WILENTZ
—ATTORNEYS AT LAW—
WILENTZ, GOLDMAN & SPITZER, P.A.

Pretrial Intervention and Other Diversionary Programs

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

First Time Offenders

For many first time offenders or even those with minimal criminal records, a diversionary program may be the best option to resolve a pending criminal charge. Diversionary programs were established to take certain cases out of the traditional criminal justice process. Once accepted into a diversionary program, an offender's court case is put on hold while the individual participates in a probationary type of program, that may include requirements for counseling, community service, payment of restitution, or other conditions. Once the diversionary program is completed, the criminal case is dismissed without a conviction.

Diversionary Programs in Municipal, Superior and Federal Courts

Diversionary programs are known by a variety of terms, depending on the type of charge and in which court the case is pending.

Conditional Discharges for minor drug offenses and conditional dismissals of other types of offenses are available to eligible individuals facing charges in municipal courts. The Pretrial Intervention Program ("PTI") is available to eligible offenders facing indictable charges in the Superior Court. There is even a diversionary program available to certain offenders facing certain types of charges in Federal Court. Whether a particular defendant is eligible for a diversionary program depends upon a wide variety of circumstances. Generally, property crimes and drug offenses have more of a tendency to be eligible for diversionary treatment than violent or contact offenses. However, at Wilentz, our criminal law attorneys have experience in all available diversionary programs and we regularly assist eligible clients in persuing these opportunities regarding all types of offenses.

Very often, assisting an eligible client by assembling a package of materials and documents to aide in the evaluation process is critical for acceptance. If a defendant is fortunate enough to be accepted into a diversionary program to avoid criminal prosecution and successfully completes the diversionary program, he or she may be eligible for an expungement of the record of the charge.

Contact our office today to discuss whether your case may be a candidate for diversionary treatment.

To speak with an attorney about your legal options, please call: 732-855-6100.