

DURANT MUNICIPAL COURT OPERATING POLICY

Effective September 17, 2018

SECTION A - PAYMENT PLANS

1. The municipal court clerk has the authority to issue 45 day payment plans upon request by the person issued the citation. The payment plan can be requested at any time prior to the scheduled initial appearance court date. Once approved by the municipal court clerk, the 45 day period would begin on the scheduled initial appearance date. The following conditions must be met in order to qualify:

- The offender must appear in person at the municipal court clerk's office to request a payment plan.
- Fines involving theft or speeding in a school zone are not eligible for payment plans.
- It must be a first time request for a payment plan for the eligible offense;
- Offender shall not already be participating in a payment plan on any other charge pending or in warrant status through the Durant Municipal Court.
- Offender must be 18 years of age or older.

2. The municipal court clerk cannot extend a 45 day payment plan.

3. The municipal court clerk cannot convert a 45 day payment plan to community service.

SECTION B - DEFERRALS

1. The municipal court clerk can issue a deferral for speeding violations with the exception of speeding in a school zone and speeding by an under aged driver once the offender has met all conditions set out in Paragraph 3.

2. The municipal court judge will consider deferral for the following offenses on a case by case basis once the offender has met the conditions set out in Paragraph 3 (must appear in court in request deferral):

- Possession of Drug Paraphernalia
- Speeding in a School Zone
- Curfew Violation
- Speeding by Under Aged Driver

3. The following conditions must be met to before a deferral will be considered by either the municipal court clerk or the municipal judge:

- Payment in full -or- timely completion of all community service hours ordered
- Offender must be prepared to pay the \$50 deferral cost in full at the time of the request.
- The offender must not have any additional charges before the court for 45 days from the initial appearance court date for the deferral to become effective.
- Deferral fees are non-refundable.

4. Deferral costs will be waived upon full payment of the citation costs for the following individuals:

- Military veterans (must show evidence of service)
- Active Military (must show evidence of current military status)
- Senior Citizens (over the age of 65 years)

SECTION C - COMMUNITY SERVICE

1. The municipal court clerk cannot issue community service. Only the municipal court judge or municipal court assistant judge may authorize community service (must appear in court to request community service).

2. Community service is mandatory for charges involving theft and speeding in a school zone.

3. Only the municipal court judge or municipal court assistant judge may authorize conversion of eligible citations from community service to payment or 45 day payment plan.