

**IN THE MUNICIPAL COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF CLACKAMAS  
CITY OF MOLALLA**

**State of Oregon**

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

v.

**ORDER RE: DUII DIVERSION**

\_\_\_\_\_  
Defendant

DL: \_\_\_\_\_ 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 the program **Victim Impact Panel Date:** \_\_\_\_\_
- 5.)  Defendant must pay court-appointed attorney fees  
 in 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 cannabis, a controlled substance, or an inhalant  
  
 Defendant need not install an IID because Defendant:  
 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 no cannabis, inhalants, or controlled substances, and a BAC below 0.08%

*\*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*

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*)

7.)  Defendant must be booked and fingerprinted

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

\_\_\_\_\_  
Judge Signature

\_\_\_\_\_  
Date

*\*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*