

IN THE ATHENS COUNTY MUNICIPAL COURT, ATHENS OHIO

Alcohol Diversion Program Contract

*I, the above Defendant, am a first-time offender charged with an alcohol violation. I ask to enter the Court's Alcohol Violation Diversion Program. By following this agreement and order, I receive the following benefits: (a) Upon successful completion of the program, my complaint will be dismissed; (b) The Court will seal the official record of my case; (c) I have the opportunity to give something back to the community as well as further my education. Accordingly, I agree to the following program requirements:*

1. **EDUCATIONAL PROGRAM:** *I will complete SAAMCO, TAP, or another education program that has been approved by the Diversion Coordinator. I will make arrangements to enter the program, paying all costs associated with the program, and provide proof of successful completion to the Athens County Municipal Court. I will rely on myself to provide proper proof of completion, rather than the program.*

- The Substance Abuse Assessment for Municipal Court Offenders (SAAMCO) Program, a class sponsored by Health Recovery Services, Inc., 224 Columbus Road, Athens, (740) 589-3680. Call between 8 am and 4 pm.
- TAP program offered by TASC Education Group Located at 86 Columbus Road, Athens. The office is on the first floor with suite number listed on signs entering the building. Phone 740-594-2276. If there is no answer, leave a message for Karen.
- A comparable education program can be used **if, and only if, pre-approved** by the Diversion Officer. The local municipal or county court can also help find a program in your hometown. Some of those programs can be found at <http://www.ci.athens.oh.us/DocumentCenter/View/60>. Online programs **will not be** approved or accepted.
- You are responsible for paying all costs associated with the program (which are separate from the diversion fee).
- Even though the agency you choose may tell you that they'll contact the court with proof of completion of the class, it is in your best interest to get that proof to the court yourself.
- Find and contact an agency IMMEDIATELY to schedule a class. You do not have to take the class right away, but arranging for it right away gives you better choices of timing, location and price. Many diversion program failures are due to putting off the class until the last minute and then being unable to arrange for one within the time left.

2. **DIVERSION PROGRAM FEE:** *I will pay the \$195 non-refundable program fee, court costs of \$155, the optional \$45 extra sealing fee within ninety (90) days of the date of this contract.*

- The total amount of \$350 (or \$395) can be paid by money order, personal check from an established account, credit card in your name, or check. We **do not** take online payments or payments over the phone. **Do not mail cash.** You can bring the money to pay your fees to the court 8am-4pm on business days or mail a money order/check from an established account (**not** a starter check for a new account) to:

Athens County Municipal Court  
8 E. Washington St.  
Athens, OH 45701

<http://eservices.ci.athens.oh.us/eservices> (docket link)

<http://www.ci.athens.oh.us/DocumentCenter/View/60> (Preapproved alcohol classes)

- Make checks or money orders out to Athens County Municipal Court or ACMC.
  - The fee and costs may be paid in more than one installment; though, it is preferred it is paid in one. If installments are necessary, it is preferable that there is a maximum of only two payments.
  - If you have questions about your costs, please call the court and speak to the clerks at (740)592-3328. You can also check the online docket (there is a link to the docket at the bottom of each page of this packet). Your case cannot be sealed until all fees, fines, and costs are paid.
  - If you had extra fees for a public defender, warrant, or other issues, you may owe more than \$350. If you have questions about fees, please discuss them with the clerks at the window in the Municipal Court. Your record cannot be sealed until **all fees and fines are paid**.
3. **COMMUNITY SERVICE WORK:** *I will complete eight (8) hours of supervised community service in an activity approved by the Court. These hours **do not** include any I may have done previously and may **not** be completed for another agency or requirement (this includes community service issued by Community Standards at Ohio University).*
- Contact Dr. Kate Enger to schedule your community service. E-mail is best. Do not approach not-for-profits on your own for this program!
  - **Participants may be screened for alcohol and drug use. A positive screen will mean failure to complete the diversion program successfully. Stay clean and sober, even if you are over 21.**
  - You must arrange your own transportation to a designated meeting place. In many cases, the court will provide transportation to the community service site, but you will still be required to get yourself to the City Building. Be sure to arrive on time. We will **not** wait for late arrivals.
  - Participation will be supervised. Unless you are on a scheduled break as designated by the Diversion Coordinator or supervisors, you must be **actively engaged in the service project**. Failure to actively engage in the full day's work would be a failure to complete the terms of your program.
  - There will be a lunch break. Please bring your own lunch and non-alcoholic drink, and stay within sight of the program coordinators or supervisors.
4. **READING ASSIGNMENT:** *I will read and answer three (3) of the questions contained in this packet on the content of Koren Zailckas' book Smashed: Story of a Drunken Girlhood.*
- This book can be bought locally, online, or it can be borrowed from a library.
  - **If you have a disability that makes completing a reading and/or writing assignment difficult, please speak with the Diversion Coordinator to arrange an alternate assignment.**
  - Digital versions are not recommended. These questions are complex, and you'll do better with them if you use paper and make notes.
  - Some questions have more than one part, and you must respond to **each part** of three questions.

**Questions for reading/writing assignment:** Read Smashed: Story of a Drunken Girlhood, then respond fully to **three (3)** of four questions in your packet.

5. **PERIOD OF GOOD BEHAVIOR:** *I agree not to violate any laws while I am participating in the Diversion program. I agree to be a law-abiding citizen, and to not use or possess drugs of abuse, for at least ninety (90) days from the signing of this contract. I understand that if I am charged with any criminal offense and/or*

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*substance abuse related traffic offense or if I possess/ consume drugs of abuse while participating in the program, I will be removed from the diversion program and prosecuted as prescribed by law for both the present and new charge. I also agree to stay in contact with the diversion coordinator as described below.*

- E-mail is the best way to stay in contact. If you call, be sure to leave a clear message with your **full name** and a **phone number at which you can be reached**. Make sure your voice mail is set up, working, and not full.
- You must provide **two** different working phone numbers at which you can be reached, or a working e-mail address and a working phone number.
- **If your phone number or address changes, contact the Diversion Coordinator and update your contact information.**
- You are expected to plan ahead and to e-mail or call when you have questions. "I didn't know I had to do that or "I didn't understand what to do" will **not** be accepted as excuses for failure to complete the program.
- You are expected to actively seek out sober friends and activities to help you develop safe, sober relationships and habits. If you need help finding sober supports or activities, please ask.

I will contact the Diversion Coordinator by **at least** these three dates to show progress:

On or before March \_\_\_\_\_, 2018, Email Kate to tell her which class you've registered for, and request a list of community service dates.

On or before April \_\_\_\_\_, 2018, Email Kate proof that you have purchased or borrowed the required book and finalize plans for community service if you haven't already done so.

On or before May \_\_\_\_\_, 2018, Send Kate your responses to the questions about the book, *Smashed*. Remember to check your e-mail after you send them to see if you need to make revisions.

On or before June \_\_\_\_\_, 2018, check the docket link to see if all requirements have been received and recorded for you, including payment of fees.

**My failure to complete all five components of the program by June \_\_\_\_\_, 2018 will result in having to appear before the judge on June \_\_\_\_\_, 2018 @2:10 pm.** The case may then be brought to trial upon the charges in the manner provided by law.

**When you have questions you are encouraged to e-mail at other times, too:**

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**General Notes:**

- If you satisfactorily complete the diversion program, the Court shall, upon payment of the costs, dismiss the complaint and order the record in the case sealed under Revised Code Section 2953.51-61 of the ORC.
- If the Diversion Coordinator has confirmed that you have provided the Court with all associated payments and proof of completion of the other diversion requirements, you do **not** have to appear on your scheduled court date.
- Proof of completion of the program's requirements [reading assignment, community service work, Substance Abuse class] may be mailed, emailed, faxed, or turned in at the clerk's window of Municipal Court. Keep a copy of everything you submit. The fee and costs must be mailed or paid in person.
- You can go to the city's website listed on the bottom of each page of this document and do a docket search yourself to see the record of your case.
- **Do not** mail this package back to the court. We need only the proof of completion of each requirement. Keep this packet for future reference. In some cases, sealed cases can still be seen. Showing this packet acts as evidence of your work to resolve this issue and the steps you took to correct your behavior.
- **You will be expected to do your community service in Athens.** Many diversion participants live outside of Athens—this may mean a special trip back to Athens. Please be aware that you may need to do your community service over a school break.

Unless you are hospitalized or otherwise incapacitated, you have a documented communication disability, or English is not your first language, **do not have your parents or other interested parties contact the court with questions.** It is **your responsibility to see this through.**

**ATHENS COUNTY MUNICIPAL COURT  
DIVERSION PROGRAM WAIVER AND CONSENT FORM**

**FIRST TIME OFFENDER.** I hereby certify that I have not been previously convicted and/or charged for any alcohol-related criminal or traffic offense, there are no active warrants issued for my arrest, and that I have not previously participated in any kind of diversion program.

I understand that the maximum penalties for a first degree misdemeanor are a **fine not to exceed \$1,000, court costs, six (6) months in jail, and 500 hours community service.**

I understand that neither law enforcement nor the court is responsible for my charge.

I understand that by choosing to participate in this program, I am waiving my right to a speedy trial.

I also understand that I must communicate with the Diversion Coordinator and the court directly, **not through parents or other interested parties**, unless I have a diagnosed communication disorder or English is not my first language.

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