STATE OF INDIANA
IN THE CIRCUIT COURT NO. 3 FOR CLARK COUNTY

STATE OF INDIANA

VS. CASE #: _____-_____-IF-_____
(To be completed by Traffic Violations Bureau Only)

_____

INFRACTION DEFERRAL AGREEMENT

Comes now the State of Indiana by Jeremy Mull, Clark County Prosecuting Attorney, Fourth Judicial Circuit, and comes now the Respondent, and hereby enter into this Infraction Deferral Agreement pursuant to Indiana Code 34-28-5-1(h):

The State of Indiana agrees to defer prosecution of the Infraction charges in this cause and to dismiss said charges at the end of 6 months if, and only if, the Defendant complies with all terms of this Agreement.

The Defendant agrees to:

1. Pay User's Fee and Court Costs of $192.50 by certified check, cashiers check or money order and submit to the Clark County Traffic Violations Bureau.

2. If you hold an out-of-state drivers license, you must also send a printout of your driving history from your Bureau of Motor Vehicles.

3. Defendant agrees that he/she will not commit any infraction, ordinance violation, or criminal offense during the 6 month period of this agreement, and shall immediately notify (within 72 hours) the Infraction Deferral Program Coordinator in writing of any Citations or criminal charges filed against him/her.

4. Defendant agrees that he/she will promptly notify (within 7 days) the Infraction Deferral Program Coordinator in writing of any change in name, address, or telephone number.

5. Defendant acknowledges that by signing this agreement he/she enters a plea of "No Contest" to the allegations in the Citation and gives up the following rights: The right to a trial; The right to present evidence and to be represented by an attorney, and the right to appeal any judgment entered.

6. Defendant acknowledges that failure to comply with any part of this agreement may result in the Prosecuting Attorney re-docketing or refiling this case with the Court. This may be done without notice and will result in the entry of judgment against the Defendant. The judgment will be sent to the Bureau of Motor Vehicles to become a part of the Defendant's permanent driving record, and all fees paid to the participate in the Infraction Deferral Program will be forfeited.

Defendant affirms under the penalties for perjury that there are no criminal charges pending against him/her in any court, that he/she is currently not on probation in any court, and that he/she has not participated in any infraction deferral program within the past 2 years. Defendant further affirms under the penalties for perjury that he/she does not currently hold a Commercial Drivers License (CDL), or a Probationary License.

I have read and fully understand all provisions of this agreement and I accept them as binding upon me. I enter into this agreement knowingly and of my own free will, and I have been given sufficient time to discuss these matters with my family and an attorney.

_____ _____
Signature of Respondent Date Telephone

_____
Address

_____ _____
City, State, ZIP Deputy Prosecuting Attorney (leave blank)

Clark County Traffic Violations Bureau

501 East Court Avenue
County Government Bldg.
Jeffersonville, IN 47130

(812) 285-6320 / (812) 285-6321 / (812) 285-6399

Office Hours:

Monday:	8:30 am to 12:00 pm, 1:00 pm to 4:30 pm
Tuesday:	8:30 am to 12:00 pm, 1:00 pm to 4:30 pm
Wednesday:	8:30 am to 12:00 pm
Thursday:	8:30 am to 12:00 pm, 1:00 pm to 4:30 pm
Friday:	8:30 am to 12:00 pm, 1:00 pm to 4:00 pm
Saturday:	Closed
Sunday:	Closed

APPEARANCE AND WAIVER OF TRIAL PLEA OF ADMISSION

I have read the foregoing explanation of my legal rights and acknowledge that by signing my name hereunder, that I enter my appearance, waive my right to a civil trial, and admit to the traffic violation stated in the Complaint and Summons. I understand my signature and admission will have the same effect as a judgment of the Court, and the record of judgment will be sent to the Indiana Bureau of Motor Vehicles or the state where I received my license to drive. I understand the violation will be shown on my driving record, and may result in suspension of my driving privileges by the Bureau of Motor Vehicles based on a review of my driving record.

_____
Signature

_____
Printed Name

_____ _____
Ticket Number Court Appearance Date

Clark County Prosecuting Attorney
Infraction Deferral Program

www.clarkprosecutor.org
(Click on "INFRACTION DEFERRAL")

The Infraction Deferral Program is offered by the Prosecuting Attorney to allow safe drivers with a good driving record to maintain that record. Upon the payment of program fees and successful completion of program conditions, after 6 months your Citation will be dismissed. No convictions or "points" relating to your Citation will appear on your BMV driving record.

You are **NOT** eligible for the Infraction Deferral Program if:

- You have already paid your Citation.
- Your Citation is based upon violation of a Local Ordinance rather than a State Statute.
- You have participated in an Infraction Deferral Program within the last 2 yrs.
- You are a Habitual Traffic Offender.
- You have a Commercial Drivers License (CDL).
- You have a Probationary License.
- You do not have a valid drivers License.
- Your Citation is related to a criminal act, you are on probation for a criminal conviction, or other criminal charges are pending.

To participate in the program, you must sign an Infraction Deferral Agreement and abide by its terms. The agreement will be filed with the Court. If there are no violations of the agreement, your Citation will be dismissed.

Unless extraordinary circumstances are present, Citations for Passing a School Bus and Speeding 25+ MPH Over Speed Limit are NOT subject to deferral. Citations which result from a traffic accident are NOT subject to deferral unless proof of insurance is shown. The Prosecuting Attorney has complete discretion to deny any deferral.

All Infraction Deferral Fees must be paid in full in advance to the Clark County Traffic Violations Bureau:

Court Costs	$70.00
Initial User's Fee	$52.00
Monthly User's Fee (6 months)	$60.00
Automated Record Keeping Fee	$5.00
Document Storage Fee	$5.00
Highway Work Zone Fee	$0.50
TOTAL FEE	**$192.50**

Payment can only be received by certified check, cashiers check, or money order. **NO CASH MAY BE ACCEPTED. NO PERSONAL OR COMPANY CHECKS. NO CREDIT OR DEBIT CARDS.**

DO NOT send money directly to the Prosecuting Attorney. All payments must be received only by the Traffic Violations Bureau, and only with a signed Infraction Deferral Agreement. You may obtain an Infraction Deferral Agreement only at the website of the Prosecuting Attorney, www.clarkprosecutor.org, or from the Infraction Deferral Coordinator.

If you meet the eligibility requirements:

1. Get Infraction Deferral Agreement from website or from Infraction Deferral Coordinator.

2. Sign and complete the Agreement and send with payment of **$192.50** payable to **Clark County Traffic Violations Bureau.** (If you hold an out-of-state driver's license, you must also send a printout of your driving history from your Bureau of Motor Vehicles.) IF YOU WOULD LIKE A RECEIPT SEND A **SASE**.

Please contact the Infraction Deferral Coordinator if you have any questions.

Clark County Prosecuting Attorney
Infraction Deferral Coordinator
(812) 285-6269
deferral@co.clark.in.us

Judge Joseph P. Weber
Clark Circuit Court #3
(formerly Clark Superior Court #3)

Traffic Citations in Clark County

www.co.clark.in.us
Go to Government • Click on Courts
Traffic under Circuit Court 3 • Related Court Documents

The Court has established the following schedule for payment of judgments or fines for civil traffic violations.

All Speeding. $169.00
All Other Moving Violations. $169.00

Non-Moving Violations

Expired Plates, Expired Drivers License, Parking In a Handicap Zone & Equipment Violations. $168.00

Open Container Violation. $169.00

Child Restraint Violation
1st Offense . . . . . Show proof of compliance
2nd Offense. $25.00
Seat Belt Violation. $25.00

Driving While Suspended (Infraction).. . . . $169.00

Commercial Truck Violations. $169.00
All Over Weight $169.00

*The above amounts include court cost & fine.

You will only pay a maximum fine of $35.00 for each additional Violation received during the same incident. If the additional Violation is a Seat Belt Violation, you will only pay a maximum fine of $25.00 for the additional Violation.

(Effective July 1,2015)

The prosecution of a traffic citation, whether a violation of a state statute or local ordinance, is a civil proceeding. This is not a criminal case and the same rules do not apply. The proceeding is commenced by the State of Indiana, through the Clark County Prosecuting Attorney, filing the citation with the Court. All proceedings are conducted in compliance with the Indiana Rules of Trial Procedure.

Common Questions

1. Do I have to appear in Court?

No. You may admit and pay the citation at any time before the appearance date. If you want to contest your citation, you must appear in Court on the appearance date and time indicated on your citation. You may also have an attorney file a written response by that date.

2. What happens if I want to go to Court but I cannot make it on the day given?

You may be granted a new court day for a valid reason. You must contact the Traffic Violations Bureau to request a continuance.

3. If I deny and contest the charge, will there be a trial on the first appearance date?

No. The appearance date is for arraignment. If you deny and contest the charge, at that time the Court will set a new date for trial, where witness testimony will be received.

4. I have decided to admit and pay my citation. Can I have more time?

Yes. You have 30 days after your first court date to make payment. No warrant will be issued if you pay within this grace period.

NO GRACE PERIOD FOR CDL OPERATORS. YOUR FINE MUST BE PAID BY YOUR COURT DATE.

5. What if my Payment is not received within the 30 day grace period?

The Court may issue a warrant for your arrest if you fail to appear and fail to pay within the grace period. The Court will notify the Bureau of Motor Vehicles of your non-compliance and will suspend your driver's license. If you have a driver's license in another state. Indiana will notify your state and seek suspension of your driver's license in that state.

6. Can I call and explain my situation to someone?

No. If you want to contest your citation, you must do so on the Court date. The Court cannot respond to telephone calls.

If you have decided to admit and plead guilty, you may do so by mailing in your payment. Follow these directions for making your payment.

1. Make payment in the amount due with a certified check, cashiers check, or money order. NO PERSONAL OR COMPANY CHECKS. NO CREDIT OR DEBIT CARDS. CASH MAY BE ACCEPTED, BUT ONLY IN PERSON AT THE TRAFFIC VIOLATIONS BUREAU. IF YOU WOULD LIKE A RECEIPT ENCLOSE A **SASE**.
2. Read and sign the Appearance, Waiver and Plea of Admission form on the back of this page, and enclose it in an envelope, along with a your copy of the Summons, and payment.

3. Payment must be received within 30 days after your court date.

Make payable to and mail to:

Clark County Traffic Violations Bureau
501 East Court Avenue
County Government Bldg.
Jeffersonville, IN 47130