



DIVERSIONS AND AMENDMENTS

Some cases may be disposed of without a trial through a plea agreement, amendment, or diversion program. These are all done at the discretion of the City Prosecutor. They are a privilege, not a right. The City Prosecutor is not obligated to discuss your case. These agreements are made between the defendant and/or the attorney hired for the case and the Prosecutor. The Judge is not bound by the agreements and may reject any or all of an agreement.

DIVERSION

The City Prosecutor has established a diversion program for first offenses of eligible traffic and misdemeanors. A diversion is simply a contractual agreement between the accused and the City Prosecutor's office that says if the accused meets certain conditions and obligations the case will be dismissed. Typical diversion agreements require the accused to pay a fine (varies), restitution (if any), a \$100.00 diversion fee and court costs, as well as not violate the law for a period of time. Some diversion agreements can also include the requirement that the accused obtain anger management counseling or alcohol education classes. As part of the diversion agreement, the accused must admit that he or she committed the crime. **If a person wants to apply for a diversion they must plead not guilty in Court if they have not already submitted a diversion application prior to their Court appearance.** Once a person pleads guilty, he or she would no longer be eligible for a diversion.

AMENDMENT

Some traffic infractions may be amended to non-moving violations, assuming the defendant has a clean driving history for at least the last 12 months, for an additional \$100.00 amendment fee. This would keep the violation from affecting your clean driving record.

NOTE: Diversions/Amendments/Plea Bargains are NOT a right of the accused. Not all crimes are eligible for diversion. All are granted solely at the discretion of the City Prosecutor.