

Judge Joseph Guillory II
Justice of the Peace, Precinct 2
525 Lakeshore Drive
Port Arthur, Texas 77640
Phone: (409) 983-8325 Fax: (409) 989-3680

Juveniles - What to Expect

If you have never been summoned to court before, all the requirements and instructions can be daunting. To help you prepare for your hearing, the Justice Court Pct. 2 of Record has provided the following breakdown of how hearings usually go. It's important to remember that every case and every individual is a little different, so the procedure can also be a little different from person to person. If you have any questions, please call the Justice Court Pct. 2 at 409-983-8325.

First Step: Check In at the Front Window

Check in, with your parent(s), at the front window and one of the clerks will note your appearance. They may also have papers for you to fill out and return.

Second Step: Defendant Goes before the Judge

Only the juvenile defendant, and the parent(s) who have accompanied them, will approach the bench. Anyone else may approach only if the Judge calls them forward. The Judge may, after meeting with the defendant, make an order and tell the defendant that they may leave. (This usually only happens with traffic offenses).

Fourth Step: Check Out at the Front Window

Bring your court documents to one of the clerks at the front window. The clerk will review the details of your case with you to ensure that you understand and accept the outcome of your hearing. You will receive follow-up instructions and information regarding the disposition of your case and what to do next.

Juvenile Appearances

Any person under the age of 17 (a minor child) will be placed on a Juvenile Docket. All juveniles are required to appear in open court, with a parent or legal guardian, to enter their plea before the Judge. You will be notified of a specific date and time to appear before the Judge.

Pursuant to Texas law, Article 45.57(h) of the Code of Criminal Procedure :

Juveniles who fail to appear as ordered may have an additional charge of Failure To Appear filed against them.

Juveniles who fail to appear or fail to pay their fine will be reported to the DPS who may suspend or deny issuance of a driver's license.

If a juvenile disobeys a court order, the Department of Public Safety may suspend or deny issuance of a Texas Driver's License or Permit until the juvenile's court case has been adjudicated.

Juveniles who fail to dispose of their case(s) in court before the age of 17 will be subject to Texas State laws pertaining to "Juvenile Now Adult" cases, and may be subject to arrest for "Failure to Appear" before a Justice of Peace.

Appearance for Alcohol Related Charges

If you are 17 years of age and charged with an alcohol-related offense, you are required to appear in open court with a parent or legal guardian. You will be notified by the court of the specific date and time to appear before the Judge. You may be assessed any or all of the following:

- ✓ Fine and Court Costs; and/or
- ✓ Community Service Hours; and
- ✓ Alcohol Awareness Class

Pursuant to Texas law, Article 45.57(h) of the Code of Criminal Procedure

Failure to appear in court as required may result in an additional charge of Failure to Appear AND a warrant being issued for your arrest.

Appearance for Tobacco Related Charges

If you are under 17 years of age and charged with a tobacco-related offense, you are required to appear in court, with a parent or legal guardian, on or before the date listed on the bottom of your citation. If you are 16 or under, a court date will be mailed to your address. You may be assessed any or all of the following:

- ✓ Fine and Court Costs; and/or
- ✓ Community Service Hours; and
- ✓ Tobacco Awareness Class

Pursuant to Texas law, Article 45.57(h) of the Code of Criminal Procedure

Failure to appear in court as required may result in an additional charge of Failure to Appear AND a warrant being issued for your arrest.

Address Notification Requirements

Pursuant to Texas law, Article 45.57(j) of the Code of Criminal Procedure

1. A child and parent are required to appear before the Court and have an obligation provide the Court in writing with the current address and residence of the child.
2. This obligation does not end when the child reaches the age of seventeen (17). This obligation only terminates on discharge and satisfaction of the judgment or final disposition of juvenile's case.
3. On or before the seventh day after the date the child or parent changes residence the parent shall notify the court of the current address in writing.
4. Failure to provide notice of a current address is a Class C misdemeanor, punishable by a fine of up to \$500.

Parent / Legal Guardian Information

Requirements

A parent or legal guardian is required to appear with the juvenile. A parent or legal guardian is required to appear in court with a minor charged with an alcohol/tobacco-related offense if he/she is 17 years of age or younger.

Failure of Guardian to Appear

Failure of the parent or legal guardian to appear with the juvenile or minor is a separate misdemeanor offense against the parent or legal guardian. A warrant for the arrest of the parent / guardian may be issued for "contributing to the delinquency of a minor child" if they fail to bring the child before the Justice Court Judge.

Juvenile Now Adult

Obligation to appear for any citation acquired before the age of 17 does not terminate upon the individuals 17th birthday.

Pursuant to Texas law, Article 45.060(c),(e) of the Code of Criminal Procedure

(c) Failure to appear as ordered by the notice under Subsection (b) is a Class C misdemeanor independent of Section 38.10, Penal Code, and Section 543.003, Transportation Code.

(e) WARNING: COURT RECORDS REVEAL THAT BEFORE YOUR 17TH BIRTHDAY YOU WERE ACCUSED OF A CRIMINAL OFFENSE AND HAVE FAILED TO MAKE AN APPEARANCE OR ENTER A PLEA IN THIS MATTER. AS AN ADULT, YOU ARE NOTIFIED THAT YOU HAVE A CONTINUING OBLIGATION TO APPEAR IN THIS CASE. FAILURE TO APPEAR AS REQUIRED BY THIS NOTICE MAY BE AN ADDITIONAL CRIMINAL OFFENSE AND RESULT IN A WARRANT BEING ISSUED FOR YOUR ARREST.