure to Appear by Your Court Date**

If you fail to take care of your citation prior to the appearance date on your citation, or fail to appear in court as required, the court may issue a warrant for your arrest. You may also be charged with an additional offense for violating your promise to appear. The issuance of a warrant carries additional fees, and the punishment for the added offense is a fine of not more than \$200.00 plus court cost (Tex. Trans. Code 543.009)

- **If a warrant is issued, you may avoid arrest by:**

Posting bail at the Justice Court in which your case is filed. Bail may be in the form of a surety bond or a cash bond. If you are posting a cash bond, you must tender cash in the form of cash, a cashier's check or money order. A magistrate may consider allowing a personal bond.

- **Paying the Fine at the Court:**

You must plea guilty, no contest or not guilty to your offense. If payment in full reaches the courts office prior to appearance date, it is considered a plea of guilty. Otherwise a plea must be received to obtain conviction at which time a payment plan may be considered. To qualify for a payment plan you must complete a payment plan application to assist the court in making payment arrangements. A time payment fee will be added to any payment plans exceeding 30 days from conviction.

After the collection manager reviews payment plan application and it is determined you cannot make money payments, community service may be required as a method of covering fee and fine.

If you default your payment plan agreement a capias pro fine may be issued for your arrest and you be brought before the court creating an additional fee. As well renewal of driver's license and an outside collection fee will be added creating an additional 30% upcharge of balance owed plus a \$30 fee.

- **If you are 16 years or younger**, the law requires that you appear in court with a parent, guardian, or managing conservator. A person 16 years of age or younger cannot pay the fine by mail or in person. They must come to open court before the Justice of Peace when making their plea. (Tex. Code of Crim. Proc. Art 45.021