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| **OFFICE OF THE ELLINWOOD CITY ATTORNEY**  **Application for Traffic Diversion Program**  *(Please Print)*  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Last Name First Name MI  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Street Address  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  City State Zip Code  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Phone Email  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Social Security Number Date of Birth  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Drivers License Number State of Issuance  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Defense Attorney (if any)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Defense Attorney Address Phone  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Citation Number Date Received  **Prior Traffic Offense**: How many traffic citations have you received within the past two (2) years whether convicted, found not guilty, still pending, dismissed, or received diversion, and what was the offense (i.e., speeding, DUI, failure to stop, etc.):  Number\_\_\_\_\_\_\_\_\_ Offense\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Prior Criminal Offense Record**: Have you ever been arrested or charged with a criminal offense during your life, whether convicted, found not guilty, still pending, dismissed, or received diversion?  Yes\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ No\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  I hereby apply to be a participant in the Traffic Diversion Program, waive speedy trial, and ask for a continuance of the trial for at least six (6) months and until after the completion of the diversion period with the delay charged to me. I agree that the failure to respond to information sought or the giving of false or incorrect information in this application is grounds to deny me diversion or remove me from this program. I admit that I committed the offense alleged in the Uniform Notice to Appear and Complaint.  I declare (or verify, certify, or state) under penalty of perjury that the information contained in this application is true and correct.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Signature Date |  | **INFORMATION THAT YOU SHOULD KNOW**  The Ellinwood City Attorney has established a Diversion Program for some traffic offenders. The City Attorney will determine whether to offer diversion based on all relevant information. Your driving record will be reviewed. Those with excessive or serious driving offenses will not qualify for diversion. ***If you have a Commercial Driver’s License (CDL) you do not qualify for diversion.***  Diversion is a privilege and not a right. There is no presumption in favor of diversion in any case and the defendant is required to show that diversion will serve the ends of justice and interest of the community. The City Attorney may deny the application for diversion for any reason permitted by law. If accepted, the defendant will enter into an agreement for pretrial diversion. The proceedings shall be continued for six (6) months at defendant’s request. Upon successful completion of diversion, the charges will be dismissed. Failure to successfully complete diversion will result in the case being set for trial.  If you want to apply for diversion, taking into consideration all of the preceding information, you must fill out the application completely and submit it within 30 days of receipt of the citation.  Send application to: Traffic Diversion, Ellinwood Municipal Court, 104 East 2nd Street, P.O. Box 278  Ellinwood, KS 67526.  If you are approved you will be required to pay at least the original fine, a $50.00 diversion fee, and court costs.  If you are not sure you are eligible, call  620-257-7900.  **IF APPLYING FOR DIVERSION,**  **DO NOT PAY FINE AT THIS TIME** |