OFFICE OF THE BARTON COUNTY ATTORNEY

Application for Traffic Diversion Program
(Please Print)

Last Name First Name Initial

Street Address

City State Zip Code

Home Phone Work Phone

Date of Birth

Drivers License Number State of Issuance

Your Attorney (If any)

Attorney Address (If any) Phone Number

Date Citation Received

Offense Charge (i.e. speeding, fail to stop, fail to yield, etc.)

If accepted, the defendant enters into an agreement for pretrial diversion. Prosecution of the charge will be deferred for a period, usually 6 months. If the defendant does not receive any traffic citations or commit any serious traffic or criminal offenses during the period of diversion, the charge will be dismissed. Failure to successfully complete diversion will result in the case being set for trial.

I hereby apply to participate in the Traffic Diversion Program. I waive a speedy trial and ask for a continuance of any trial for at least 6 months or until completion of the diversion period (with any delay being charged to me). I understand that any trial may be on stipulated facts and that I will not be entitled to present any other evidence. I agree that failure to respond to information sought or the giving of false information in this application are grounds to deny me diversion or to remove me from the program. I admit that I committed the traffic offense alleged in the Uniform Notice to Appear and Complaint.

Signature Date

INFORMATION YOU SHOULD KNOW

The Barton County Attorney has established a Diversion Program for some traffic offenders. Diversion is a privilege, which is controlled exclusively by the Barton County Attorney's Office. **It is not a right.**

To apply for diversion, fill out the application completely and submit the application within 14 days of receipt of the citation. Bring the application in person or mail it to:

Barton County Attorney's Office
Traffic Diversion
1400 Main, Room 302
Great Bend, Kansas 67530

If you are approved for diversion you will be required to pay the original fine, court costs, a Crime Stoppers donation of $25.00, and a diversion fee of $100.00.

YOU ARE NOT ELIGIBLE FOR A DIVERSION ON A CITATION IF ANY OF THE FOLLOWING APPLY:

1. The citation was for a **speed greater then 80** miles per hour in a **65-mph zone**, or a speed greater than **20** miles per hour over the speed limit in a zone of less than 65 mph.

2. You have prior conviction(s) for serious traffic misdemeanors (i.e. DUI, Driving while Suspended, Failing to Report an Accident, etc.)

3. You are the holder of a commercial driver's license **(CDL)** at the time the citation was issued.

4. The arresting officer reports that you were belligerent, insulting or uncooperative.

5. You have three or more moving violation convictions within the past 12 months.

6. You have five or more moving violation convictions within the past 5 years.

7. You fail to return the signed diversion agreement and pay the fees within the specified time.

8. If you pay your ticket prior to receiving the diversion agreement which gives explicit instructions on who to pay and how much to pay, **YOU WILL BE INELIGIBLE.**

9. The Barton County Attorney decides, for any other reason, not to grant diversion in your case.

QUESTIONS MAY BE REFERRED TO THE TRAFFIC DIVERSION COORDINATOR AT 620-793-1851.

PLEASE DO NOT SEND ANY MONEY AT THIS TIME.