DUII DIVERSION SURVEY

ISSUE: Time to file for Diversion on DRE DUII case where the UA results are NOT available within the 30 days.

Participation: Attorneys in Oregon who have direct knowledge of court and prosecution practice and procedure on this issue.

Please complete the following page, save it as a PDF file named as follows:

Barnumber\_court i.e.

123456\_Coos Circuit

123456\_Florence Municipal

& email to fagan@lanepds.org

Thanks

Tom Fagan

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR LANE COUNTY

IN THE MATTER OF PROSECUTOR AND COURT )

POLICY ON DUII DIVERSION WHEN RESULTS )

OF UA TESTS ARE NOT AVAILABLE WITHIN ) DECLARATION OF ATTORNEY

STATUTORY TIME PERIOD )

I, [NAME], do hereby declare that:

1. I am an attorney in Oregon.

2. I make this declaration in support of the Defendant’s anticipated Motion to extend that statutory time for DUII Diversion in the Lane County Circuit Court proceeding, until results are available for the Urine Analysis test.

3. I am aware of the ordinary and customary practice for Drug Recognition Evaluation charges of DUII where the Defendant may be eligible for the DUII Diversion Program in the [Court].

4. The ordinary and customary practice in this Court is that [describe].

 DATED [date].

 I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

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 [Attorney signature]