

IN THE TRAFFIC COURT OF DALE COUNTY, ALABAMA

STATE OF ALABAMA

V.

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CASE NO.: _____

PRETRIAL DIVERSION AGREEMENT

The above-named defendant and the State of Alabama hereby agree to pretrial diversion of the above-styled case under the following conditions:

REQUIRED CONDITIONS

 X **1.** That the defendant consents to supervision by the District Attorney's office for a period of 3 months and shall pay an assessment of _____ to be paid by _____ to the Circuit Clerk. All remaining monies owed must be paid by _____.

ADDITIONAL CONDITIONS

 X **2.** That the defendant further agrees to pay:

 X **A.** Court Costs to be determined by Circuit Clerk.

_____ **B.** Restitution to the Department of Forensic Sciences (_____)

 X **C.** Assessment to the Dale County Commission (\$25.00)

 X **D.** Assessment to Circuit Clerk (\$25.00)

_____ **E.** Restitution to the agency (_____)

making the case \$ _____.

 X **3.** That the defendant will not violate any laws of the State of Alabama, any other state, or any Federal laws during the supervision period.

4. That the defendant shall remain at the following address:

subject to the following restrictions: _____

5. That the District Attorney and the defendant agree that all admissions, records, or other communications involving the Pretrial Diversion Program shall not be admissible in any subsequent criminal proceeding.

6. That violation of the conditions of the Pretrial Diversion Agreement will result in the termination of the program and the defendant shall be prosecuted as charged. A termination letter will be mailed to the above address and the defendant may show cause as to why he/she should not be terminated. The defendant agrees that there shall be no hearing concerning the termination and that it is at the sole discretion of the District Attorney as to whether good cause has been shown.

7. In the case of termination, payments for the Pretrial Diversion assessment will not be applied to the court costs, restitution, or other fees should the defendant fail to complete the program. Payment or partial payment of restitution, treatment or other costs and fees may be applied to the defendant's obligations upon conviction subject to the discretion of the court.

8. Other: **COMPLETE DRIVING SCHOOL**

9. That upon satisfactory completion of the terms and conditions enumerated above, as evidenced by the initials of the parties, the State of Alabama will:

A. Dismiss the charges against the defendant with prejudice.

X **10.** The defendant acknowledges that the record of his/her arrest will not be erased even if he/she completes the Pretrial Diversion Program and the charge against him/her is dismissed.

 X **11.** The defendant acknowledges that he/she is responsible for providing all receipts, including payments to the clerk's office or Court Referral Program, and certificates of completion, etc. necessary to confirm his/her compliance with the above terms.

Done this the _____ day of _____, 200____.

Attorney for Defendant

Defendant

Sworn and subscribed to this the _____
day of _____, 200____.

Notary Public