

Pretrial Diversion Frequently Asked Questions

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1. How do I get on Pretrial Diversion?

Only the State Attorney's Office can approve your case for Pretrial Diversion.

If a judge has referred you to Pretrial Diversion, you must wait until the State Attorney approves your case.

You will know your case has been approved by the State Attorney when you receive letter in the mail instructing you to report for an intake appointment. If it has been more than 12 weeks since you were referred by the judge, call our office at 407-836-3000.

2. What do I do if I have a court date?

YOU MUST KEEP ALL COURT DATES.

Contact the Orange County Misdemeanor Court Clerk at (407) 836-2066 or Traffic Court Clerk at (407) 836-6000 regarding court dates. If you have access to a computer, you can also look up your case on the public website at <http://myorangeclerk.com>. Missing a court date may result in a warrant for your arrest.

You **MUST** notify the Clerk of court in **writing** if you change your address so that you can receive notice of your court dates by mail.

3. What if I am on Pretrial Release?

If you are on Pretrial Release and the judge has referred you to Pretrial Diversion, you **are not** on the Pretrial Diversion program until the day you sign the contract with the State Attorney. You **MUST continue to make your phone calls** and/or see your officer until you sign the contract for Pretrial Diversion.

4. Can I participate in Pretrial Diversion if I live in another state or country?

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Yes

If your charge is DUI, you will be required to report in person to sign your contract. You will also have to come back again in the fourth month of your supervision. You will complete your conditions where you live and your contact will be handled through the phone, the mail and e-mail.

For all other charges, you can sign your contract through the mail. You will complete your conditions where you live and your contact will be handled by telephone, mail and e-mail.

5. What if I decide I do not want to participate in the Pretrial Diversion Program?

If you decide you do not want to participate in Pretrial Diversion Program, either before you have started the program or after you are on the program, you **MUST** notify us. We will notify the Office of the State Attorney and your case will be placed back on the court docket and a court date will be scheduled. There is no penalty for this decision.

6. What if I can't afford the cost of the program?

If you feel you cannot afford to participate in the Pretrial Diversion program, please talk to an officer before declining to sign the contract.

7. When do I pay?

You cannot make any payments for your cost of supervision fee until at least one week after you sign the contract. At your intake appointment you will be instructed on how and when to pay your fees.

8. What if I do not complete the requirements for the Pretrial Diversion program successfully?

If you are terminated from the Pretrial Diversion program for failure to complete conditions or adhere to the program requirements, the Office of the State Attorney will be notified, and you will be scheduled to appear in court. You will **NOT** be given the opportunity to participate in the program again.

9. Now that I have been arrested or charged with a crime, what do I say on a job application?

Before you complete Pretrial Diversion your criminal record will show that you are charged with a crime and the case has not been resolved.

After you successfully complete Pretrial Diversion your criminal record will show that you were charged with a crime and that you participated in a deferred prosecution program. It

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will show that you were not convicted of this charge.

10. What if I need to have no criminal record in order to get a job in my chosen career?

If you want to shield your record from the public view, you will need to ask the court to have your record expunged. Having your record expunged is not a part of the Pretrial Diversion Program, you must do that yourself after you have completed the program.