

LEVEL I Practice Test

MULTIPLE CHOICE

Circle the correct answer.

OVERVIEW OF THE COURTS

1. What is common law?
 - a. The right to have your case heard in a common law court
 - b. The principles, customs, and rules developed in England and early American history that provide the foundation for our judicial system
 - c. Laws that are viewed as the protection from a second prosecution
 - d. A guarantee that provides for the separation of powers in government

2. In which branch of the government is the police department?
 - a. Executive
 - b. Judicial
 - c. Legislative
 - d. Enforcement

3. What is the Bill of Rights?
 - a. The Preamble to the Texas Constitution
 - b. The amendments to the Declaration of Independence
 - c. The first 10 amendments to the U.S. Constitution
 - d. None of the above

4. What is a civil case?
 - a. A legal action in a criminal court
 - b. A case that charges a person with a crime
 - c. A case that deals with the private rights of individuals
 - d. None of the above

5. What is jurisdiction?
 - a. Ministerial influence over the administration of the court
 - b. Arbitrative authority over mediation of cases
 - c. Legal authority and power over certain types of cases and certain geographical locations
 - d. All of the above

6. Who writes the Rules of Judicial Education for municipal judges?
 - a. The Texas Municipal Courts Education Center
 - b. The Texas Court of Criminal Appeals
 - c. The Texas Center for the Judiciary
 - d. The State Bar of Texas

7. What kind of courts are municipal courts?

- a. Constitutional courts
- b. Statutory courts
- c. Common law courts
- d. Appellate courts

8. What is municipal court subject matter jurisdiction?

- a. Only offenses that have a maximum penalty of \$500
- b. Only offenses that have a maximum penalty of \$2,000
- c. Only fine-only offenses that may also include any sanction that does not include confinement
- d. Only fine-only offenses that are first time offenses

9. What is a home-rule city?

- a. A city with a population under 5,000 and subject to state statutes
- b. A city that has at least 5,000 in population and has adopted a home-rule charter
- c. A city that has no measure of self-government
- d. None of the above

10. The idea that government should operate under a set of written laws, rather than the rule of a single person is:

- a. Rule of Law
- b. Rule of Man
- c. The Golden Rule
- d. Invoking the Rule

11. City ordinance violations may be filed in either the municipal court or the justice of the peace court.

- TRUE
- FALSE

12. The municipal court has concurrent jurisdiction with justice of the peace courts over fine-only state law offenses.

- TRUE
- FALSE

13. Since municipal courts operate at the city level of government, they do not have to follow the statutes and rules passed at the state and federal levels.

- TRUE
- FALSE

14. City managers may establish traffic revenue quotas as part of evaluating the court's performance.

- TRUE
- FALSE

15. Municipal Courts do not have jurisdiction over civil cases.

- TRUE

FALSE

16. In order for a city to pass an ordinance to create a Municipal Court of Record they must have a population of at least 10,000 people.

TRUE

FALSE

17. The Attorney General's Office is the Chief Legal Officer in Texas.

TRUE

FALSE

18. The State Comptroller of Public Accounts is prohibited by law from assisting Municipal Courts with questions relating to state court costs.

TRUE

FALSE

ROLE OF THE CLERK/AUTHORITIES AND DUTIES

19. What is the role of the prosecutor in municipal court?

- a. To see that justice is done
- b. To bring criminal charges before the court for trial
- c. To represent the State
- d. All of the above

20. Which of the following is a ministerial duty?

- a. Stamping the judge's signature on documents because the judge is part-time
- b. Granting extensions of time to pay
- c. Resetting a case when a defendant calls and asks for a continuance
- d. Researching community service projects

21. Which oath does a clerk have authority to administer?

- a. The one for an affiant swearing to a complaint
- b. The one for a defendant swearing to a driving safety course affidavit
- c. The one for a judge taking the oath of office
- d. All of the above

22. If a victim is not present when an emergency protection order is issued, what must the clerk do?

- a. Provide the victim with a copy
- b. Provide the police department with a copy
- c. Provide the news media with a copy
- d. Notify the parent of the victim

23. Judges do not have the authority to perform which of the following acts?

- a. Administer oaths
 - b. Perform a marriage ceremony
 - c. Hold a defendant in contempt
 - d. Dismiss a case because the defendant is related to the mayor
24. Case Law provides for a magistrate's authority
- a. Statewide
 - b. Countywide
 - c. Citywide
 - d. None of the above
25. Depending on whether a city is a general law or home rule city and whether the court is a court of record clerks may be:
- a. Elected
 - b. Appointed
 - c. Hired
 - d. All of the above
26. Legal advice may be provided to a defendant by:
- a. The judge
 - b. The court clerk
 - c. The parent of a juvenile
 - d. A licensed attorney
27. Maintaining order in the courtroom is the responsibility of:
- a. The bailiff
 - b. The clerk if no bailiff is available
 - c. The judge
 - d. A police officer
28. Any person providing security for a Municipal Court is required to hold a:
- a. Court Bailiff license
 - b. Court Security certification
 - c. Private Investigators license
 - d. TCOLE Peace Officer's license
29. The role of the defense attorney is to:
- a. Instruct their client to lie under oath if it will help
 - b. Argue with the judge about the judge's verdict
 - c. Represent their client zealously within the bounds of the law
 - d. Ambulance Chase
30. Many of the clerk's duties are specifically provided for by statute.

TRUE
FALSE

31. Court clerks may be elected, appointed, or hired.

TRUE
FALSE

32. Oaths of office and anti-bribery statements must be filed every time a clerk is re-appointed.

TRUE
FALSE

33. Standing orders are written orders, signed by the judge, directing court staff on how to perform a specific procedure.

TRUE
FALSE

34. The judge plays an adversarial role in the court..

TRUE
FALSE

35. The city council has authority to set fines for the judge.

TRUE
FALSE

36. Municipal court clerks cannot be held liable for performing a judicial duty if the judge requires the clerk to perform the duty.

TRUE
FALSE

37. Municipal court clerks may stamp the judge's signature on court documents when the judge is on vacation.

TRUE
FALSE

38. Clerks may grant extensions and time payment plans to defendants.

TRUE
FALSE

39. Only judges may grant driving safety courses, but clerks may provide defendants with the paperwork regarding the requirements for processing driving safety requests.

TRUE
FALSE

40. All municipal courts have civil jurisdiction over junked vehicles and nuisance abatement.
TRUE
FALSE
41. Revenue is an important aspect of judicial duties.
TRUE
FALSE
42. The organizational structure of a small court may be different from that of a large court.
TRUE
FALSE
43. Municipal courts may have more than one judge, but may only have one presiding judge.
TRUE
FALSE
44. All municipal court judges serve a term of four years.
TRUE
FALSE
45. In the capacity of a trial court judge, a municipal judge acts as a special advisor to the police.
TRUE
FALSE
46. Anyone can access the State Bar of Texas database to confirm if an attorney is eligible to practice law.
TRUE
FALSE

COURT ETHICS

47. What is a “canon?”
- A doctrine of religious belief
 - A case handed down by an appellate court
 - An ethical standard of conduct for members of the judiciary
 - A judicial ruling mandating a certain basic procedure that clerks must follow
48. What is the purpose of the *Code of Judicial Conduct*?
- Provide all the ethical rules that judges must follow
 - Provide basic standards of ethical rules for judges
 - Provide an all-encompassing guide of penalties that judges are required to know if they

- make a wrong legal decision
 - d. All of the above
49. Which of the following is ethical conduct for a clerk?
- a. Predict future revenue for a court
 - b. Show a peace officer's notes on the back of the ticket to the judge
 - c. Looking up a friend's driving record to see if the friend is eligible for a driving safety course
 - d. All of the above
50. What does consanguinity mean?
- a. Relationship by marriage
 - b. Common law marriage
 - c. Relationship by blood
 - d. Relationship by nepotism
51. In which situation does the *Code of Judicial Conduct* govern the judge's behavior?
- a. In the courtroom only
 - b. In the courtroom and the court offices only
 - c. In and out of the courtroom, including social situations
 - d. Only when the public can view court staff behavior
52. Which of the following is the judge allowed to do?
- a. Talk on the telephone to a defendant about his or her case
 - b. Talk in the office to a defendant about his or her case
 - c. Read the notes on the back of a citation
 - d. None of the above
53. Which of the following is a clerk allowed to do?
- a. Advise a defendant to ask the judge for deferred disposition
 - b. Accept gifts from friends and relatives not related to work at the court
 - c. Prohibit a city council member from attending court
 - d. Tell the judge rumors about a case
54. In order to attain and maintain integrity and professionalism, clerks should always:
- a. Share privileged information
 - b. Participate in bias and prejudices
 - c. Adopt time and stress management skills
 - d. Trust the judge to keep up to date on changes in the law
55. The Texas Judicial Commission, at times, may request investigative assistance from the:
- a. Department of Public Safety
 - b. Texas Ranger Services
 - c. District Attorney's Offices

d. All of the above

56. Information and records maintained by the Judicial Commission are governed by:

- a. Rule 12 of the Texas Rules of Judicial Administration
- b. Texas Constitution
- c. Texas Government Code
- d. All of the above

57. It is not improper conduct for a judge to fail to conduct court business in a timely manner.

- TRUE
- FALSE

58. Court clerks should follow the canons of ethical conduct for judges.

- TRUE
- FALSE

59. Municipal court clerks may be sanctioned by the Commission on Judicial Conduct.

- TRUE
- FALSE

60. Clerks may recommend specific driving safety schools to defendants.

- TRUE
- FALSE

61. It is considered legal advice when a clerk explains to a defendant that the judge cannot hear his or her side of the case outside of a trial.

- TRUE
- FALSE

62. It is not legal or ethical for a clerk to explain to a defendant how to complete (fill out) an appeal bond.

- TRUE
- FALSE

63. If a clerk determines that there is an error on a traffic citation, he or she should tell the judge so that the judge can dismiss the case.

- TRUE
- FALSE

64. It is proper conduct for a clerk to tell a judge about a defendant's belligerent attitude.

- TRUE
- FALSE

65. What a person considers to be ethical depends on a person's value system.
TRUE
FALSE
66. Prior to filing a written complaint, the complainant may contact the judicial commission by phone.
TRUE
FALSE
67. The Judicial Commission is governed by the Texas Public Information Act.
TRUE
FALSE
68. The court's letterhead can be used to promote a charity event for Crime Stoppers.
TRUE
FALSE
69. It is often the role of the court clerk to protect the judge from ex-parte communication.
TRUE
FALSE
70. A municipal court clerk is a public servant.
TRUE
FALSE

CHARGING AND PRETRIAL

71. To what does the two-year statute of limitations apply?
a. The length of time that a warrant is legally effective
b. The length of time that a complaint can be filed from the date of offense
c. The length of time the court has to file a warrant on a case
d. All of the above
72. When is a complaint required to be filed?
a. When a defendant pleads guilty or nolo contendere
b. When a defendant is found guilty and appeals
c. When a defendant pleads not guilty and does not waive the right to a complaint
d. All of the above
73. Nolo Contendere is a Latin term, meaning:
a. To speak the truth
b. I do not wish to contest
c. I am guilty

- d. I know my rights
74. What is a jurat?
- a. The signature of the affiant swearing and signing the complaint
 - b. The certificate of the person administering the oath to the person swearing to an affidavit
 - c. The certificate of the person certifying that a record is a true and correct copy of an original
 - d. None of the above
75. All city ordinance complaints must conclude with the following wording:
- a. Against the peace and dignity of the State
 - b. Contrary to the said ordinance
 - c. In the name and by the authority of the State of Texas
 - d. That the person intentionally and knowingly committed the crime in the presence of the person who swore to the complaint
76. When a defendant pleads guilty or nolo contendere, what else must the defendant give the court?
- a. A written waiver of the right to appeal
 - b. A written waiver of community service
 - c. A written waiver of a written judgment
 - d. A written waiver of jury trial
77. If a judge determines that a defendant does not have sufficient resources, the judge shall, if appropriate:
- a. Order payments in installments
 - b. Order community service
 - c. Order tutoring
 - d. All of the above
78. Which of the following is not considered a court appearance?
- a. Payment of fine by mail
 - b. Payment of fine by delivery to the court by defendant
 - c. Payment of fine by delivery to the court by spouse
 - d. Appearance in open court before the judge
79. What is a scire facias docket?
- a. A special criminal docket
 - b. A special docket for bond forfeitures
 - c. A listing of criminal cases for trial
 - d. None of the above
80. Which of the following is an example of a writ?
- a. Capias pro fine
 - b. Summons
 - c. Capias

- d. All of the above
81. How can a summons be served?
- a. By a clerk mailing it
 - b. By a clerk personally delivering it
 - c. By a peace officer personally delivering it
 - d. All of the above
82. Who is responsible for determining whether to file failure to appear charges or to enhance charges?
- a. The judge
 - b. The clerk
 - c. The prosecutor
 - d. The police officer
83. If a municipal court does not have a complaint or citation filed, the court may not accept a plea of guilty from the defendant.
- TRUE
FALSE
84. The court seal is required to be placed on all court documents.
- TRUE
FALSE
85. The offense of public intoxication must be initiated by a sworn complaint; not by citation.
- TRUE
FALSE
86. The court can use a copy of the citation to serve as the complaint as long as the court's copy and the defendant's copy are legible, and the defendant signs a waiver of the formal charging instrument.
- TRUE
FALSE
87. When a citation is filed in a case that is going to trial and then a sworn complaint is filed, the sworn complaint is a new case and has a different docket number.
- TRUE
FALSE
88. A judgment of conviction and a judgment of dismissal must both be entered in the docket only after the judge signs the judgment.
- TRUE
FALSE
89. If a defendant mails the wrong amount of fine and costs to the court, the clerk must, before

giving the case to the judge, contact the defendant and try to get the money owed.

TRUE

FALSE

90. Probable cause is not always required before a judge issues a warrant of arrest.

TRUE

FALSE

91. Municipal court clerks may issue a warrant, *capias*, or a summons.

TRUE

FALSE

92. When a bond forfeiture is declared by the court, the court is required to issue a *capias* for the defendant's arrest.

TRUE

FALSE

93. When a defendant fails to respond to a summons, failure to appear charges may be filed against the defendant.

TRUE

FALSE

94. When a defendant is convicted at trial, the court may use the cash bond to pay the fine and costs.

TRUE

FALSE

95. If a defendant signs a conditional plea of *nolo contendere* when posting a cash bond, the court may forfeit the bond to pay the fine and court costs if the defendant fails to appear.

TRUE

FALSE

96. Section 6.03 of the Texas Penal Code defines culpable mental states as intentionally, knowingly, recklessly or accidentally.

TRUE

FALSE

97. A defendant waives and forfeits the right to object to a defect, error, irregularity in form, or substance of the complaint if the defendant does not object before the commencement of a trial on the merits.

TRUE

FALSE

98. A judge may permit a defendant who is detained in jail to enter a plea of guilty, nolo contendere or not guilty.
TRUE
FALSE
99. The governing body of a municipality may, by ordinance, provide authority for a judge of a municipal court of record to issue a seizure warrant for the purposes of securing, removing or demolishing property that is a nuisance or removing debris from a property.
TRUE
FALSE

TRIAL PROCESS AND PROCEDURE

100. Which of the following is the burden of proof in a criminal trial?
a. Beyond a reasonable doubt
b. By a preponderance of the evidence
c. Verdict
d. Expunction
101. Which of the following rights do not apply to defendants in municipal court?
a. The right to have a court appointed attorney
b. The right to file a motion for new trial after judgment is entered
c. The right to a jury trial
d. The right to have the judge assess punishment after being found guilty
102. Which of the following is a right of a defendant in municipal court:
a. To represent themselves
b. To receive a copy of the complaint
c. A court appointed attorney if determined indigent and the court concludes the interest of justice requires representation
d. All of the above.
103. Which of the following processes may municipal court clerks issue?
a. Warrant
b. Subpoena
c. Capias pro fine
d. Summons
104. At what point may a continuance be granted?
a. When the motion for continuance is received by the court
b. When the clerk received information that the defendant needs a continuance
c. On written motion upon sufficient cause shown and noted
d. Anytime the court has been notified by phone or voice mail

105. What is the proper term for when a court pronounces judgment?
- Arrestment
 - Magistration
 - Adjudication
 - Discretion
106. What is a challenge to the array?
- A motion to shuffle jurors
 - A motion that the entire jury panel be discharged because they were chosen with a bias
 - A motion to strike a juror for a legal reason during jury selection
 - None of the above
107. What is “The Rule?”
- A motion asking that all witnesses be sworn in at the same time
 - A motion asking that the defendant adhere to all the rules of the court
 - A motion asking the court to keep all witnesses outside the courtroom so that they do not hear each other’s testimony
 - A motion asking the court to immediately rule on all physical evidence
108. What is the venire?
- A list of defendants set for trial on a certain date
 - A list of citizens filing complaints
 - A list of prospective jurors
 - A list of prospective dates to schedule jury trial
109. Which of the following is not a valid legal exemption that a potential juror could claim?
- The person has a business meeting out of town
 - The person is a full time student
 - The person has custody of a child under the age of 12 that if the person reported to jury duty would cause the child to be left without adequate supervision
 - The person is the primary caretaker of a person who is unable to care for himself or herself
110. The clerk’s role in the trial process includes:
- Assisting Pro Se defendants with their defense strategy
 - Managing administrative processes on the day of trial
 - Applying the facts to the law
 - Chatting with police officers while they wait
111. When establishing procedures for citizen’s complaints, clerks should work with:
- City Council
 - A citizen advisory board
 - The prosecutor
 - The police chief

112. If the court determines that the offense involved family violence, the court shall:
- Automatically issue a Magistrate's Emergency Protective Order (EPO)
 - Enhance the charges
 - Require the defendant to testify
 - Make an affirmative finding and enter it in the judgment
113. When the clerk receives a Motion for New Trial, the clerk should:
- Hold for 10 business days
 - Deny and return to the defendant
 - Notify the judge immediately
 - Forward the case to county court
114. Municipal courts are required to try all cases within 60 days of the request for trial.
TRUE
FALSE
115. The court is still required to post the court docket in a public place even if the court provides internet access.
TRUE
FALSE
116. Proper signage throughout the court facility will help provide guidance to court participants.
TRUE
FALSE
117. The court may subpoena the parents or person having custody, care, or control of a child to produce a child witness in court.
TRUE
FALSE
118. A subpoena duces tecum requests a witness to bring with him or her something tangible that is desired as evidence.
TRUE
FALSE
119. Pretrial hearings provide an effective means of case flow management.
TRUE
FALSE
120. If a court cannot locate a certified interpreter within 75 miles of the court and if the language needed is other than Spanish, the court may appoint a spoken language interpreter.
TRUE
FALSE
121. A person who does not reside within the city may not serve as a juror in municipal court.
TRUE

FALSE

122. Personal information about jurors is public information and clerks may give it to anyone who asks.

TRUE

FALSE

123. When someone files a permanent exemption from jury service, the clerk must notify the county tax assessor/collector.

TRUE

FALSE

124. A person who is deaf or hearing impaired may not serve as a juror.

TRUE

FALSE

125. A person who fails to appear for jury duty may be charged with the offense of failure to appear and assessed a fine of \$500.

TRUE

FALSE

126. Municipal courts are required to pay jurors.

TRUE

FALSE

127. Only the defense may request that a jury be shuffled.

TRUE

FALSE

128. Only the six jurors who hear a case are required to read the juror handbook.

TRUE

FALSE

129. A peremptory challenge to a juror is commonly called a strike.

TRUE

FALSE

130. If a defendant fails to appear for jury trial, the judge may find the defendant “guilty in absentia” and assess maximum fine

TRUE

FALSE

POST-TRIAL PROCEDURES

131. What is the judgment of the court?
- The final legal decision of the court
 - The final payment of the fine and costs
 - The clerk's notation in the docket that closes the case
 - All of the above
132. When a defendant has been in jail before conviction, who is responsible for granting jail credit?
- The clerk does by noting it in the docket
 - The judge grants it when entering the judgment
 - The jail does when the defendant is released
 - All of the above
133. Before issuing a *capias pro fine*, what must the court do?
- Hold a hearing on the defendant's ability to satisfy the judgment and provide the defendant notice of the hearing
 - Send a summons
 - Charge the defendant with failure to appear
 - Nothing
134. When a court grants deferred disposition, what may the court require the defendant to pay up front?
- Court costs and a deferred fee
 - Court costs and a charitable donation to the judge
 - Court costs and the special expense fee
 - Court costs, the fine, and the special expense fee
135. Where does an appeal from municipal court go?
- County court
 - Common law court
 - Texas Supreme Court
 - Texas Court of Criminal Appeals
136. How does the Code Construction Act require courts to calculate time?
- Only count working days
 - Count calendar days, including the first and last day even if it falls on a weekend
 - Count calendar days, but don't count the day the action occurred and enlarge the time if the last day falls on a weekend or a holiday
 - Count week days except for those that fall on a holiday
137. When a defendant fails to pay a previously assessed fine, the judge may require a defendant to perform community service to discharge the fine.
- TRUE
FALSE
138. If an adult defendant fails to pay his or her fine, the judge, after notice and a hearing, may issue a *capias pro fine*.
- TRUE

FALSE

139. A defendant's property may be sold to satisfy a municipal court judgment.
TRUE
FALSE
140. A judge may not grant deferred disposition for a violation involving motor vehicle control to a defendant with a commercial driver's license.
TRUE
FALSE
141. When a defendant who is at least age 25 fails to complete the terms of deferred disposition, the judge may reduce the fine.
TRUE
FALSE
142. Defendants who request to take a driving safety course under Article 45.0511 of the Code of Criminal Procedure must have a Texas driver's license or permit and some form of valid financial responsibility.
TRUE
FALSE
143. Courts must require defendants to take the driving safety course within 90 days of the request and have the certificate in the court within 120 days of the request.
TRUE
FALSE
144. An appeal is the process of having a higher court conduct a new trial or review either the facts and law or just questions of law from a proceeding held in a lower court.
TRUE
FALSE
145. Trial de novo means that a defendant convicted in a non-record municipal court will have a new trial in the appellate court upon appeal.
TRUE
FALSE
146. A defendant who is charged with a city ordinance violation may not appeal his or her conviction.
TRUE
FALSE
147. An appeal bond may not be less than double the amount of fine and court costs.
TRUE
FALSE

148. A defendant in a municipal court of non-record who fails to complete a driving safety course or deferred disposition may not appeal his or her case.

TRUE

FALSE

149. If an appeal bond is not timely filed, the appellate court may not take jurisdiction.

TRUE

FALSE

STATE REPORTING AND COURT COSTS

150. What reports must the court submit to the Texas Department of Public Safety?

- a. Convictions of all traffic offenses
- b. Convictions of Alcoholic Beverage Code offenses involving minors
- c. Orders of deferred disposition of Alcoholic Beverage Code offenses involving minors
- d. All of the above

151. When are court costs required to be collected on cases?

- a. Only upon conviction
- b. Upon conviction and when judgment is deferred
- c. Upon conviction, deferral, and dismissal of a case
- d. Upon filing of the case

152. Courts do not report convictions for theft of gasoline because it is not a traffic offense.

TRUE

FALSE

153. Each magistrate or judge of a municipal court of non-record and each clerk of a municipal court of record are required to keep records of persons charged with traffic offenses.

TRUE

FALSE

154. When a court allows a defendant to enter into a payment plan on a traffic conviction, the court does not start counting the seven days to report the conviction to DPS until the final payment is made.

TRUE

FALSE

155. When a court requires a defendant to discharge the fine by community service, the court does not report that traffic conviction to DPS because the court has not collected any money.

TRUE

FALSE

156. When a defendant appeals his or her traffic case, the court does not report a conviction to DPS.
TRUE
FALSE
157. When a defendant completes a driving safety course, the court is required to report to DPS the date the case is dismissed.
TRUE
FALSE
158. If a non-resident violator fails to appear, the court should report the failure to DPS within six months after the date on which the traffic citation was issued because after six months, the other state will not enforce the Nonresident Violator Compact.
TRUE
FALSE
159. Courts are required to submit a monthly statistical report to the Office of Court Administration.
TRUE
FALSE
160. Cities may pass an ordinance to collect additional court costs without authorization by state law.
TRUE
FALSE
161. If a court does not report court costs timely, the city cannot keep any handling fee or the interest if the costs are kept in an interest bearing account.
TRUE
FALSE
162. When a defendant makes a partial payment, the clerk must credit the payment first to the fine.
TRUE
FALSE
163. Courts are required to place court costs in separate bank accounts.
TRUE
FALSE
164. The child safety fund is only collected on Rules of the Road offenses that are committed in a school crossing zone.
TRUE
FALSE
165. Cities under 5,000 population must pay the State all but one dollar of the fines and special

expenses for offenses under Title 7 of the Transportation Code after they reach 30 percent of the city's budget.

TRUE
FALSE

166. The \$50 warrant fee is collected only when a peace officer executes or processes a warrant or capias and there is a conviction in the case.

TRUE
FALSE

TRAFFIC LAW

167. When can the judge assess a compliance dismissal fee?

- a. When a defendant shows proof of a valid Texas driver's license that was valid at the time of arrest
- b. When the defendant changes his or her address on his or her driver's license
- c. When a defendant gets a headlight fixed
- d. All of the above

168. Which of the following is not the correct maximum fine?

- a. Passing a school bus - \$1,250
- b. Driving while license invalid - \$200
- c. No license plate - \$200
- d. Child passenger safety seat violation - \$250

169. All Rules of the Road offenses are moving violations.

TRUE
FALSE

170. For offenses that occur in a construction or maintenance work zone when workers are present, the judge is required to double the fine.

TRUE
FALSE

171. In Texas, all traffic cases are criminal.

TRUE
FALSE

172. The only way to meet financial responsibility for the "no insurance" law is by purchasing liability insurance from a licensed company doing business in Texas.

TRUE
FALSE

173. Purchasing insurance after receiving the citation is a defense requiring dismissal of the

citation unless the defendant was involved in a collision.

TRUE
FALSE

174. A person who has been stopped for speeding or for having an open container may be arrested and jailed even if he or she wants to sign the citation.

TRUE
FALSE

175. The fines collected for Title 7 of the Transportation Code convictions must be used in the city budget for the construction and maintenance of roads, bridges, and culverts or to enforce laws regulating the use of highways by motor vehicles.

TRUE
FALSE

COMMUNICATION SKILLS

176. What filters do people listen through?

- a. Their perceptions of a situation
- b. Their past experiences
- c. Their assumptions about what a person might be trying to say
- d. All of the above

177. What types of words do not show bias?

- a. Terms like policeman, fireman, workmen
- b. Terms like police officer, fire fighter, workers
- c. Terms like one-man operation or man made
- d. All of the above

178. Treating people fairly may mean that sometimes they are treated differently.

TRUE
FALSE

179. Research shows that verbal communication is the biggest factor of the communication process.

TRUE
FALSE

180. People who attempt to be intimidating are less successful if the clerk creates nonverbal barriers and actively assert his or her rights.

TRUE
FALSE

181. Being task-oriented and explaining court procedures helps defendants to respond more respectfully to court staff.

TRUE
FALSE

182. The thoughts and words used are more important than proper punctuation.

TRUE

FALSE