

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF COOS

FILED

98 JUL 20 PM 4:48

COQUILLE, OREGON

IN THE MATTER OF)
APPLYING MONEY PAID)
TO DIVERSION)
FILING FEE TO DUII)
CONVICTIONS

GENERAL ORDER

No. 98-03

This matter having come before the Court on its own motion;

Pursuant to General Order No. 92-08 money paid toward the Diversion filing fee shall be applied, unless otherwise ordered by the court, to fines and fees imposed on a conviction if the diversion is revoked and judgment is entered against the defendant.

IT IS HEREBY ORDERED:

General Order No. 92-08 is vacated. If the diversion is revoked and the defendant is subsequently convicted, the money ordered to be paid for the Diversion filing fees pursuant to ORS 813.240 (1) shall not be applied to and fines or fees ordered by the Court at the time judgment is entered against the defendant.

Pursuant to ORS 135.905 (1) if the diversion is revoked and criminal proceedings are resumed against the defendant, any payment made under this subsection shall be refunded upon subsequent acquittal of the defendant or dismissal of the case.

It is so ordered this 6th day of July 1998



Richard L. Barron
Presiding Judge