

**IN THE ATHENS COUNTY MUNICIPAL COURT
ATHENS OHIO**

State of Ohio, Plaintiff,

v.

√

Printed Name of Defendant.

Driving Under Suspension Diversion Contract

I, the above Defendant, am charged with driving under suspension or no operator's license. I ask to enter the Court's Driving Under Suspension Diversion Program. By following this agreement and order, I receive the following benefits: (a) Upon successful completion of the program, my complaint will be dismissed; (b) I will have guidance and encouragement in getting my license back. Accordingly, I agree to the following program requirements:

- *I hereby certify that:*
 - *there are no active warrants issued for my arrest,*
 - *that this driving under suspension charge does not accompany a DUI charge,*
 - *that there was not an accident or charge of leaving the scene of an accident involved with the charge,*
 - *and I was not charged with driving under an OVI/ALS suspension.*
 - *I understand that I must have valid insurance, and I may have to meet other criteria in order to get my license back. The Diversion Coordinator will show me a printout from the Department of Motor Vehicles to help identify what I need to do to get my license back.*
 - *I understand that neither law enforcement nor the court is responsible for my charge.*
 - *If I choose to participate in this program, I am waiving my right to a speedy trial.*
 - *I also understand that I must communicate with the Diversion Coordinator and the court directly, not through parents or other interested parties (unless I have a diagnosed communication disability or English is not my primary language).*
1. **I AGREE TO GET A LICENSE AND KEEP IT VALID:** *I will look at my BMV printout to see the specific steps I need to take to get my license back and keep it.*
 - These actions may include getting an SR-22 or bond, getting valid insurance, meeting the expectations of courts in other towns or counties, and paying fees/fines.
 - If you have an Ohio license, we will use the BMV website to see if your license is valid. If you have an out of state license, proof of valid driver's license must be mailed, emailed, faxed, or turned in at the clerk's window of Municipal Court.
 2. **I AGREE TO PAY MY FEES BY MY COMPLETION DATE:** *I will pay the \$100 non-refundable program fee and court costs of \$105 within ninety (90) days of the date of this contract.*
 - The total amount of \$205 can be paid by money order, personal check from an established account, credit card issued in your name, or bank check. You may also have a fine for an accompanying charge, such as speeding or no seat belt. Any warrants or public defender fees must also be paid by your completion date.

Additional fines or fees _____

- We **do not** take online payments or payments over the phone.
 - You can bring your money to pay your fees to the court 8-4 on business days, or you can mail a money order or a check from an established account (not a starter check for a new account) to:
Athens County Municipal Court
8 E. Washington St.
Athens, OH 45701
 - Make checks or money orders out to Athens County Municipal Court or APMC. **Do not mail cash!**
 - The fee and costs may be paid in more than one installment; though, it is preferred it is paid in one. If installments are necessary, it is preferable that there is a maximum of only two payments.
 - Any required fines or fees for other courts or the BMV have nothing to do with the court and so, regardless of what you paid for them, the fee and costs you owe the court will be \$205 + other fines and fees as assigned.
3. **I AGREE TO OBEY THE LAW AND NOT DRIVE UNTIL MY LICENSE IS VALID:** *I agree not to violate any laws while I am participating in the Diversion program. I agree to be a law-abiding citizen, and to not use or possess drugs of abuse, for at least ninety (90) days from the signing of this contract. I understand that if I am charged with any jailable offense, and/or another Driving Under Suspension offense, or if I possess or consume drugs of abuse while participating in the program, I may be removed from the diversion program and prosecuted as prescribed by law for both the present and new charge.*
4. **I AGREE TO STAY IN TOUCH WITH THE DIVERSION STAFF:** *I will provide the Diversion Coordinator with at least two phone numbers at which I can be reached. If I have a working e-mail address, I will provide that, too.*
- You are expected to plan ahead and to e-mail or call when you have questions. “I didn’t know I had to do that or “I didn’t understand what to do” will **not** be accepted as excuses for failure to complete the program.
 - **If your phone number or address changes, contact the Diversion Coordinator and update your contact information.**

You are expected to make contact with the Diversion Coordinator to report your progress on these dates:

June , 2018 July , 2018 and Aug , 2018

and complete the program by , 2018

If you have not completed the program by the above date, come to court on Sept_____2018 at 2:10 pm.

*If it has been confirmed by the Diversion Coordinator that you have provided the Court with payment and proof of completion of the other diversion requirements, you do **not** have to appear on your scheduled diversion date unless there are additional charges (such as Speeding or Seat Belt violations).

* Please use e-mail to contact Dr. Kate Enger if you can. kenger@ci.athens.oh.us.

Dr. Enger’s desk phone number is (740)566-4211. If you call, leave a message including your **first and last name**. Make sure your voice mail is working and not full. This desk phone cannot accept text messages. For text only, use (740)541-7745.

docket link: <http://eservices.ci.athens.oh.us/eservices>

I agree to satisfactorily complete all four (4) components of the Diversion Program as outlined.

1. Completion of expectations detailed on my BMV report and discussed with Diversion Coordinator.
2. Payment to the court of required fees totaling \$205. I understand I may have other fines and fees that I am responsible for, too.
3. Good behavior for **at least** 90 days. Participants may be screened for substances of abuse and may not incur any new charges.
4. Contact with Dr. Kate Enger or a program intern or staff as detailed in this packet. I also understand that I must communicate with the Diversion Coordinator and the court directly, not through parents or other interested parties (unless I provide documentation of a diagnosed communication disability or English is not my primary language).

June , 2018 July , 2018, and Aug , 2018,
and complete the program by _____ , 2018

If I have not completed the program by the above date, I will come to court on Sept _____2018 at 2:10 pm.

If I have provided the Court with payment and proof of completion of the other diversion requirements, and if the Diversion Coordinator has assured me that I have completed the program, I do **not** have to appear on my scheduled diversion date unless there are additional charges (such as Speeding or Seat Belt violations).

If I satisfactorily complete the diversion program, the Court shall, upon payment of the costs, dismiss the driving under suspension or no operator’s license complaint. Accompanying charges will not be dismissed.

If I am terminated from the program, the Court will accept my previously held plea(s) of Guilty and will proceed to Sentencing.

Defendant’s printed name including middle initial Defendant’s signature

Dated: _____

Phone: _____ Alternate Phone: _____

Is it all right to leave messages about court at these numbers? ___ Yes ___ No

E-mail: _____ Date of Birth: _____

Address: _____

Driver’s License number or Social Security Number: _____ Case Number 2018TRD _____

Insurance Shown: Y N

Please keep the first page, and leave the rest for Dr. Kate Enger, Diversion Coordinator

docket link: <http://eservices.ci.athens.oh.us/eservices>

Voluntary Needs Assessment

Many participants in this program find it challenging to afford the BMV fines and their court costs. Completing this document will help us see if there are areas where we can help. We may be able to link you with services to make this program more manageable.

1) How often do you feel that you control the important events in your life? (Circle One)

Almost Never - Rarely - Sometimes - Often - Almost Always

2) What is the highest level of education you have completed so far?

3) How satisfied are you with your level of education?

(Not at all) 1 - 2 - 3 - 4 - 5 - 6 - 7 (Very Satisfied)

4) Which of these best describe your living situation?

- a) Homeless
- b) Renting
- c) Home Owner
- d) Student Housing
- e) Other: _____

5) How many times have you moved in the last 2 years?

6) Which of these best describes your employment situation?

- a) Unemployed
- b) Employed Full-Time
- c) Employed Part-Time
- d) On Disability
- e) Other: _____

7) How satisfied are you with your current employment situation?

(Not at all) 1 - 2 - 3 - 4 - 5 - 6 - 7 (Very Satisfied)

8) Which of these is your most used form of transportation?

- a) Driving
- b) Getting a ride
- c) Public Transportation
- d) Walking
- e) Other: _____

