|  |  |
| --- | --- |
| NOTICE: THIS DOCUMENT CONTAINS SENSITIVE DATA | |
| CAUSE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | |
| IN THE MATTER OF | IN THE \_\_\_\_\_\_\_\_ COURT |
|  | OF \_\_\_\_\_\_\_\_ COUNTY, TEXAS |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | SITTING AS A JUVENILE COURT |

ORIGINAL PETITION ALLEGING DELINQUENT CONDUCT

COMES NOW the State of Texas, by and through the [District/County] Attorney of \_\_\_\_\_ County, Texas, hereinafter styled “Petitioner,” and files this petition, pursuant to Section 53.04, Texas Family Code, against \_\_\_\_\_\_\_\_ hereinafter styled “Juvenile-Respondent,” who is alleged to have engaged in delinquent conduct, and as grounds that the Juvenile-Respondent engaged in delinquent conduct the State would show this Honorable Court that the State has information and good reason to believe and does believe the following:

I.

The Juvenile-Respondent is a child as that term is defined in Title III of the Texas Family Code, is \_\_\_\_\_ years old, and resides at \_\_\_\_\_\_\_\_.

II.

The parent [or guardian/custodian] of the Juvenile-Respondent is \_\_\_\_\_\_\_\_ who resides at \_\_\_\_\_\_\_\_.

III.

The Juvenile-Respondent is in need of rehabilitation and the protection of the public and the protection of the Juvenile-Respondent require that a disposition be made pursuant to Title III, Texas Family Code.

IV.

It is in the Juvenile-Respondent’s best interest to be placed outside their home, and reasonable efforts have been made to prevent or eliminate the need for the Juvenile-Respondent’s removal from the home and to make it possible for the Juvenile-Respondent to return to their home.

V.

The Juvenile-Respondent, a child as that term is defined in Title III of the Texas Family Code, did engage in delinquent conduct, to wit:

1. [INSERT CHARGING LANGUAGE IN NUMBERED COUNTS]

AGAINST THE PEACE AND DIGNITY OF THE STATE.

[\*Against the Peace and Dignity is not required by the Juvenile Justice Code, but many prosecutors include it due to custom, tradition, and personal preference]

Such conduct is delinquent conduct as defined by Section 51.03(a), Texas Family Code, in that it violates a penal law of the State punishable by confinement or imprisonment and is not defined as conduct indicating a need for supervision, to wit: Section(s) [cite code sections for each count above].

VI.

The State requests that this Court order the Juvenile-Respondent and the parents of the Juvenile-Respondent to pay full or partial restitution to all persons and victims suffering from personal injury or property damage as a result of all offenses alleged in Paragraph V herein, pursuant to Section 54.041 and 54.048, Texas Family Code.

VII.

The State requests that this Court order the Juvenile-Respondent, the parents of the Juvenile-Respondent, and other persons responsible for the support of the Juvenile-Respondent, to pay probation fees of up to fifteen dollars ($15.00) per month pursuant to Section 54.061 of the Texas Family Code if the Court places the Juvenile-Respondent on probation.

VIII.

The State requests that this Court order the parents of the Juvenile-Respondent or other persons responsible for the support of the Juvenile-Respondent to pay all reasonable and necessary costs for court appointed attorneys pursuant to Section 51.10 of the Texas Family Code.

IX.

The State requests that this Court, after disposition hearing, order the Juvenile-Respondent committed to the care, custody, and control of the Texas Juvenile Justice Department for an indeterminate period of time not to exceed their nineteenth birthday or place the Juvenile-Respondent on probation.

PRAYER

Wherefore, the State of Texas prays:

1. that this Court direct that summons be issued and served on all parties as required by Title III, Texas Family Code;
2. that this cause be set down for an adjudication hearing on some date and at a place to be fixed by this Court;
3. that upon an adjudication hearing, the said Juvenile-Respondent be found to have engaged in delinquent conduct, and that such disposition of the said Juvenile-Respondent be made which this Court deems to be for the best interest of the Juvenile-Respondent, and for the protection of the public, and for the protection of the Juvenile-Respondent;
4. that upon disposition, the Juvenile-Respondent and the parents of the Juvenile-Respondent be ordered to appear and show cause why they, or each of them, should not be ordered to pay all restitution assessed in this case;
5. that upon disposition, the Juvenile-Respondent, the parents of the Juvenile-Respondent, and other persons responsible for the support of the Juvenile-Respondent be ordered to appear and show cause why they, or each of them, should not be ordered to pay a probation fee of no more than fifteen dollars ($15.00) per month;
6. that upon disposition, the Juvenile-Respondent’s parents and other persons responsible for the support of the Juvenile-Respondent be ordered to appear and show cause why they, or each of them, should not be ordered to pay court appointed attorney fees;
7. that Court grant all other relief, in law and equity, to which petitioner may be entitled.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[name]

Assistant [District/County] Attorney

[address]

[phone] [fax]

State Bar # \_\_\_\_\_\_\_\_

[email]

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above State’s Original Petition Alleging Delinquent Conduct was served on defense counsel, \_\_\_\_\_\_\_\_, on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_, by email.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[name]

Assistant [District/County] Attorney