

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:
Court where charge was filed and petition is to be submitted:
Court Name
Court Case Number
Date of DUII Offense
Date of Birth:
Phone #:
Driver License:
Number State

For Court File Stamp

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 unless filed electronically) and have read and understand all of the other information in Form 2 and Form 2A;
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

Petitioner's Name (typed or printed)

Date

COURT ORDER

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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