



City of Austin Municipal Court

Address: 6800 Burleson Rd., Bldg 310, Ste 175, Austin, TX 78744-2314

Mail: P.O. Box 2135, Austin, TX 78768-2135

Phone: (512) 974-4800; Fax: (512) 974-4882

Email: court@austintexas.gov; Internet: www.austintexas.gov



REQUIREMENTS WHEN FILING COMPLAINT

1. The complainant (person making the complaint) must, in good faith, make full, fair, and honest disclosure of all facts and circumstances known to him/her at the time the complaint is made. The facts, as presented, must be in the form of an affidavit and signed under oath. This affidavit will form the basis of any further investigation and of the charging instrument.
2. The complainant must appear in court to testify against the defendant if the charges are contested by the accused and a trial is held.
3. If the defendant is found guilty, the maximum sentence that may be assessed in Municipal Court is a fine up to \$500.00 plus court costs and fees. There can be no jail time. The defendant may appeal the case to a higher court.
4. The defendant may file a counter-complaint if the complainant has also been involved in some illegal activity. Please be advised that any statement made at this time or in the future to a prosecutor or other investigator may be used against you should there be a counter. Please be advised that when speaking to the prosecutor, that the prosecutor represents the state and no attorney-client relationship is established by any communications.
5. Once a case is filed, only a Municipal Court Judge, upon recommendation of a prosecutor, has the authority to dismiss the case.
6. The prosecutor reserves the right to subpoena the citizen-complainant and to enforce the subpoena by ordering a peace officer to bring the citizen-complainant to court.
7. Make a copy of the notarized affidavit for yourself. Contact Municipal Court 21-30 days after mailing or delivering the original signed forms in order to obtain a case number for future reference.
8. **An asterisk “*” denotes a required field. If the required fields are not completed in full and with all necessary information, the Austin Prosecutor’s Office will most likely not accept your complaint nor proceed with any criminal charges.**

I have read and agree to the above requirements.

9. Class C misdemeanors violations in Texas can only be prosecuted within a **two-year statute of limitations**. Affidavits cannot be prosecuted if submitted to the court more than two years from the date of violation. Affidavits also cannot be prosecuted if submitted prior to the expiration of the statute of limitations, but with insufficient time for the court or prosecutor’s office to process and investigate the complaint.

***Please alert the court clerk if you are concerned about the two-year statute of limitations in relation to your complaint application.**

*Complainant’s Signature
(Person Making the Complaint)

*Printed Name

*Date

**AFFIDAVIT BY CITIZEN
TRAFFIC CODE/INSURANCE VIOLATIONS**

Information About You:

*Your Name: _____

*Address: _____

*City, State, Zip: _____

*Phone Number: _____ Work Phone Number: _____

Email Address (if any): _____

The Undersigned Affiant Swears To The Following Statement:

Defendant Information:

*Name of Defendant (Person Accused): _____

*Address: _____

*City, State, Zip: _____

*Phone Number: _____ Work Phone Number: _____

*How did you determine the defendant's name? _____

*Can you identify the defendant (Yes or No)? _____ (If no, it will not be possible to process your complaint)

Description of defendant: Race: _____ Sex: _____ Height: _____

Date of Birth or Age: _____

FACTS ABOUT THE CASE

OFFENSE INFORMATION

*Date of Offense: _____ Time of Offense: _____

*Location (block number/street name) of Offense (must be in Austin city limits):

Type of premises: (public roadway or private property). _____

***What is your complaint? Describe with as much detail as possible. For Fail to Maintain Financial Responsibility, please use the section immediately below (use back of page if more room is needed):**
Use as many pages as necessary to relate fully, fairly, and honestly all material facts and circumstances.

If the violation is Fail To Maintain Financial Responsibility (FTMFR) - A Class C Misdemeanor
(Your account, as the affiant, of what occurred):

***I believe that** _____ (name of the accused) violated:

Transportation Code Sec. 601.051. Requirement of Financial Responsibility

A person may not operate a motor vehicle in this state unless financial responsibility is established for that vehicle: A motor vehicle liability insurance policy (that complies with Subchapter D), a surety bond (under Section 601.121), a deposit (under Section 601.122 or 601.123), or self-insurance (under Section 601.124)

***Vehicle information of the defendant (accused):**

Year: _____ Make: _____ Model: _____ Body style: _____

Color: _____ State of Registration: _____ License Plate Number: _____

Special features: _____

Witness Information (if any)

Name of Witness: _____ Phone Number: _____

Address: _____ Work Number: _____

Name of Witness: _____ Phone Number: _____

Address: _____ Work Number: _____

***I Swear That the Statements Made Here Are within My Personal Knowledge and Are true and Correct.**

*Complainant's Signature (Person Making the Complaint) *Printed Name *Date

*Sworn To Me On This The _____ Day of _____, 20____ .

*Deputy Court Clerk or Notary Public for the State of _____ My Commission Expires: _____

Do Not Write on this Page but Submit with Your Request

Reviewed by (if required): _____

Recommendations: _____

Violation code and DOV (if complaint approved):

Judicial Review

(If case is filed and defendant fails to respond to charge)

Date: _____, 20____

I have examined the foregoing affidavit and have determined that probable cause exists for the issuance of an arrest warrant for the individual accused therein.

Judge
Municipal Court
Austin, Texas