



Criminal Fines & Court Costs

JUSTICE OF THE PEACE - CHAMBERS COUNTY, TEXAS

"The fine is *HOW MUCH?*"

W HAT'S THE DIFFERENCE BETWEEN A FINE AND A COURT COST?

Fines are money penalties set by the Texas Legislature for criminal offenses.

The Texas Legislature has established several dedicated funds which are used for certain court and law enforcement purposes. The money in these funds come from **court costs** collected from those who receive deferred adjudication or are convicted of criminal offenses. The Legislature has set specific amounts to be paid by each criminal defendant who is found guilty or who receives deferred adjudication.

The total paid by a defendant who is convicted or put on deferred adjudication will be the amount of the ***fine plus court costs***.

WHO DECIDES HOW MUCH MY FINE IS?

The Texas Legislature sets penalties for criminal offenses within a range. Most traffic offenses have a penalty range of



\$1.00 to \$200.00. Most other Class C misdemeanors have a fine range of from \$1.00 to \$500.00. Some specific offenses have the lowest fines allowable that are much higher, such as Failure to Maintain Financial Responsibility ("No insurance"), Commercial License & Weight violations, and Handicapped Parking offenses.

Judges are allowed to set fines anywhere within the penalty ranges set by the legislature, according to the circumstances of each case.

before the Judge). For their convenience, most courts authorize specific "**window fines**" for each offense. **NOTE:** There is no guarantee a judge or jury will set a fine lower than the "**window fine**" - in fact, the circumstances surrounding an offense may result in a judge or jury setting a fine much **HIGHER** than the "**window fine**".

When a defendant has a jury trial, it is usually the **jury** that decides what the fine should be within the range set for the offense.

WHO GETS TO KEEP THE FINE?

Fines collected by Justice of the Peace Courts are delivered to the County Treasurer for deposit into the County's bank depository. These fines are used, in addition to tax revenues, to fund county government. Some fines are dedicated to specific uses—for example, fines from commercial weight violations are dedicated to costs connected with the repair of the county's roadways.

The Texas Park & Wildlife Department is entitled to receive a portion of the county fine in connection with Park & Wildlife Code violations.

IF I ONLY GOT ONE TICKET, WHY AM I BEING CHARGED COURT COSTS THREE TIMES?

Court costs are collected for *each offense*. If a defendant receives a ticket that lists more than one offense, the defendant found guilty must pay court costs for each offense.

HOW MUCH ARE MY COURT COSTS GOING TO BE?

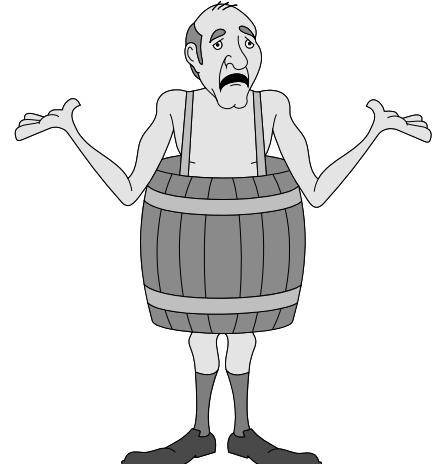
The Texas Legislature decides which court costs are collected on any offense.

WHAT ARE COURT COSTS USED FOR?

- ☆ **Consolidated Court Cost for Special Services** is used for abused children's counseling, Crime Stoppers, breath alcohol testing and law enforcement management
- ☆ **Crime Victim's Compensation Fund** is used to reimburse victims of crime or losses suffered as a result of crime.
- ☆ **Courthouse Security Fee** is used to finance court security services, metal detectors, surveillance equipment, bailiffs, signage and security hardware.

'Example: If the fine is \$100.00 and the court costs are \$100.10, the defendant must pay a total of \$201.10.

- ☆ **Judicial and Court Personnel Training Fund** is for the continuing legal education of judges and court personnel.
- ☆ **Child Safety Fund** is used for school crossing guard programs
- ☆ **Traffic** fees are deposited into the county treasury.
- ☆ **Failure to Appear** costs are used to help the DPS provide information necessary to deny driver's licenses to defendants who have failed to appear in court or failed to pay a fine
- ☆ **Time Payment Fee** is used to improve the efficiency of the administration of justice in the county.
- ☆ **Juvenile Crime and Delinquency Prevention Fee** funds the Center for the Study and Prevention of Juvenile Crime and Delinquency at Prairie View A & M University.
- ☆ **Fugitive Apprehension Fee** is credited to the fugitive apprehension account in the state's general fund.
- ☆ **Arrest Fee** is credited to expenses of services provided in the case by peace officers.
- ☆ **Warrant Fee** is assessed whenever an arrest warrant is issued.
- ☆ **Driving Safety Fee** is assessed for defensive driving courses
- ☆ **Teen Court Fee** funds Teen Court programs



I DON'T HAVE ANY MONEY!

In certain circumstances Courts may authorize **alternative methods of payment**.

- ☆ **Delayed payment** for good cause shown. A \$25 fee is assessed for any amount paid after 30 days from the date of the judgment.
- ☆ **Time payment plans** are sometimes available to defendants who qualify
- ☆ **Community Service** may be available to those who establish their inability to pay (such as a juvenile under age 17, someone already receiving public assistance, or others who are approved by the Court)
- ☆ **Time in Jail.** "Jail Credit" is applied against the fine for persons who were arrested and spent time in jail prior to their conviction, for that offense. It is also possible for a defendant to request a waiver and arrange to turn himself in at the jail to serve time instead of paying a money fine.