



Frequently Asked Questions about Adult Diversion

Q: How much will this cost?

A: The most a defendant would pay is \$75 a month supervision fee. Each defendant completes a financial form to see if they qualify for a reduced fee. If a defendant has AHCCCS or private insurance diversion will try to send the defendant to a provider that takes their insurance first. There are situations that this does not always work

Q: What kind of counseling will I be told to do?

A: Counseling specifics to include length, type, location, and platform will not be known until you complete your intake with a diversion officer as they will meet with you and complete an assessment to determine most appropriate services.

Q: Can I do this out of State, or out of County?

A: Yes, we can accommodate both out of state and out of county. Intakes typically are done in person.

Q: What is intake?

A: Intake is your first appointment with a diversion officer. At that appointment you will do a questionnaire that will assist the diversion officer with finding the right counseling or treatment. This appointment is typically conducted in person. During this appointment, a plan is put together for your diversion case. If you are want to provide paperwork for reduced fees, please bring paperwork with you.

Q: Do I have to plead guilty?

A: Diversion is a way to avoid a conviction, and learn tools to prevent you from coming in contact with law enforcement again over the same or related issues. By entering into diversion you are taking responsibility for your actions that occurred during the event that brought you into court. Diversion will require an admission statement; however that is not a guilty plea. If you fail out of diversion, for any reason, your admission statement can be used against you if we were to proceed to trial. If you fail out of diversion, the State has the right to set the case for trial or offer a plea.

Q: What will it show on my record?

A: If you successfully complete diversion, you will earn a dismissal in your case. As soon as you complete the requirements that are set for you by the diversion officer assigned to your case, the State prosecutor's office is notified and the case is dismissed. Once the case is dismissed, it will show it was dismissed on your record.

Q: How long is diversion?

A: That answer depends on a lot of factors and is not something that we can answer at this stage. Diversion candidates are given 6 months to complete diversion upfront, however many may finish the program before the 6 month mark. Diversion extensions can be given on a case by case basis.

Q: Community Service – why 25 hours and where can I do it?

A: 25 hours is the standard that we assign to all cases in justice court. It is up to your diversion officer on where you can complete your hours; however typically we are looking for new service – not something that you have done recently. In addition, it is usually required to be with a non-profit that you are not currently volunteering with. Your diversion officer can at times give community service hours for some donation drives, or give extra hours for in person service at certain in need locations. At times, diversion might offer additional classes that you can attend for community service hours instead of typical community service. However all diversion candidates should understand that is done at the diversion officer's discretion and is on a pure case by case review.

Q: How do you get kicked out of diversion?

A: Getting removed from the diversion program is never anticipated and is very rare. However, there are times that the diversion team may decide you are no longer a good candidate for diversion, and prosecution would resume on your case. Some of the following are reasons that could occur, however this is not an extensive list:

- 1) Not filling out admission statement
- 2) Committing a new offense, or not telling diversion about a prior felony offense
- 3) Not completing counseling
- 4) Not paying restitution or diversion fees

Q: How will I know when I am done?

A: After you complete all the requirements, including the last payment for diversion, your diversion officer will tell the prosecutor and they will file an official dismissal with the court. You should receive a copy of the dismissal. However, if you have not received a copy of the dismissal 7 days prior to your next scheduled court appearance, please call the court to see if the case was dismissed. If it has not been dismissed you must come to that court appearance.

Q: What if I have more questions?

If you have any additional questions or concerns that were not addressed here, please reach out to:

Pinal County Attorney's Office
Adult Diversion Program
520-866-6895

