Office of the Wabaunsee County Attorney

Tim Liesmann, County Attorney

Courthouse, 215 Kansas Street
PO Box 278, Alma KS 66401-027

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WABAUNSEE COUNTY TRAFFIC INFRACTION DIVERSION POLICY Effective January 25, 2016

Eligibility:

1. The driver must not have any prior tickets, diversions or amended tickets within the preceding six (6) months.
2. The driver **must not** have a commercial driver's license.
3. The infraction must be for less than 30 miles over and not have occurred in a construction or school zone.
4. The driver must complete an application and **submit it with a self-addressed stamped envelope** for notification prior to the applicant's court date. **Applicant's failure to return the completed application by the last day to submit application, to include self-addressed stamped envelope with application, returns by fax or including payment with application are grounds for denying application.** It is the applicant's responsibility to appear at court dates unless otherwise excused.

Diversion Fee:

Court costs AND a diversion fee of double the fine schedule as used in the District Court plus $50.00. DO NOT SEND PAYMENT WITH APPLICATION. Send the payment only when you have been notified that your application for diversion has been accepted.

Payment:

Upon notification of the diversion fee amount, it must be paid using two separate cashier's checks, money orders or personal checks **within 10 days**. The first check is made payable to the Wabaunsee County Attorney. A second check will need to be payable to Wabaunsee County District Court for the court costs. DO NOT SEND CASH THROUGH THE MAIL. No receipt will be issued by the Wabaunsee County Attorney's Office. If payment is made by an insufficient funds personal check, the original traffic charge or charges will be immediately re-filed with the Wabaunsee County District Court.

Disposition:

You are responsible for attending all hearings as scheduled until your application is completely processed and the diversion agreement is entered into. The agreement will lay out the specific terms. The defendant/offender will be responsible for checking with the Clerk of the District Court if there is any question about the dismissal of the traffic citation. As a result of the dismissal of the traffic citation, the defendant/offender will not be required to appear at any future court appearances on the diverted charge and no record of conviction will be forwarded to the Kansas Department of Revenue, Division of Vehicles.

TRAFFIC DIVERSION APPLICATION

Return application to County Attorney, PO Box 278, Alma KS 66401

Last Name First Name Initial _____ Date of Birth _____

Street Address, City, State, Zip Code _____ Home Phone _____ Work Phone _____

Drivers License Number _____ State _____ Last traffic offense _____ Date _____ State of Occurrence _____

I hereby apply to be a participant in the Traffic Diversion Program and request the Wabaunsee County Attorney to temporarily delay trial against me in order to permit consideration of this application. I understand that the final decision to defer prosecution in my case rests entirely with the Wabaunsee County Attorney.

I hereby swear, under penalty of perjury, that the information contained in the foregoing application is true and correct to the best of my knowledge and belief.

_____ Date

_____ Applicant's Signature