

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_  
CITY OF \_\_\_\_\_

**State of Oregon**

**Case No:** \_\_\_\_\_

v.

**ORDER RE: DUII DIVERSION**

\_\_\_\_\_  
Defendant

Driver License: \_\_\_\_\_ DOB: \_\_\_\_\_

The alleged DUII occurred on (date) \_\_\_\_\_

Based on Defendant's *DUII Diversion Petition and Agreement*, **THE COURT ORDERS:**

The petition for diversion is

**Denied**

**Allowed.** The court withholds entry of a judgment of conviction pending completion or termination of the diversion agreement and orders that:

1) Defendant is ordered to comply with all terms in the *Petition and Agreement*

Assessment Evaluator information: \_\_\_\_\_

2) The diversion period is 1 year beginning (date) \_\_\_\_\_ and ending (date) \_\_\_\_\_  
 Defendant must file a motion to dismiss after the diversion period ends in order for the court to dismiss the charge (if this option is not checked the defendant does not need to file a motion to dismiss)

3) Defendant must pay a fee of **\$490.00** to the court for the diversion as required by statute unless waived or deferred. Payment is due  **immediately** or  **per payment schedule:**  
\$ \_\_\_\_\_ / month due by the \_\_\_\_\_ day of each month beginning \_\_\_\_\_  
 other: \_\_\_\_\_

4)  Defendant must attend a victim impact panel approved by this court  **and** must pay a participation fee to that program **Victim Impact Panel Date:** \_\_\_\_\_  
(not required if the current offense involved riding a bicycle that is not electric-assisted)

5)  Defendant must pay court-appointed attorney fees  
 in an amount of \$ \_\_\_\_\_ on a schedule determined by the court. The court finds that the defendant has the ability to pay court-appointed attorney fees.  
 as ordered in a separate limited judgment or order

6)  Defendant is ordered to install and use an **ignition interlock device (IID)** in any vehicle operated by the Defendant during the period of the agreement when the Defendant has driving privileges\* because:  
 Defendant's BAC was .08% or more as shown by chemical analysis of breath or blood  
 Defendant refused to submit to a breath or blood test  
 Chemical analysis of breath or blood shows that Defendant's BAC was more than 0.0% and less than .08% AND the presence of an intoxicant other than intoxicating liquor  
or  
 Defendant is ordered to install and use an IID because the court finds it is appropriate despite chemical analysis of breath or blood showing a BAC below .08% (*discretionary*)  
or  
 Defendant need not install an IID because Defendant:

*\*if Defendant is required to operate an employer-owned motor vehicle, an IID need not be installed if Defendant notifies employer of the IID requirement and has written proof of the notification*

- meets the requirements for medical exemption under Oregon Department of Transportation rules and is exempt from the IID requirement
- submitted to a blood, breath, or urine test that showed BAC below 0.08% (*discretionary*)
- the offense involved riding a bicycle that was not electric-assisted

7)  Defendant must be booked and fingerprinted

8) Restitution/Other: \_\_\_\_\_  
\_\_\_\_\_

*Judge Signature:*

\_\_\_\_\_

*\*if Defendant is required to operate an employer-owned motor vehicle, an IID need not be installed if Defendant notifies employer of the IID requirement and has written proof of the notification*