



Painesville Municipal Court
Pre-Trial Diversion Program

Per the Ohio Revised Code § 2935.36, the prosecuting attorney or the court referred you to the Pre-Trial Diversion Program. The diversion program is for adults who are accused of committing criminal offenses and whom the prosecuting attorney and or court believes probably will not offend again. An accused who enters a diversion program shall do all of the following: (1) As a condition of an accused's participation in the program, the accused shall pay a fee of \$250.00 for supervision services that include, but are not limited to, monitoring and drug testing (the diversion fee shall be paid prior to the diversion hearing). Additionally, the accused shall pay court costs upon completion of the diversion hearing (you are not required to pay court costs on the same day you are placed into the program, only upon completion of diversion hearing). The accused is **not** assessed a probation fee as indicated in the "Rules of Probation", Rule #10. (2) Waive, in writing and contingent upon the accused's successful completion of the program, the Pre-Trial Diversion Release Contract. (3) Abide by all the specific sanctions and conditions ordered by the court.

If the accused satisfactorily completes the diversion program, the prosecuting attorney shall recommend to the trial court that the charges against the accused be dismissed, and the court, upon the recommendation of the prosecuting attorney (and probation officer), shall dismiss the charges. If the accused chooses not to enter the diversion program, or if the accused violates the conditions of the agreement, the accused may be brought to trial upon the charges in the manner provided by law. The Ohio Revised Code §2935.36(A)(1) thru (5)(b) details which offenders are **not** eligible for diversion. Additionally, you are eligible for the program if:

- a) You have no prior felony convictions.
- b) You have not been convicted of any misdemeanor offenses within the past ten (10) years, excluding minor traffic violations.
- c) You are not now engaged in delinquent or criminal activity.
- d) You have no pending charges against you.
- e) You have not participated in a prior pre-trial diversion program.
- f) You are not currently on probation.
- g) You have a need of this service and can benefit from it.

?? You will be given written notification of your Pre-Trial Diversion court date before you leave the courthouse today ??