

**Lindsborg Municipal Court  
Court Clerk  
101 S Main  
P O Box 70  
Lindsborg KS 67456  
T 785-227-3355  
Fax 785-227-4128**

**City Prosecutor  
120 E. Lincoln  
P O Box 328  
Lindsborg KS 67456  
T 785-227-3632  
Fax 785-227-4341**

*TRAFFIC DIVERSION POLICY (FRONT)*

ELIGIBILITY: If you have been charged with a traffic infraction, you may be eligible for diversion IF:

- (1) You have not been convicted of a moving violation or had a charge amended from a moving to a non-moving violation in this or any other court in the State of Kansas within the last 12 months. AND
- (2) You have not previously been afforded a traffic diversion in this or any other court in the State of Kansas within the last twelve 12 months. AND
- (3) Your speeding citation (if applicable) is no more than 25 MPH over the posted speed limit, or 15 MPH if within a school zone. AND
- (4) You have a valid, non-commercial driver's license. (Those with a CDL are NOT eligible per Kansas State Statute 8-2,150). AND
- (5) You have current liability insurance. Proof may be requested.

CHARGES NOT ELIGIBLE: Citations for Driving While Suspended, No Proof of Insurance, Reckless Driving, Failure to Yield to an Emergency Vehicle

MAY NOT BE ELIBIGILE: Hit and Run, Failure to Report an Accident.

APPLICATION PROCEDURE:

You must apply for diversion within thirty (30) days of the issuance of your citation, SEE BACK for further instruction. Failure to follow directions could result in the denial of your application. The Prosecutor will notify you by letter or email of approval/denial within ten days of receiving required documents. The terms stated in the policy herein become the terms of the diversion. If diversion is denied, a court hearing will be set and notice mailed to you at the address on your citation.

TERMS OF DIVERSION: If approved, the City will dismiss the charge(s) after six months IF YOU COMPLY WITH ALL OF THE TERMS:

- (1) Pay all fines, costs and fees as required, *and*
- (2) Agree to stipulate to the contents of the citation, police report(s) and any video or audio tapes *and*
- (3) Waive your right to speedy trial and consent to a stay of prosecution for 6 months, *and*
- (4) Do not receive any moving violations within the 6 month diversion term. The diversion may be revoked if you receive a new citation or charge during the term. The City will file a Motion to Terminate, mail notice to the address on your application and a Court hearing will be set. At the Court hearing, you may consent to the revocation of the diversion or request a trial on the facts stipulated to in the diversion application. Failure to appear at the hearing may result in the City's Motion being granted and your conviction of the traffic charge(s)/citation(s), *and*
- (5) The City Prosecutor may run your driving record after 6 months to determine compliance.

COMPLETION OR REVOCATION:

You will NOT be notified of the dismissal of the citation(s)/charge(s) at the end of the diversion.

The monies paid for the fines, fees and Court costs will not be refunded under any circumstance, even if you fail to successfully complete the diversion.

*Contact the City Prosecutor or Court Clerk regarding questions. However, be advised that the City Prosecutor, nor the Court Clerk, can provide legal advice. If you have legal questions you must seek the advice of an attorney.*

**SEE BACK FOR TRAFFIC DIVERSION APPLICATION**

**Application for Traffic Diversion for Lindsborg Municipal Court**

Date of Citation \_\_\_\_\_ Court Date (bottom of citation) \_\_\_\_\_ Citation No. \_\_\_\_\_

\_\_\_\_\_

Last Name                                      First Name                                      Middle

\_\_\_\_\_

Street Address                                      City                                      State                                      Zip Code                                      EMAIL

\_\_\_\_\_

Phone                                      Cell                                      Social Security Number                                      Date of Birth

\_\_\_\_\_

Drivers License Number                      State of Issuance                      CDL/ Yes or No

I apply to be a participant in the Traffic Diversion Program. **With this application is a \$30.00 nonrefundable Diversion Fee. I authorize the City to run my driving record if I have a KS Driver's License. (The City cannot access out of state license records). If I have a driver's license from another state I must provide a copy of my driving record with this application.**

If approved, you must pay the court costs and fine by the date in your approval notification. You can pay this by phone, mail or in person. You can contact the court clerk (number at top of policy) for this amount.

If denied, a hearing will be scheduled by the Court and notice sent to me at the address above.

- I've read the Policy for Traffic Diversion and understand the terms of this application and that the application becomes the terms of the agreement if approved.
- I've enclosed a \$30.00 application fee,  If my DL is from another state, I've included my driving record.
- The address above is different from that on the citation.
- I wish to be notified of acceptance/denial by  mail *or*  email

\_\_\_\_\_

Defendant Signature                                      Date Signed

**Please mail to:** Amie L. Bauer, Lindsborg City Prosecutor  
P O Box 328, Lindsborg KS 67456  
**or return to:** Gusenius Law Office, 120 E Lincoln *or* Lindsborg City Office/Municipal Court