

# PHILLIPS COUNTY ATTORNEY'S OFFICE

301 State Street, Ste E  
Phillipsburg, KS 67661  
(785) 543-6820

TRAFFIC

DIVERSION PROGRAM

The County Attorney has established a diversion program for qualified traffic offenders. A diversion is a privilege, not a right, there is no case where a diversion is guaranteed, and ANY application can be denied for any reason.

**Please complete the attached application and return with the non-refundable \$10 application fee.** Applications can be hand delivered to the Phillips County Attorney's Office or mailed to: **Phillips Co Attorney's Office**  
**301 State Street, Ste E**  
**Phillipsburg, KS 67661**

A diversion is an agreement, authorized under Kansas law, between the Phillips County Attorney and the Defendant, whereby the State of Kansas agrees to stay or defer prosecution of a traffic case for a certain amount of time called the diversion period or term. During this time period, a Defendant is required to obey and perform under certain conditions agreed to in a Diversion Agreement.

During this diversion period, the charge(s) are still on file with the Phillips County District Court, but the charge(s) are stayed or deferred. If the diversion period is successfully completed by the Defendant, the State of Kansas will agree to dismiss the charge(s). The case will be dismissed if, and only if, the Defendant has successfully complied with all terms and conditions required by the diversion agreement.

However, if a Defendant fails to abide by any and all the terms and conditions of the diversion agreement or violates any terms and conditions during the diversion period in any way, the Phillips County Attorney reserves the right to make a motion to terminate the diversion.

If a diversion agreement is revoked, prosecution on the charge(s) will resume on a trial to the Court on stipulated facts.

If you have any questions concerning the Diversion Program, please contact the Phillips County Attorney's Office at (785) 543-6820.

Please remember, however, neither the Phillips County Attorney nor the Administrative Assistant can give you ANY legal advice as to what you should do in your case or what is in your best interest. You always have a right to legal counsel. If you have any questions of a legal nature about your case and/or the diversion process, you should consult with a private attorney or contact the Phillips County District Court to see if you qualify for appointed counsel before proceeding.

# Phillips County Attorney Office Application for Traffic Diversion

<b>FOR OFFICE USE ONLY</b>
CASE # _____
APPLICATION DATE: _____
DEFENSE ATTORNEY: _____

Please complete and return with a non-refundable \$10 diversion application fee cash or check made payable to the:  
**Phillips County Attorney's Office**  
301 State Street-Suite E, Phillipsburg, KS 67661

## 1. PERSONAL INFORMATION

FULL NAME \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

Mailing Address (If different from residential address):

Address \_\_\_\_\_ City \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

Telephone (home) \_\_\_\_\_ (cell) \_\_\_\_\_

Email address \_\_\_\_\_

Date of Birth \_\_\_\_\_ Social Security # \_\_\_\_\_

Driver's License Number \_\_\_\_\_ STATE \_\_\_\_\_ CDL: YES or NO

Insurance Company Name (attach copy of insurance card)

Policy Number \_\_\_\_\_ Expiration Date \_\_\_\_\_

## 2. PRIOR AND CURRENT TRAFFIC OFFENSE RECORD: (If none, state none.)

Please state all juvenile & adult traffic incidents, DUI arrests, Diversions, Deferred prosecutions, convictions & expungements in Kansas or other states including those not resulting in formal charges or convictions.

<u>OFFENSE</u>	<u>LOCATION</u>	<u>DATE</u>	<u>OUTCOME</u>

# Phillips County Attorney Office Application for Traffic Diversion

Have you been granted a diversion on a previous offense? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, name and location of county \_\_\_\_\_

**3. State in your own words and in detail the facts of the current case which caused charges to be filed:**

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**4. Explain why you feel the County Attorney should grant your diversion request?**

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I, the within named defendant, hereby request that the County Attorney propose a diversion agreement for myself, and in furtherance of my request I have read and completed the foregoing application. All the information is true and correct. I understand that if any of this information is not true and correct, this may be a basis for denial of diversion or withdrawal of diversion.

Prior to making this application, I have been fully informed of the policies and guidelines of the diversion program adopted by the office of County Attorney.

I request that the Court enter an order of general continuance for the period of diversion, and I understand that I will be required to pay the costs of this action if diversion is granted

Dated: \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Defendant's Signature