

Probation, or as it is called in Texas, Community Supervision, is a good way for clients to avoid having to go to jail. Under Chapter 42.12 §20 of the Texas Code of Criminal Procedure, a defendant who is on community supervision may have their community supervision reduced or terminated. Once a defendant has completed 1/3 of the original community supervision period or two years of community supervision, whichever is less, the period of community supervision *may* be reduced by the judge. A defendant's community supervision *shall* be reduced or terminated upon the completion of 1/2 of the original community supervision period, unless the defendant is delinquent in paying fines, costs or fees that the defendant has the ability to pay, or the defendant has not completed court-ordered counseling or treatment. If the judge discharges the defendant, the judge may set aside the verdict or permit the defendant to withdraw his or her plea, and the accusation, complaint, information or indictment shall be dismissed. The defendant would then be released from all of the penalties and disabilities associated with having a guilty verdict or plea on their record.

This chapter of the Texas Code of Criminal Procedure is a great tool for a client that has either fully completed community supervision, or has completed at least half of the community supervision period. Once the judge has set aside the verdict or permitted the client to withdraw his guilty plea, the client can apply for an expungement and his or her record would be clear of the crime. If you think you might qualify for this, please call us at (972) 499-8129 and let us help you clear your criminal record.