

Eligibility for Misdemeanor Diversion

Checklist

- IF the current complaint is for a DUI, have you ever participated in diversion on a previous DUI?
- IF the current complaint is for a DUI, have you ever been convicted of or pleaded no contest to a DUI?
- Have you previously participated in a non-traffic diversion program in any city or state within the last 24 months?
- Was the current complaint issued as a result of a motor vehicle accident?
- Have you ever been convicted of a felony?
- Is the current offense a person crime or a sex crime?

Person Crimes

Assault
Battery
Defamation
Domestic Battery
Endangering a Child
Harassment by Telephone
Hosting Minors Consuming Alcohol
Mistreatment of Confined Person
Protection from Abuse Order Violation

Sex Crimes

Sexual Battery
Lewd and Lascivious Behavior
Material Harmful to Minors
Prostitution
Patronizing a Prostitute
Promoting Prostitution

If you can answer **NO** to **all** of these questions, then you are **ELIGIBLE**. This does **not** guarantee that your application will be approved, but you are presumed eligible.

❖ Do you have internet access?

If yes –Download the application form at www.cityofmclouth.org, by clicking on the Court tab and then looking to the bottom right under Forms/Information. Fill it out and mail it back to us. Instructions are on the website.

If no – We will mail you the application form. Call us at (785) 232-6200.

❖ There is a \$50 non-refundable application fee.

❖ You may be required to complete some form of treatment, at your own expense.

❖ You will be assessed a fine, the amount of which depends on your misdemeanor violation, and a diversion fee:

Class A Misdemeanors -- \$1,000.00 fee
Class C Misdemeanors -- \$500.00 fee

Class B Misdemeanors -- \$750.00 fee
Unclassified -- \$500.00 fee

- ❖ You will be assessed court costs and records cost, totaling approximately \$80.
- ❖ All fines and costs must be paid within **90 days** after your application is approved.