



City of Tybee Island Municipal Court

Pre-Trial Diversion Program FAQs

What is Pre-Trial Diversion?

A program for first time offenders with non-violent crimes and non-DUI traffic violations.

How will Pre-Trial Diversion benefit me?

If you choose to complete the program, the Assistant District Attorney will dismiss the charge against you and you may be eligible to have the arrest record restricted from criminal history.

Is there a program fee?

Yes. The program fee is determined by Assistant District Attorney.

What do I have to do?

The program requires that you pay a program fee. You may also be required to do one or more of the following: Complete an evaluation, complete a course of treatment/counseling, perform community service, refrain from the use of alcohol or drugs, submit to random screens, and/or pay restitution.

Where is payment made?

Payments are accepted at the Municipal Court Clerk's Office Monday thru Friday 8 am to 5 pm. 912-786-5635

Office Location: City of Tybee Island Municipal Court

78 Van Horn Ave.

Tybee Island, GA 31328

Mailing Address: City of Tybee Island Municipal Court

P.O. Box 1340

Tybee Island, GA 31328

MONEY ORDER OR CASHIER'S CHECK ONLY

MADE PAYABLE TO: **Tybee Island Municipal Court**

Pre-Trial Diversion Program fee monies are non-refundable.

How long do I have to complete terms and conditions?

Each case is individually evaluated and the Assistant District Attorney will determine the amount of time. Typical cases are from 60 to 90 days.

What if I am unable to complete program in the allotted time?

An extension/continuance can be requested by completing a request form at the Tybee Island Municipal Court Clerk's Office. The request will be forwarded to the Assistant District Attorney. Completing the request form does not guarantee an extension. Each case will be individually evaluated by the Assistant District Attorney.

What happens if I don't complete the Pre-Trial Diversion or violate one of the conditions?

If you choose not to complete Pre-Trial Diversion or if you violate a condition, the Assistant District Attorney will proceed with the prosecution of your case. You will be notified of your new court date. If you are convicted, you can be punished for each offense by a fine up to \$1,000.00 and a term of imprisonment of up to 12 months in jail. You may be placed on probation and required to pay fines, complete course of treatment and/or counseling, perform community service, pay restitution, and complete other terms set forth by the Judge.

Upon completion of the program what happens next?

A nolle prosequi order will be filed or a dismissal order will be filed and the record may be restricted.

What is record restriction?

When an arrest record on a person's criminal history is restricted it is no longer viewable by the public. However, law enforcement agencies will still be able to view that particular record. Additionally, the Clerk's Office and the Police Department will maintain their own records regarding your case and those are viewable by the public.

What happens if I have a new violation?

Any new violation including traffic tickets may result in withdrawal from the program. Any new violation must be reported to the Tybee Island Municipal Court Clerk's office within 72 hours of violation.

What happens to my bond?

If you posted a cash bond, it will be returned to you or the surety after you complete the program. If you hired a bonding company to post your bond, you probably will not receive a refund.