DUII DIVERSION FORM 1

UNIFORM DUII DIVERSION PETITION AND AGREEMENT

DUII diversion forms 2, 3, and 4 must be filed with this form and served on the district attorney or city attorney who filed the charge.

Petitioner is to provide the information required in this box as follows (print or type):			
Petitioner's Name and Residence: _____ First Middle Last _____ Street City State ZIP _____ Mailing Address (if different)			Court where charge was filed and petition is to be submitted: Gladstone Municipal Court 525 Portland Ave, Gladstone, OR 97027 Case Number: _____ Date of DUII Offense: _____
Date of Birth: _____/_____/_____ Month Day Year	Phone #:	Driver License: _____ ____ Number State	

Petitioner's Agreement and Waiver

I, the petitioner, request that this court grant a diversion under ORS 813.200 to 813.270 in this case for the charge of driving under the influence of intoxicants (DUII). If the court allows this petition:

1) I agree to all of the items listed under the "Agreement with the Court" section of DUII Diversion Form 2 (located on the back of this form') and have read and understand all of the other information in Form 2;

2) I plead guilty or no contest to the DUII charge as shown in the plea petition (DUII Diversion Form 4) submitted with this diversion petition;

3) I waive (give up) the rights listed in the plea petition; and

4) I waive my former jeopardy rights under the federal or state constitutions and ORS 131.505 to 131.525 in any future action on the charge or any other offenses based on the same criminal incident.

_____ _____ _____
Petitioner's Signature Petition's Name (Typed or Printed) Date

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COURT ORDER

The court ☐ **(allows)** ☐ **(denies)** the petition for diversion. The DUII charge is alleged to have occurred on _____, 20____. If "allowed," this court withholds entry of a judgment of conviction pending completion or termination of the diversion, and orders that:

1) The diversion period is one year beginning on _____/_____/_____and ending on _____/_____/_____,

2) The petitioner must pay fees to the court for the diversion as required by statute unless waived or deferred; **Fees:** $_____

   ☐ **Due immediately,** or ☐ **Payment schedule:** $_____per month due by the _____ day of each month beginning _____/_____/_____

3) The petitioner ☐ (must) ☐ (need not) attend a victim impact panel approved by this court and ☐ (must) ☐ (need not) pay a participation fee to that program;

   Victim Impact Panel Date: _____

4) The petitioner must pay court-appointed attorney fees in an amount of $_____on a schedule set by the clerk of the court;

5) The petitioner ☐ (must) ☐ (need not) file a motion at the end of the diversion requesting that the DUII charge be dismissed;

6) The Petitioner must install an ignition interlock device in any vehicle operated by the petitioner during the period of the agreement (beginning on _____/_____/_____ and ending on _____/_____/_____) when the petitioner has driving privileges;

7) Other: _____

_____ _____ _____
Name of Judge Signature of Judge Date