

YOUTH DIVERSION PLAN – RIESEL MUNICIPAL COURT

The Municipal Court of Riesel hereby adopts the Youth Diversion Plan, **effective January 1, 2025**, in accordance with the provisions of House Bill 3186 and subchapter E, Chapter 45 of the Texas Code of Criminal Procedure. The court may use diversion strategies of the kinds listed in Article 45.305 or other appropriate strategies based upon the availability of the diversion strategies, and the needs of the child who is to be diverted. This plan is designed to promote accountability, reduce recidivism, and ensure the welfare and safety of the community by redirecting eligible youth from formal prosecution to constructive intervention strategies.

Should a diversion plan be determined to be in the best interest of the child, and the child is eligible, a parent or legal guardian and the child must consent to the diversion plan – with acknowledgement of the plan being optional.

The child and parent/legal guardian may terminate the diversion at any time and, if terminated, the case will be referred to court.

Eligibility Requirements:

- A. Charge must be for a non-traffic violation involving a child.
- B. A child may enter into a diversion agreement once every 365 days. Thus, a child who has entered into a diversion agreement within the prior year is ineligible for diversion.
- C. A child is not eligible if they have previously had an unsuccessful diversion under Subchapter E.
- D. Prosecutor may object to diversion.
- E. Written consent from the child and parent is **REQUIRED** under subchapter E.

ALL stated objectives in a diversion agreement **MUST** be measurable, realistic, and reasonable and consider the circumstances of the child, the best interests of the child and the long-term safety of the community.

Upon entering into a diversion plan, a certified copy will be provided to the child, parent/legal guardian, court staff, and any person specified by the diversion plan.

Per Judge's discretion, a \$50.00 local youth diversion administrative fee may apply.

If the child successfully complies with the terms of the diversion agreement, the case will be closed.

However, should the child be unsuccessful at completing the diversion plan and does not comply with the terms, the child's case will be referred to court.

Presiding Judge Michelle Latray

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11/12/2024
Date