



**STEELE COUNTY PRE-TRIAL DIVERSION AGREEMENT**

**Name:** \_\_\_\_\_

**Court File No.** \_\_\_\_\_

**The defendant must write his/her initials behind each of the following:**

- (1) I hereby acknowledge guilt for the charge to be diverted. I understand that the Court will not formally accept my guilty plea pending my completion of this diversion agreement. If I successfully complete this diversion agreement, no conviction will be entered for the charge to be diverted. I understand that if I violate any of the terms of this agreement, the Steele County Attorney's Office will notify the Court and the Court will formally accept my guilty plea, causing a conviction to be entered in this case. \_\_\_\_\_
- (2) I hereby waive my right to a speedy trial and any similar defense based upon the delay brought about by my participation in the pretrial diversion program. \_\_\_\_\_
- (3) By entering a guilty plea to charge to be diverted, I hereby waive my right to trial by jury now or in the event I violate the conditions of the pretrial diversion program. \_\_\_\_\_
- (4) I hereby do not waive my right to any omnibus or evidentiary hearing on any constitutional or evidentiary issues. \_\_\_\_\_
- (5) I hereby agree to make restitution to the victim(s) of the crime, if any, and such payments must be made in full prior to being discharged from the pretrial diversion program. Such restitution will be paid in the amount of \$\_\_\_\_\_ at a rate of \$ \_\_\_\_\_ per \_\_\_\_\_ beginning on \_\_\_\_\_.
- (6) I hereby agreed to remain law abiding during the entire period of pretrial diversion program, which includes no arrests, citations, or charges brought for a misdemeanor, gross misdemeanor, or felony offense committed during the period of the pretrial diversion program. Any arrests, citations or charges for offenses committed prior to entering the pretrial diversion program, but not issued until after entering into the program, also will result in my disqualification from the

program unless I provided complete and truthful information regarding the prior offenses to the Steele County Attorney's Office before entering into the program. \_\_\_\_\_

(7) I hereby agree not to engage in specified activities, conduct or associates, as separately determined by my probation officer, during the entire period of the pretrial diversion program.  
\_\_\_\_\_

(8) I hereby agree to provide complete and truthful information about and to testify against co-defendants or confederates to the offense being diverted. \_\_\_\_\_

(9) I hereby agree to attend and successfully complete a rehabilitation program, including chemical dependency, psychological or other treatment, counseling, training or education, if recommended, and to pay for the costs of the program(s). \_\_\_\_\_

(10) I hereby agree to perform community service in the amount of \_\_\_\_\_ hours. \_\_\_\_\_

(11) I hereby agree to no contact with the victim(s) of or witness(es) to the crime for the duration of the pretrial diversion program, if requested by the victim(s) or witness(es). \_\_\_\_\_

(12) I hereby attest that I have provided complete and truthful information regarding past criminal record, juvenile record, residences, education, psychological or medical treatment, finances, etc., in order to ensure I am eligible for participation in the program, and I hereby agree to sign releases for any of this information if I am requested to do so. \_\_\_\_\_

(13) I hereby agree to pay for any costs of the pretrial diversion program. \_\_\_\_\_

(14) In cases where there may be a potential statute of limitations defense, I hereby agree to waive any statute of limitations defense. \_\_\_\_\_

(15) I agree to contact the diversion worker with any change in address, telephone number or contact with law enforcement. \_\_\_\_\_

(16) I have been informed by my attorney of my right to demand the issuance and service of a warrant of extradition and my right to apply for a writ of habeas corpus to test the legality of my arrest. I hereby waive the issuance and service of a warrant of extradition and the right to apply for a writ of habeas corpus, and I hereby freely and voluntarily agree to return (go) to the State of Minnesota, accompanied by a peace officer for the purpose of answering this criminal charge pending against me. \_\_\_\_\_

**TERMINATION AND COMPLETION**

If the Steele County Attorney’s Office or Steele County Community Corrections has reason to believe the offender has violated any of the conditions of the pretrial diversion agreement or provided false or misleading information prior to the time the agreement is due to expire, the Steele County Attorney’s Office may file a motion with the Court to proceed with entry of the guilty plea and sentencing of the offender.

If the offender successfully completes the period of pretrial diversion set forth in the agreement, the offender and/or his attorney will be notified that the pretrial diversion was successfully completed and is terminated. Upon successful completion, the Steele County Attorney’s Office will file a dismissal of the case diverted.

**EFFECTIVE DATE**

This Agreement shall become effective as of the date it is signed by the individual parties herein below provided and shall continue in force until terminated or completed as hereinabove provided.

\_\_\_\_\_  
Offender  
Signed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Offender’s Attorney  
Signed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Community Corrections  
Signed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Steele County Attorney’s Office  
Signed on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_