

INSTRUCTIONS FOR DEFERRAL AGREEMENT

1. In order to apply to be part of the Deferral Program of St. Joseph County you must complete the personal information portion of the PRETRIAL DEFERRAL AGREEMENT form. This form can be completed on line and then printed and signed, or you can print the Agreement form and then fill in the personal information by hand and sign the form. Please be certain that all the information is legible.
2. You must read and sign the ACKNOWLEDGMENT OF RIGHTS form. If you wish to have a trial of your case do not sign this form. If you do not understand your rights do not sign this form until you do understand your rights.
3. The Agreement form and Acknowledgment of Rights must be mailed to the Prosecuting Attorney at the address below. You may also hand deliver the documents to the Office of the Prosecuting Attorney during business hours, 8:00 a.m. to 4:30 p.m. Monday through Friday, except holidays. Faxed or email copies are not acceptable.
4. If your Agreement is accepted then you will receive a signed copy of the Agreement as filed with the Court. You must then pay the user's fee and Court costs by cash, certified check, or money order to the St. Joseph County Clerk by the date contained on your filed agreement.
 - **DO NOT SEND PAYMENT TO THE PROSECUTOR'S OFFICE.**
 - **PAYMENTS MUST BE SENT TO THE CLERK'S OFFICE BY MONEY ORDER, CERTIFIED CHECK, OR CASH.**
 - **NO PERSONAL CHECKS ARE ACCEPTED.**
 - **CASH PAYMENTS MUST BE MADE IN PERSON AT THE CLERK'S OFFICE.**

Send or Deliver the signed agreement and Acknowledgment of Rights to:

Prosecuting Attorney
Attn: Infraction Deferral Coordinator
10th Floor, County City Building,
227 W. Jefferson Blvd.
South Bend, IN 46601

If there are any questions or concerns, please contact the Infraction Deferral Coordinator at (574) 245-6791 or deferral@stjoepros.org

State of Indiana)
) SS:
St. Joseph County)

Cause No.

State of Indiana,)
 -vs-)
 _____)
Defendant.

Pretrial Deferral Agreement

Comes now, the State of Indiana by Michael A. Dvorak, Prosecuting Attorney for the 60th Judicial Circuit, and the Defendant, who submit the following agreement:

- I. The Defendant swears or affirms under the penalties of perjury that:
 - A. I am not currently enrolled in any other deferral program in another county.
 - B. I have not been convicted of drunk driving within the past five (5) years.
 - C. I am not an habitual traffic offender.
 - D. I have not had a previous moving traffic conviction in St. Joseph County in the past two 2 years and have not participated in the Infraction Deferral Program for a moving violation in the past 18 months.
 - E. My present ticket(s) was not issued in relation to an accident or speeding in a school zone or construction zone or for failure to yield to an emergency vehicle.
 - F. I do not presently have a Commercial Driver's License (CDL).
 - G. I have a valid driver's license.
 - H. I have read and signed an Acknowledgment of Rights.
- II. The Defendant agrees not to commit any additional traffic violations for six (6) months from the date of the signature below.
- III. There will be a pre-determined, established fee that will be set by the Infraction Deferral Coordinator.
- IV. The Defendant will promptly (within 7 days) notify the Coordinator of the Infraction Deferral Program in writing of any change in address.
- V. The Defendant agrees that failure to comply with any terms of this agreement may result in the Prosecuting Attorney immediately setting this cause on the court calendar for trial and will result in the forfeiture of fees paid.

DEFENDANT'S PERSONAL INFORMATION	
Print Full Name:	_____
Street Address:	_____
City, State, Zipcode	_____
Telephone: _____	email: _____
Sign in Ink:	_____, Defendant

Approved and accepted by Michael A. Dvorak, Prosecuting Attorney

Payment in full must be made by: _____

BY: _____
Deferral Program Coordinator

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