

Read this entire form carefully. You are charged with driving under the influence of intoxicants (DUII). You may apply for the DUII Diversion Program but can enter the program only if you meet all eligibility requirements. The court will appoint a lawyer to help you if you request one and the court finds that you are indigent.

ELIGIBILITY FOR DIVERSION PROGRAM. You are eligible to participate in the diversion program only if:

- you meet all requirements described in the attached *Petitioner Sworn Statement of Eligibility* (DUII Diversion Form 3); **and**
- you appeared in court on the date scheduled for your first appearance on the charge or the court finds good reason to excuse your failure to do so; **and**
- you file this petition with the court within thirty (30) days of your first appearance in court, unless the court finds there is good cause to allow a later date.

AGREEMENT WITH THE COURT. The *Uniform DUII Diversion Petition and Agreement* (DUII Diversion Form 1) is your agreement with the court. **To have the DUII charge dismissed, you must do all the following:**

- a. Pay to the court the required diversion fees identified in Section 1 of the *Summary of DUII Diversion Fees* (DUII Diversion Form 5). If you cannot afford to pay these fees, tell the judge. The court may waive some of the fees or allow you to make payments over time, depending on your financial situation.
- b. Complete an alcohol and drug abuse assessment as directed by the court. You must pay the assessment fee directly to the assessment agency. You must also give the agency accurate and truthful information about your use of drugs and alcohol. The agency will recommend a treatment program if the court finds that you need treatment.
- c. Complete the recommended treatment program. You must pay the treatment provider directly. If you cannot pay the cost of treatment, tell the treatment provider. The provider may be able to waive certain costs or allow you to make payments over time.
- d. Attend a victim impact panel and pay the participation fee as ordered by the court.
- e. Comply with state laws that prohibit the use of intoxicants.
- f. Do not use **any** alcohol or other intoxicant during the term of the diversion agreement, except for:
 - sacramental wine given or provided as part of a religious rite or service;
 - alcohol or a controlled substance taken as directed pursuant to a valid prescription; or
 - a non-prescription drug that contains alcohol so long as taken in accordance with the directions for use that are printed on the label.
- g. Keep the court advised at all times of your current mailing and residential addresses.**
- h. Install an approved ignition interlock device in all the vehicles you operate during the term of the diversion agreement when you have driving privileges.