



THE OFFICE OF THE DISTRICT ATTORNEY

THIRTY SEVENTH JUDICIAL CIRCUIT

LEE COUNTY, ALABAMA

JESSICA L. VENTIERE, DISTRICT ATTORNEY

www.leecountyda.org

The Pretrial Diversion program is a program for non-violent, first-time offenders. To be eligible for the program, you cannot have a prior pending felony on your record, you cannot have a prior charge for the same charge you are applying to the program with, and you cannot have completed the same or similar program in the past, in any county, in any state. All DUIs will be looked at on a case-by-case basis. If you have prior cases in which you have a remaining balance, **this balance must be paid in full prior to PTD acceptance.**

If you apply with a DUI, you will be required to have an Ignition Interlock device installed in your vehicle, complete drug/alcohol classes with the Court Referral office, complete community service hours, and have a balance that includes your court costs and fines to be paid in full, and anything else the District Attorney's office includes in your program within **12-months**.

If you apply with a drug-related case you will complete drug/alcohol classes with the Court Referral Office, complete community service hours, have a balance that includes your court costs and fines to be paid in full, and anything else the District Attorney's office included in your program within **12-months** (misdemeanors) & **18-months** (felonies).

All other cases will complete community service hours, have a balance that includes your court costs and fines to be paid in full, and anything else the District Attorney's office includes in your program within **12-months** (misdemeanors) & **18-months** (felonies).

All applicants are required to file the attached application for the Pretrial Diversion Program in the Lee County Circuit Clerk's Office, along with the \$100 application fee (cash, cashier's check, or money order – made payable to the Lee County Circuit Clerk). The Circuit Clerk's Office is located at the address listed below. Once the application has been processed, I will notify the defendant of the approval or denial of the application. If the defendant is currently in jail, I will notify the attorney on record. This can take up to 90-days.

Thank you,

Kambree Thomas

kthomas@leecountyda.org

(334) 737-3443

Pretrial Diversion Coordinator

Lee County District Attorney's Office

2311 Gateway Drive

Opelika, AL 36801

IN THE _____ COURT OF LEE COUNTY, ALABAMA
 STATE OF ALABAMA)
) Case Number(s):
 V.)
 _____)
 DEFENDANT)

APPLICATION FOR PRETRIAL DIVERSION
FOR THE 37TH JUDICIAL CIRCUIT OF ALABAMA

PLEASE PRINT LEGIBLY AND USE BLACK INK ONLY!! *Required fields

*Full Name: _____ Maiden Name, Nickname, Other Names Used: _____

*Date of Birth: ____/____/____ *Full SSN: _____ *Sex: M () F ()

*Race: _____

Home Address: _____ Employer: _____

City, Zip _____ Work Address: _____

Married: Circle YES or NO # of Dependents: _____ City, Zip _____

Home Phone: _____ Work Phone: _____

*Cell Phone: _____ *Email Address: _____

*Driver's License Number and State: _____ Is Your Driver's License Currently Valid? Y or N

Are you represented by an attorney? Circle YES or NO If yes, what is the name of your attorney? _____

Do you have a Commercial Driver's License (CDL)? Circle YES or NO or I do not know

Do you have an outstanding balance on a court case? Including any prior traffic tickets in any county, in any state. All outstanding balances MUST be paid in full prior to Pretrial Diversion acceptance. Circle YES or NO

Have you ever applied to a Pretrial Diversion Program in any state? Circle YES or NO Where/when?

_____ What offense? _____

Have you ever been granted Youthful Offender in any state? Circle YES or NO or I don't know Where/when?

_____ What charge? _____

Are you currently on probation? Circle YES or NO or I do not know Where/since when: _____

What offense(s): _____

What items were confiscated at the time of arrest? _____

List ALL charges arising out of the arrest about which you are applying for the Pretrial Diversion Program.

***FAILURE TO LIST A CASE/CHARGE WILL RESULT IN THAT CASE/CHARGE NOT BEING PLACED IN THE DIVERSION PROGRAM.*

Case Number: _____ Charge: _____ Agency: _____

Do you have any other charges pending? Yes _____ No _____

Case Number: _____ Charge: _____ Agency: _____

Case Number: _____ Charge: _____ Agency: _____

Case Number: _____ Charge: _____ Agency: _____

Have you ever been arrested for any crime, including DUI and minor traffic offenses? Yes _____ No _____

*All prior cases **MUST** be paid in full, and all requirements must be fulfilled before acceptance to Pretrial Diversion.

List those below:

Case Number: _____ Charge: _____ Agency: _____

Case Number: _____ Charge: _____ Agency: _____

Case Number: _____ Charge: _____ Agency: _____

Initial Each:

_____ I want to participate in the District Attorney's Pretrial Diversion Program. I understand that in order to participate in the Pretrial Diversion Program, I must plead guilty to the offense(s) for which I am charged. I understand and agree that if I am terminated from the program that I cannot withdraw my guilty plea for that reason.

_____ I understand that I will be evaluated by staff of the Pretrial Diversion Program to determine if I am eligible.

_____ I hereby authorize the District Attorney's Office to obtain any/all employment, school, medical, military, criminal, civil, and other records deemed necessary for the evaluation, and I hereby authorize all persons in possession of the information to release it to the District Attorney's Pretrial Diversion Program.

_____ I understand that if my application is determined eligible for consideration, a representative from the District Attorney's Pretrial Diversion Program will contact me and schedule an intake interview. I also understand that if I fail to complete the interview as scheduled, my application can be denied.

_____ I understand that if I am accepted into the Pretrial Diversion Program, I will sign an Agreement and will follow its terms or I can be terminated from the Pretrial Diversion Program. I agree not to violate any laws of the State of Alabama, any other state, or any Federal laws during the application period or during the course of the Program.

_____ I understand that if I am allowed to participate in the Pretrial Diversion Program and it is determined later that I have been untruthful in this application, I can be terminated from the Pretrial Diversion Program.

_____ I agree to meet with the Pretrial Diversion Coordinator to complete the Agreement with/without counsel. I understand that all admissions, records, or other communications involving the Pretrial Diversion Program shall not be admissible in any subsequent criminal proceeding.

_____ I understand that incurring a new criminal offense in any jurisdiction from this point forward will be grounds for termination or denial from the program.

_____ I have thoroughly read and understand the above terms and conditions required for admittance into the Pretrial Diversion Program.

Signature of Applicant

Printed Name

Date

I, _____, counsel for the Defendant, have read and thoroughly explained to the Defendant this document; the rules and requirements of the Lee County District Attorney's Pretrial Diversion Program as set forth herein; and the ramification and results of non-compliance with these terms by the Defendant.

By submitting an application, the Attorney of record is agreeing to cooperate with the court, the CRO, and all treatment providers in maintain contact with the applicant and to further assist the aforementioned person in obtaining and maintaining compliance by the applicant with all terms of the program.

Attorney's Signature

Printed Name

Date