

IN THE COMMON PLEAS COURT, GENERAL DIVISION

STATE OF OHIO, : CASE NO.
Plaintiff, : REQUEST FOR INTERVENTION
Vs. : INTERVENTION IN LIEU OF
 : CONVICTION; AND TIME WAIVER
_____, : ORC 2951.041
Defendant, :

The defendant, hereby requests intervention lieu of conviction pursuant to ORC 2951.041. The defendant represents that mental health was a factor leading to the criminal behavior charged. The defendant, by signing below, also waives the right to a speedy, public jury trial as guaranteed by the United States Constitution, The Ohio Constitution, and ORC 2945.71 et seq. The defendant certifies that she/he has not previously been convicted of or pleaded guilty to a felony, that she/he has not previously been through intervention or treatment in lieu of conviction under this section of the revised code or any similar regimen, and is charged with a felony for which the Court, upon conviction, would impose sentence under division (B)(2)(b) of section 2929.13 of the Revised Code or with a misdemeanor.

The defendant further certifies that the offense charged is not a felony of the first, second, or third degree, is not an offense of violence, and is not a violation of division (A)(1) or (2) of section 2903.06 of the Revised Code, is not a violation of (A)(1) of section 2903.08 of the Revised Code, is not a violation of division (A) of section 4511.19 of the Revised Code or a municipal ordinance that is substantially similar to that division, and is not an offense for which a sentencing court is required to impose a mandatory prison term, a mandatory term of local incarceration, or a mandatory term of imprisonment in jail.

Furthermore, the defendant certifies that the offense charged is not a violation of 2925.02,

2925.03, 2925.04, 2925.06, or 2925.11 of the Ohio Revised that is a felony of the first, second, or third degree; nor a violation of section 2925.11 of the Revised Code that is a felony of the fourth degree, unless the prosecutor in the case has recommended that the defendant be classified as being eligible for intervention in lieu of conviction, in writing, which is attached as an exhibit hereto.

The defendant further certifies that she/he has been assessed by an appropriately licensed provider, certified facility, or licensed and credentialed professional as set forth in ORC 2951.041 (B)(5).

The defendant admits that mental health was a factor leading to the criminal offense with which the offender is charged.

The defendant further states that the victim of the offense was not sixty-five years of age or older, not permanently and totally disabled, not under 13 years of age and not a peace officer engaged in the officer=s official duties at the time of the alleged offense.

The defendant is willing to comply with all terms and conditions imposed by the Court pursuant to ORC 2951.041 (D).

I CERTIFY THAT I HAVE READ THIS ENTIRE REQUEST AND SWEAR THAT IT IS TRUE.

Defendant

SWORN TO BEFORE ME AND IN MY PRESENCE THIS _____ DAY OF _____, _____.

SEAL

NOTARY PUBLIC
STATE OF OHIO

Counsel for the defendant