JUDGE'S STANDING ORDER NO. 1
DRIVING SAFETY COURSE

On this date, the Court entered the following **ORDER** with respect to dismissal of a case by means of a Driving Safety Course program:

A. PROCESSING A REQUEST FOR DSC AT CASHIER'S WINDOW

The Court Clerk may process a request for a Driving Safety Course (DSC) at the Cashier's Window if the Defendant:

1. requests DSC while the case is still in Initial Appearance (IA) or Pro Se Appearance Docket (PA) status, provided the case has not been in Warrant Issued (WI) status;

2. files with the court a signed affidavit complying with all eligibility requirements for DSC as set forth in Sec. 45.0511(c)(3) of the Texas Code of Criminal Procedure;

3. provides valid proof of financial responsibility, pursuant to the Texas Transportation Code;

4. presents a valid Texas Driver License or permit that is not a commercial license or permit;

5. pays the DSC fee appropriate for the age of the case, including any late fees.

B. PROCESSING A REQUEST FOR DSC MADE ONLINE OR BY MAIL

The Clerk may process a request for DSC made online or by mail if the Defendant presents the items listed in 2 through 4 above no later than the 90th day after the DSC fee is paid online or by mail.

C. PROCESSING A REQUEST FOR DSC MADE BY AN ATTORNEY

An attorney for a Defendant may make a request for DSC at the Cashier's window for cases with a status of Attorney Docket (AD) or Attorney Trial (TA), subject to the same requirements as listed above for pro se defendants.

D. TRIAL COSTS TO REMAIN

Once summons or trial fees have been added to a case, those fees will remain as costs to be paid even if the defendant is later granted DSC.

E. CASES WITH CERTAIN STATUSES REQUIRED TO APPEAR

Any Defendant making a request in person for DSC on a case in any status other than IA or PA, or on a case that has been in WI status, must appear before the Judge. If the appearance is by mail, the request shall be put in the Judge's correspondence queue.

F. PROOF OF COMPLIANCE

The following requirements apply to dismissal of the case upon proof of compliance:

1. *Clerk may accept documents.* The Clerk may accept proof of completion of DSC at the Cashier's window or by mail if the Defendant presents:

   a. A certificate indicating timely completion of the driving safety course, which must be signed by the Defendant, indicate that it is the "court copy," and have no alterations, modifications and/or erasures; AND
   b. A driving record certified by the Texas Department of Public Safety which was issued after the offense date, indicates the Defendant's license status is Eligible, and does not show that a driving safety course has been completed for the purpose of dismissing a moving violation within the twelve (12) months preceding the date of the current citation.

2. *Defendant to appear if documents insufficient.* If a Defendant appears in person and presents documents which are insufficient for dismissal, the Clerk shall send the Defendant into court to see the Judge. If the documents are provided by mail or download, the Clerk shall file the documents and send the case to the Judge's correspondence queue.

3. *Dismissal of case upon compliance.* If the Clerk receives sufficient proof of completion of the DSC, the Clerk will make appropriate comments in the computer system and send the case to the Judge's queue for DSC dismissal. The Court shall dismiss the case if the Defendant has complied with all conditions as ordered by the Court.

4. *Show cause hearing.* If the Defendant fails to provide evidence of successful completion of the DSC within the time period allowed, the Clerk shall apply any late fees that have not yet been applied and summon the Defendant to show cause why such evidence was not timely submitted. If the Defendant fails to appear, the case shall be placed in the Judge's queue for judgment.

IT IS SO ORDERED. Signed and Entered this 12 day of May, 2015.

Sonya Letson
Presiding Judge