

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  TELEPHONE NO.: _____ FAX NO. (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF IMPERIAL</b> <input type="checkbox"/> 650 Wake Avenue, El Centro, CA 92243 <input type="checkbox"/> 939 West Main Street, El Centro, CA 92243 <input type="checkbox"/> 2124 Winterhaven Drive, Winterhaven, CA 92283	
PLAINTIFF: PEOPLE OF THE STATE OF CALIFORNIA  DEFENDANT: _____	
<b>PRE-PLEA MISDEMEANOR ADVISEMENT AND ORDER</b> <b>(PC §1001.95 et seq.)</b>	CASE NUMBER: _____

**INSTRUCTIONS:** Read, date, and sign this form to participate in Pre-Plea Judicial Diversion. If you successfully complete the Diversion Program in compliance with the Court’s conditions, your case will be dismissed. If you do not successfully complete the Diversion Program, the Court will reinstate the criminal proceedings.

Defendant: Initial each statement below:

**ADVISEMENTS, RULES AND CONSEQUENCES**

1. \_\_\_\_\_ I understand that the Diversion Program will last no longer than 24 months, and that I am giving up my right to a speedy trial in order to participate in the Diversion Program. I understand that I am pleading “not guilty” to the charge(s) against me in this case.
2. \_\_\_\_\_ I understand that I am responsible for making full restitution payments to any victim(s) in this case, as ordered by the Court. However, my financial inability to pay restitution will not bar me from participation, nor will it prevent me from successfully completing the Diversion Program.
3. \_\_\_\_\_ I understand that I must comply with any court-ordered protective order, stay-away order, or order prohibiting firearm possession.
4. \_\_\_\_\_ I understand that if I successfully complete the terms of the Diversion Program, this case will be dismissed. However, I am still obligated to disclose this arrest in response to a direct question contained in a questionnaire or application for a position as a peace officer, as defined in CA Penal code 830.
5. \_\_\_\_\_ I understand that the court may, after notice to me, schedule a hearing to determine if I am complying with the terms of the Diversion Program. If the Court finds that I am not complying, the Court may terminate my participation in the Diversion Program and reinstate criminal proceedings.

DEFENDANT	CASE NUMBER:
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**DIVERSION ORDER**

Good cause appearing, the Court finds and orders as follows:

Defendant herein qualifies for judicial diversion pursuant to PC §1001.95 et seq., and orders the following for the term of diversion for \_\_\_\_ months:

Obey all laws.

Appear for all diversion reviews when ordered by the Court.

Pay restitution to the victim through the Probation Department in the amount of \$\_\_\_\_\_.

Comply with any court-ordered protective order.

Any bail, bond, or undertaking deposited on behalf of defendant is ordered exonerated, and defendant shall be released on his/her own recognizance.

Defendant shall comply with the following additional terms and conditions of the Pre-Plea Diversion Program:

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\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge

I have read this diversion advisement and order, and I understand its contents and conditions. I agree to accept all the conditions herein.

\_\_\_\_\_  
Date

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

Defense Counsel concurs with conditions and waivers.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney's Signature

**CERTIFIED INTERPRETER'S STATEMENT**

I, having been duly sworn or having a written oath on file, certify that I truly translated this document to the defendant in the following language: \_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Interpreter's Name

\_\_\_\_\_  
Interpreter's Signature