



NAVIGATING CRIMINAL FINES & FEES IN TEXAS

A **Class C (aka fine-only) misdemeanor** in Texas is the lowest-level criminal offense, punishable by a max fine of \$500 and no jail time. This includes almost all traffic and moving violations.



RESOURCES

! Unlike in other criminal cases, **you do not have a right to an attorney in Class C misdemeanor cases.** Thus, no legal assistance to navigate a fine-only charge will be provided, even if you cannot afford it. This means that the responsibility of moving a case forward falls on the defendant, not the court.

1st STEP

To move a Class C case forward, you will need to **enter a formal response to the charge**, including a **plea of guilty, not guilty, or no contest** (*scan QR code for resources*). **Note:** Do not re-enter a plea if you’ve already done so. If you are unsure, contact the court clerk.

ALTERNATIVES TO PAYMENT FOR CLASS C MISDEMEANORS

For almost every fine-only offense, you can choose to submit payment through the mail or online and resolve the case. However, there are **four alternatives permitted by law** that the judge and the defendant can enter into **if it cannot be paid immediately:**

- Entering into a payment plan,
- Performing community service,
- Applying jail credit (aka “time served”), or
- Waiver due to indigency and undue hardship.

It is the **defendant’s responsibility to inform the court of their inability to pay.** Our Ticket Help Texas toolkit includes more information (*scan QR code for resources*).

Note: The exchange rate for 8 hours of community service and at least 8 hours of jail time is \$150.00.

CONSEQUENCES OF FAILING TO PAY/APPEAR

Despite being a “fine-only” offense, there are still sanctions that can be applied to your case, that can carry serious consequences, such as:

- A warrant for arrest for failing to appear (or entering a formal response),
- A warrant for arrest for failing to pay,
- A driver’s license renewal hold, and/or
- A vehicle registration renewal hold.

If a warrant has been issued for your arrest, contact the court by phone or mail to explain your circumstances. Any hold placed on one’s driver’s license or registration renewal will be lifted once a reinstatement fee is paid. To inquire about any potential holds, ask the court about:

- OmniBase (driver’s license renewal), or
- Scofflaw (vehicle registration) holds.



CRIMINAL RECORD MANAGEMENT IN TEXAS



There are two ways to remove entries from an adult criminal record. An order of **expunction** completely erases your record. An order of **nondisclosure** seals certain offenses without erasing your record from relevant state agencies.

QUALIFICATIONS FOR AN EXPUNCTION

- Never had charges filed against you.
- Had the charges against you dropped.
- Were acquitted or pardoned.
- Completed deferred adjudication in a Class C (fine-only) misdemeanor case.
- Completed a pretrial intervention or diversion program and had charges dismissed.
- Completed a deferred prosecution agreement.
- Convicted of Unlawful Carrying a Weapon before Sep. 1, 2021.

QUALIFICATIONS FOR A NONDISCLOSURE

- Were **convicted of your first misdemeanor** (with some exceptions).
- Do **NOT** qualify if:
- Convicted of a violent offense, family violence, or crimes requiring sex offender registration.
 - Convicted of an additional offense (not including traffic tickets) during your sentence or during the waiting period after your conviction.

STEPS TO MANAGING YOUR CRIMINAL RECORD

1. Get your criminal history and case information.
2. Complete a petition. For an expunction, there are different forms depending on whether charges were filed against you. For a nondisclosure, there are different forms depending on the offense you are eligible to seal.
3. File the petition with the court in the county where the arrest/offense occurred. For deferred adjudication petitions, file in the court that placed you on deferred adjudication. Pay the filing fee, or file a Statement of Inability to Afford Payment of Court Costs if you cannot pay (*scan QR code for resources*).
4. Pay the filing fee, or file a Statement of Inability to Afford Payment of Court Costs if you cannot pay (*scan QR code for resources*).
5. Attend the hearing if one is set. After the judge signs the order, agencies must remove records covered by the expunction or nondisclosure. Ask your attorney, the county clerk, or legal aid for assistance at any time during this process.

This resource is for general information purposes only and is not legal advice or a substitute for advice from a lawyer regarding your specific situation.