

**Pre-Trial Speeding / Misc. Traffic Diversion Information Sheet**

If you have been charged with speeding, or any offense that does not require you to appear before the Court, you may be eligible for consideration for the Butler County Attorney’s Office Traffic Diversion Program ONLY IF:

- You have NOT been convicted of a moving violation in this or any other state or municipality, more than 1 time within the past six (6) months; or more than three (3) times within the past three(3) years.
- The speed cannot be greater than 20 mph over the posted speed limit.
- You have a valid driver’s license; those with a **Commercial Driver’s License** are not eligible for Diversion.
- Citations received in a Construction Zone will only be accepted for diversion if the ticket is not more than 5 mph over the posted speed limit. Fines for these violations will be doubled.
- Citations for speeding in a School Zone or if as a result of an accident are not eligible for Diversion.
- You have current liability insurance.

You MUST apply for diversion before the due date on the back of your citation and pay the \$25.00 non-refundable application fee. If you are past the 30 days, you will need to contact the Court Clerk for an extension, 316-322-4370.

Application forms may be downloaded or they are available in the County Attorney’s Office, 201 W. Pine, Suite 104, El Dorado, Ks.

**If mailing the Application and Fee it should be made payable by: MONEY ORDER OR CERTIFIED CHECK (NO EXCEPTIONS!), PERSONAL CHECKS WILL BE RETURNED. MAKE PAYMENT PAYABLE TO: BUTLER COUNTY ATTORNEY. MAIL APPLICATION AND FEE TO: BUTLER COUNTY ATTORNEY, 201 W. PINE, STE 104, ELDORADO, KS 67042**

If your application for Diversion is accepted, a Diversion Agreement will be mailed to you. The County Attorney will postpone judicial proceedings on the charge against you for ninety (90) days. In return you must do the following:

1. PAY ALL COSTS, FINES AND FEES at the time the agreement is signed.

Fine: (As set per the fine schedule)

Diversion Fee:.....\$75.00

Application Fee.....\$25.00

(We will apply your application fee to the Diversion fee if accepted)

Court Costs:.....\$98.00

You will be responsible for payment of all additional court costs, if any, incurred during the course of your case.

2. Agree to waive your constitutional rights to a speedy trial on the charge against you.
3. Agree to stipulate to the police citation pertaining to the facts and circumstances of the charge against you.
4. Obey all laws of the United States and any other state or municipality.
5. Receive no moving violations for ninety (90) days.

Following are steps you need to give detailed attention to once we've accepted your application, or risk your request for diversion being denied.

- ✓ You **MUST SIGN** the back of the agreement that is mailed to you, (along with your attorney, if you have one) and **return it in its entirety** to: **Butler County Diversion Coordinator 201 W. Pine, Ste 104, El Dorado, Kansas 67042. The signed Agreement must be received BEFORE the filing due date. All unsigned agreements will be returned.**
- ✓ Along with the signed agreement, you **MUST enclose the FULL amount due.**
- ✓ We **DO NOT** accept personal checks! **CASHIER'S CHECK OR MONEY ORDER ONLY!! NO EXCEPTIONS!**
- ✓ **Make this final payment payable to: CLERK OF THE DISTRICT COURT.**

Should you decide not to accept the diversion, you will either need to pay the ticket(s) before the due date, or promptly contact the Clerk of the District Court, Traffic Division, at 316-322-4370 to request a trial date.

If you are not accepted for the Diversion Program, you will be expected to try or dispose of your citation by the date given on the back of your citation.

If you successfully complete the Diversion, the charges against you will be dismissed after ninety (90) days.

If you fail to complete the requirements of the diversion, the charges against you will be reinstated, you will forfeit any costs previously paid, and there may be additional fines and costs incurred. The matter will be then be set on the trial docket using only the information stipulated to in the Diversion Agreement.