

Requesting Deferred Disposition

You may wish to request for deferred disposition to keep the offense you have been charged with from appearing on your driving and/or criminal record. It will also keep points from being assessed to your driver's license as required by the Texas Surcharge Program. Along with your plea of either guilty or nolo contendere, your request for deferred disposition must be submitted in person or in writing. The case is suspended for a period of time (between 1 to 180 days) set by the judge. Fees are assessed as a penalty, to include a special expense fee as prescribed by the judge. The judge may require additional conditions, such as no additional charges filed within the city during the deferral period, alcohol / tobacco awareness, community service hours, submittal to counseling and/or anger management classes, or any other condition deemed reasonable by the judge. Anyone under the age of 25 must complete a driver's safety course as a term of probation. If you comply with the court's order, the judge will dismiss your case.

Requirements

In order to request deferred disposition, you will be required to do the following:

- Appear on or before your initial appearance date in person, by attorney or by mail
- Enter a plea of guilty or no contest
- Meet any additional conditions or requirements of the judge
- Pay the court costs, fine and a special expense fee
- Submit a written request for deferred disposition.
- Waive the right to have a trial before the judge or jury

Offenses Not Qualifying For Deferred Disposition

In order to request deferred disposition, you must **not** have been charged with any of the following:

- Anyone who holds a CDL at the time of offense
- Any traffic offense committed in a construction zone
- Failure to Give Information at accident scene
- Fleeing or attempting to elude a peace officer
- Leaving the scene of accident
- Passing or overtaking a school bus
- Reckless driving
- Serious traffic violation as defined by the Transportation Code, which applies to drivers with a Commercial Driver's License (CDL)
- Speeding 25 mph over the limit or more

Note: As of September 1, 2003, you are not eligible for Deferred Disposition if you possess a Class A or B driver's license, even if you are in a personal vehicle (refer to Article 45.051 (B) of the Texas Code of Criminal Procedure).

Failure to Comply

If you fail to comply with the conditions or requirements as ordered by the judge, you will be required to appear before the court and show cause as to why you have failed to complete the terms of your probation set forth by the court. If you do not appear for the Show Cause Hearing, it shall result in a conviction on your record and increased fines. A Capias Pro Fine warrant may be issued for your arrest and you may also be denied renewal of your driver's license until you have paid or disposed of your case

If you meet the above requirements for deferred disposition, download the form from our website, REQUEST FOR DEFERRED DSISPOSITION, print and fill it out, and return it to the Forest Hill Municipal Court with the fee.