

MILWAUKIE MUNICIPAL COURT DEFERRED SENTENCING PROGRAM

The Deferred Sentencing Program is designed to allow safe drivers the opportunity to maintain a clean driving record by completing a driver education course and remaining violation-free for 12 months.

This program may be available if your citation is for one of the following charges:

1. A Class B, C or D moving violation; except school or work zone speeding violations and Operating a Motor Vehicle while Using Mobile Communication Device.
2. . Class B violations have a presumptive fine of \$260, Class C violations have a presumptive fine of \$160, and Class D violations have a presumptive fine of \$110.

You are not eligible for this program if you have any one of the following:

1. Commercial Drivers License
2. Multiple moving violations on one citation.
3. If you enter a plea of Not Guilty and ask for a trial.

QUALIFICATIONS

To participate in the Deferred Sentencing Program you must meet the following qualifications:

1. No moving violations for last 5 years.
2. No pending moving violations anywhere.
3. No pending criminal cases anywhere.
4. Have not participated in deferred sentencing in any jurisdiction within the last 10 years.
5. There must be no objection by the citing Officer.

To successfully complete the program you must do all of the following:

1. Pay the court fee (equal to the presumptive fine) within 30 days of approval.
2. Pay a class fee of \$50.00 and attend the High Risk Driver course at Legacy Emanuel Hospital within 90 days of approval.
3. Deliver proof of class completion certificate to the court within 120 days.
4. Receive no moving violations or criminal charges during the 12 months following entry into the program.

Upon successful completion of the program, the citation will be dismissed.

If you qualify for the deferred sentencing program, and wish to participate, please fill out the attached sentencing agreement and return it to the court for approval by the Judge

Please Note: Driver course and court fee cannot be paid prior to approval by Judge.

IMPORTANT: By signing a Deferred Sentencing Agreement, you are:

1. Pleading no contest to the charge.
2. If you strictly comply, you are earning a dismissal of the charge.
3. If you fail to strictly comply, you will be convicted of the charge.
4. Swearing under penalty of perjury, that you meet all the above qualifications.

**MILWAUKIE MUNICIPAL COURT
DEFERRED SENTENCE AGREEMENT/ORDER**

Name: _____

Violation: _____

Driver's License #: _____

Citation Number: _____

By signing this agreement, I am entering a plea of no contest to the charge and I swear under penalty of perjury I meet all eligibility requirements for this deferred sentence. I will do the following:

1. Pay a fee equal to the presumptive fine of \$_____ to the court within 30 days of the date of Judge's approval.
2. Pay the \$50.00 class fee and complete the Legacy Emanuel High Risk Driver Course within 90 days of approval.
3. Deliver proof of completion certificate to the court within 120 days of the approval.
4. Receive no new criminal charges or moving violations within the 12 months following the signing of this agreement.
5. Keep the court advised immediately of any changes of address or phone number.
6. Appear in court, if directed to do so by the court.
7. Other conditions: _____

I understand that if I fully comply with this agreement, the plea I have entered will be withdrawn and the charge dismissed. I also understand that my failure to strictly follow the terms of this agreement will result in my plea and convictions being entered on my driving record.

Date: _____

Signature: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

Defense Attorney: _____

Judge's Signature: _____ Date: _____