



Diversions

INFORMAL ADJUSTMENT

PRETRIAL DIVERSION

JUDICIAL DIVERSION

<p>INFORMAL ADJUSTMENT</p> <p>TCA 37-1-110, RULE 201</p>	<p>PRETRIAL DIVERSION</p> <p>TCA 37-1-110, RULE 202</p>	<p>JUDICIAL DIVERSION</p> <p>TCA 37-1-129, RULE 209</p>
<p>Parties sign an Informal Adjustment Agreement.</p> <p>No admission is made.</p>	<p>Parties sign a Pretrial Diversion Agreement.</p> <p>No admission is made.</p> <p>Must be approved by Judge.</p>	<p>Parties appear before the Court.</p> <p>Child pleads guilty or no contest.</p> <p>Judicial Diversion Order is entered.</p>
<p>Term is up to 3 months.</p> <p>Judge can extend an additional 3 months.</p> <p>Can not exceed 6 months.</p>	<p>Term is up to 6 months.</p> <p>Judge can extend an additional 6 months.</p> <p>Can not exceed 12 months.</p>	<p>Term is up to 6 months.</p> <p>Judge can extend an additional 6 months.</p> <p>Can not exceed 12 months.</p>

EXTENDING DIVERSION

INFORMAL ADJUSTMENT	PRETRIAL DIVERSION	JUDICIAL DIVERSION
<p>File Request to Extend Informal Adjustment w/ Approval.</p> <p>Must be filed BEFORE 3-month date.</p> <p>Parties must agree to extension or must be set for hearing.</p>	<p>File Motion to Extend Pretrial Diversion & Order.</p> <p>Must be filed BEFORE 6-month date.</p> <p>Parties must agree to extension or must be set for hearing.</p>	<p>File Motion to Extend Judicial Diversion & Order.</p> <p>Must be filed BEFORE 6-month date.</p> <p>Parties must agree to extension or must be set for hearing.</p>

If Extension is granted, the order must state what conditions remain open and why it is in the child's best interest to extend diversion. A case status is added, and a new end date is added to the diversion requirement.

If Extension is denied, the petition is either dismissed or set for hearing on original petition.

VIOLATING DIVERSION

INFORMAL ADJUSTMENT	PRETRIAL DIVERSION	JUDICIAL DIVERSION
<p>File Notice of Termination of Informal Adjustment and send copy to parties.</p> <p>Original Petition/Citation may be set for hearing, serve parties.</p>	<p>Add incident with violation of pretrial diversion statute.</p> <p>File Petition - Violation of PTD/JD</p> <p>Set for hearing, serve parties.</p>	<p>Add violation incident with violation of judicial diversion statute.</p> <p>File Petition - Violation of PTD/JD</p> <p>Set for hearing, serve parties.</p>

VIOLATION HEARING

PRETRIAL DIVERSION

Prepare Order of Violation of Pretrial Diversion

The Judge can:

- Find the child violated Pretrial Diversion
- Continue the child on Pretrial Diversion
- Extend the Pretrial Diversion
- End the Pretrial Diversion and dismiss the petition or not.
- Have a hearing on the original petition and
 - Child admits or denies - set for trial.
 - Dismiss the offense(s)
 - Find the child guilty of the offense(s)
 - Adjudicate the child.
 - Enter Disposition.

JUDICIAL DIVERSION

Prepare Order of Violation of Judicial Diversion

The Judge can:

- Find the child violated Judicial Diversion
- Continue the child on Judicial Diversion
- Extend the Judicial Diversion
- End the Judicial Diversion and dismiss the petition or not.
- Have a hearing on the original petition and
 - Dismiss the offense(s)
 - Find the child guilty of the offense(s)
 - Adjudicate the child.
 - Enter Disposition.

DISMISSING DIVERSION

INFORMAL ADJUSTMENT	PRETRIAL DIVERSION	JUDICIAL DIVERSION
File Motion to Dismiss Diversion and Order Granting.	File Motion to Dismiss Diversion and Order Granting.	File Motion to Dismiss Diversion and Order Granting.