



**SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO
ORDER OF MISDEMEANOR MENTAL HEALTH DIVERSION
Section 1001.36 of the Penal Code**

Defendant's Name		Xref Number	Case Number(s)	
Address		City	State	Zip
Primary Phone	Alternate Phone	Home Court Dept.	Next Court Date	

A complaint having been filed in this court charging the above-named defendant with a violation(s) contained within section 1001.36 of the Penal Code, (Mental Health Diversion) and the court having conducted a hearing and the defendant having waived his/her right to a speedy trial and consenting to further proceedings under Chapter 2.5 of the Penal Code:

IT IS HEREBY ORDERED that said defendant be diverted from further proceedings on the charge(s) now filed in this court for the period specified by the Court, but not to exceed two years; and during this time shall:

1. Obey all Laws;
2. Successfully comply with and complete the treatment plan and all its conditions deemed appropriate by the treatment provider(s), including taking prescribed medication as directed by a medical profession;
3. Attend all court hearings as ordered by the court;
4. Comply with any orders of the court that are associated with your charged crime(s), including, but not limited to: Criminal Protective Orders, no contact orders and stay away orders;
5. Do not possess or use controlled substances without a prescription;
6. Do not possess or use alcohol; and/or
7. Attend community self-help groups: Attend _____ number per week or month.
8. Pay victim restitution per section 1202.4 of the Penal Code in the amount(s) ordered below:
\$ _____ to _____, Docket _____
\$ _____ to _____, Docket _____
9. Do not contact by any means directly or indirectly:
_____, Docket _____
_____, Docket _____
10. Stay at least 100 yards away from:
_____, Docket _____
_____, Docket _____

IT IS FURTHER ORDERED that the defendant shall be responsible for requesting that his/her treatment provider(s) submit a written report to the court on their conduct and progress in treatment and on their compliance with the conditions of this Order of Diversion for each progress review court date scheduled as directed by the court. The defendant may at any time on the court's own motion or upon recommendations of the treatment provider(s), be returned to the court for further hearing and for any order the court deems necessary.

Your failure to comply with all conditions of this order during the diversion period may, after a hearing, result in the court ordering that prosecution be resumed on the charges pending against you.

Upon successful completion of Mental Health Diversion, the court shall dismiss the pending charges in this case pursuant to 1001.36 of the Penal Code.

Deputy Clerk

Date

Department

Judge of the Superior Court

FURTHER CONDITIONS OF MENTAL HEALTH DIVERSION FOR DEFENDANT:

I understand that my records are protected under the Federal regulations governing Confidentiality of Medical, Alcohol and Drug Abuse Patient records, 42 CFR Part 2, and cannot be disclosed without my written consent unless otherwise provided for in regulations. I agree to provide that consent and to execute any further Releases of Information necessary regarding the reporting of my progress as a condition of Mental Health Diversion. I also understand that I may revoke this consent at any time except to the extent that action has been taken based on it, and that in any event, this consent expires automatically upon the court's acknowledgement of successful completion and dismissal of criminal allegations or the court's ruling of deletion. If consent is revoked, I understand that I must appear at the next scheduled court date and may be subject to deletion from Mental Health Diversion and my criminal proceeding reinstated.

The conditions of the Order of Diversion have been explained to me; I fully understand the conditions and agree to comply with all conditions and the treatment plan (attached). I acknowledge receiving a copy of the order this date.

Defendant's Signature

Date