



**BAILEY COUNTY
JUSTICE OF THE PEACE COURT**
*306 West 2nd St.
Muleshoe, Texas 79347
806-272-4300*

Bailey County Justice Court Youth Diversion Program

The Bailey Justice Court Youth Diversion Program is designed to provide an alternative to traditional court proceedings for eligible youth offenders. This program adheres to Texas H.B. 3186 and is structured in accordance with Article 45.306(b) of the Texas Code of Criminal Procedure. The program aims to reduce recidivism, promote accountability, and provide educational and rehabilitative opportunities for youth.

Objectives

1. **Reduce Recidivism:** Minimize repeat offenses among youth by providing constructive interventions.
2. **Promote Accountability:** Encourage youth to take responsibility for their actions through community service and restitution.
3. **Enhance Life Skills:** Provide educational resources and support to develop positive life skills.
4. **Improve Community Relations:** Foster better relationships between youth and law enforcement, community members, and the judicial system.
5. **Support Families:** Engage families in the diversion process to promote a supportive home environment.

Applicability

The Youth Diversion Program applies to:

- Youth aged 10-16 who have committed misdemeanor offenses under the jurisdiction of the Bailey County Justice Court.
- Offenses eligible for diversion include non-violent Class C Misdemeanors such as theft, vandalism, and minor drug offenses.
- Youth who have not previously participated in a diversion program or who have no prior felony convictions.

Referral

Referrals to the Youth Diversion Program may be made by:

- Law enforcement officers at the time of the offense.
- The Bailey County Justice Court Judge during arraignment.
- Parents or guardians of the youth.
- School officials or community organizations.



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Intake / Eligibility

1. **Initial Screening:** Upon referral, the court will conduct an initial screening to determine eligibility based on offense type, age, and prior history.
2. **Parental Consent:** Consent from a parent or guardian is required for youth to participate in the program.
3. **Assessment:** A comprehensive assessment will evaluate the youth's needs, strengths, and any underlying issues contributing to their behavior.

There are two types of diversion:

1. **Intermediate diversion** - under Article 45.309, which occurs before a charge involving and eligible child is filed.
2. **Diversion by Judge** - under Article 45.310, which occurs after a charge involving and eligible child is filed or after a trial involving and eligible child result in a verdict or finding of guilt.

Evaluation

An evaluation process will be implemented to assess:

- The individual needs of the youth.
- Any educational, mental health, or substance abuse issues.
- The youth's support system, including family and community resources.

Intermediate Diversion Intake and Implementation

1. **Program Orientation:** Eligible youth and their families will attend an orientation session to understand the program's goals, expectations, and requirements.
2. **Development of a Personalized Plan:** Each youth will have a tailored plan that may include:
 - Community service hours
 - Educational workshops
 - Counseling or mentoring sessions

Diversion Agreement

This process helps maintain the integrity of the diversion program and ensures that it serves as a meaningful opportunity for first-time or infrequent offenders.

1. **Contract Signing:** Youth and parents/guardians will sign a diversion agreement outlining the terms of participation, including goals, responsibilities, and consequences for non-compliance.
2. **Sworn Affidavit:** As part of the agreement, the youth and parent/guardian will sign a sworn affidavit confirming that the youth **has not** participated in any youth diversion program **within the last 365 days**. This affidavit will serve to ensure that the diversion program is being used appropriately and that the youth is eligible for this opportunity
3. **Commitment to Conditions:** Youth must commit to completing the agreed-upon requirements within a specified timeframe.



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Referral to Court and Court Proceedings

1. Completion of Program: Upon successful completion of the diversion program, the youth will be referred back to the court for dismissal of charges.
2. Monitoring Compliance: The program coordinator will monitor progress and compliance with the diversion agreement.
3. Court Dismissal: If all conditions are met, the court will formally dismiss the case, allowing the youth to avoid a permanent criminal record.

Local Youth Diversion Administrative Fee (LYDAF)

Article 45.312 authorizes the clerk of the court to collect from a child's parent a \$50.00 administrative fee to defray the costs of the diversion of the child's case. If the fee is not paid, the court must order the parent, if financially able, to pay the fee to the clerk. An order to pay is enforceable by contempt. If a parent is indigent or does not have sufficient resources or income to pay, they must complete a financial hardship waiver.

Conclusion

The Bailey County Justice Court Youth Diversion Program aims to provide youth with the opportunity for rehabilitation and growth, steering them away from the criminal justice system while fostering community involvement and personal accountability. Through a structured approach, we hope to support our youth in becoming positive, productive members of society.

TJCTC Resources

You can access many resources related to Juvenile Diversion on TJCTC's website (<https://www.tjctc.org/>).

Juvenile Deskbook Chapter 3A – <https://www.tjctc.org/tjctc-resources/deskbooks.html>

Juvenile Diversion Self-Paced Module – <https://www.tjctc.org/onlinelearning/selfpacedmodules.html>

Juvenile Criminal Diversion Forms *NEW* – <https://www.tjctc.org/tjctc-resources/forms.html>

Juvenile Criminal Diversion Flowchart *NEW* – <https://www.tjctc.org/tjctc-resources/charts-and-checklists.html>

Additional Resources

Texas Municipal Education Center (TMCEC)'s Youth Diversion Page – <https://www.tmcec.com/youth-diversion/>

Texas Juvenile Mental Health and Intellectual Developmental Disabilities Law Bench Book – <https://www.texasicmh.gov/publications/bench-books-code-book>

Family Guide to Children's Mental Health Services –

<https://www.hhs.texas.gov/sites/default/files/documents/services/mental-health-substance-use/family-guide-childrens-mental-health-services.pdf>

Fact Sheet: Drug Testing and Wellness Considerations in Juvenile Treatment Courts (This is directed at treatment courts, but is a good resource to review when thinking about what kinds of strategies might be useful for juveniles with substance abuse issues) – <https://allrise.org/publications/fact-sheet-drug-testing-and-wellness-considerations-in-juvenile-treatment-courts/>

Youth.gov (Prevention and Early Intervention) – <https://youth.gov/youth-topics/juvenile-justice/prevention-and-early-intervention>

Applicable law may be found at the following links:

[Texas Code of Criminal Procedure Article 45.301 – Definitions \(public.law\)](#)

[Texas Code of Criminal Procedure Article 45.302 – Applicability \(public.law\)](#)

[Texas Code of Criminal Procedure Article 45.303 – Transfer to Juvenile Court Not Affected \(public.law\)](#)

[Texas Code of Criminal Procedure Article 45.304 – Diversion Eligibility \(public.law\)](#)

[Texas Code of Criminal Procedure Article 45.305 – Diversion Strategies \(public.law\)](#)

[Texas Code of Criminal Procedure Article 45.306 – Youth Diversion Plan \(public.law\)](#)

[Texas Code of Criminal Procedure Article 45.307 – Youth Diversion Coordinator \(public.law\)](#)

[Texas Code of Criminal Procedure Article 45.308 – Diversion Agreement \(public.law\)](#)

[Texas Code of Criminal Procedure Article 45.309 – Intermediate Diversion \(public.law\)](#)

[Texas Code of Criminal Procedure Article 45.310 – Diversion by Justice or Judge \(public.law\)](#)

[Texas Code of Criminal Procedure Article 45.311 – Referral to Court \(public.law\)](#)

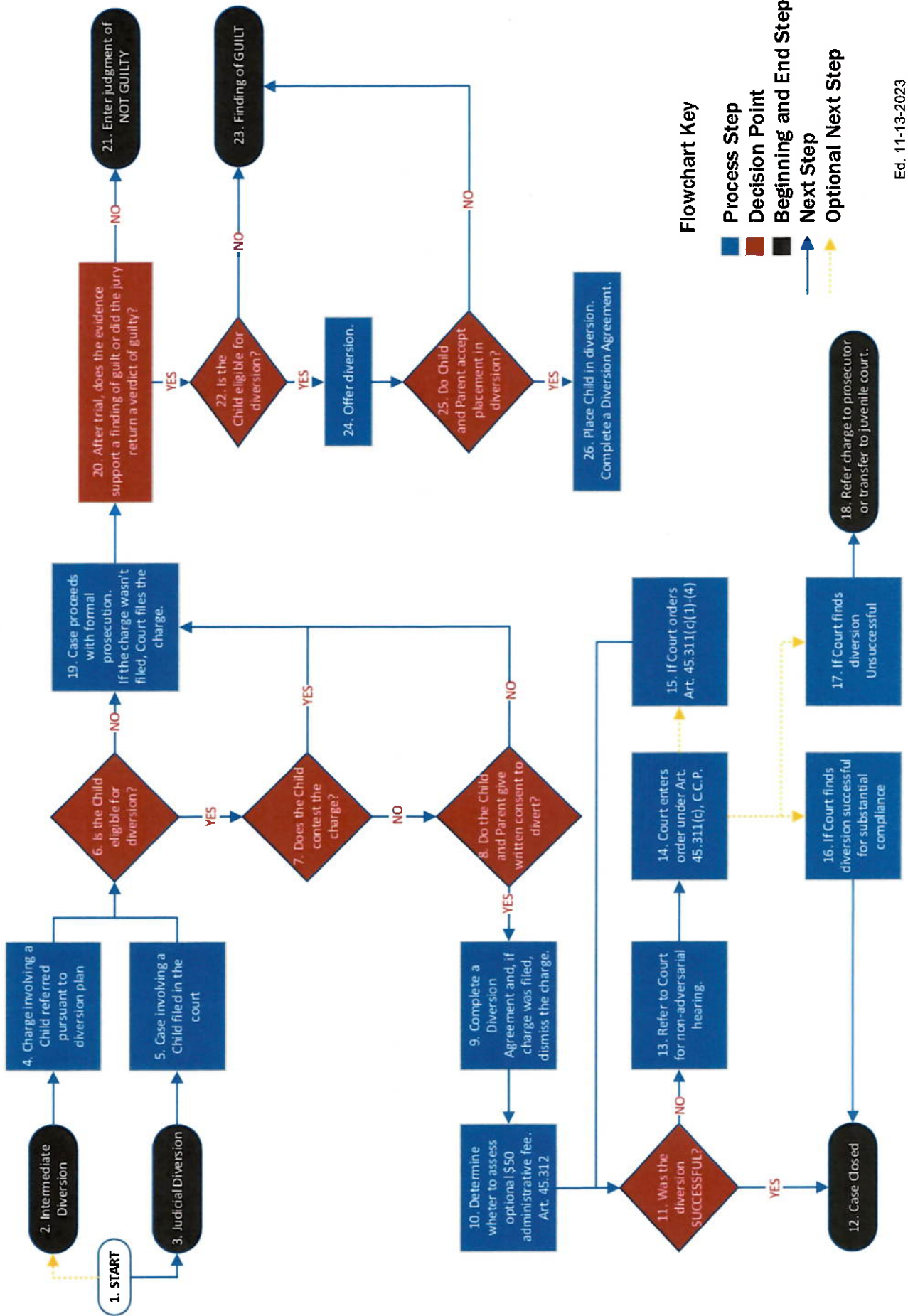
[Texas Code of Criminal Procedure Article 45.312 – Local Youth Diversion Administrative Fee \(public.law\)](#)

[Texas Code of Criminal Procedure Article 45.313 – Diversion Records \(public.law\)](#)

Youth Diversion: Process Overview Flowchart

H.B. 3186

See Accompanying Commentary



Flowchart Key

- Process Step
- Decision Point
- Beginning and End Step
- Next Step
- Optional Next Step

Youth Diversion: Flowchart Commentary

- Box 1.** Generally, a child shall be diverted from formal criminal prosecution as provided by Subchapter E of Chapter 45 of the Code of Criminal Procedure. How diversion proceeds will depend on the type of diversion. There are two types of diversion: intermediate diversion and diversion by judge (or judicial diversion). All courts must do judicial diversion. Courts may also opt to do intermediate diversion. Arts. 45.309, 45.310, C.C.P. **Subchapter E only applies to non-traffic offenses committed on or after January 1, 2025.** Art. 45.302, C.C.P.; H.B. 3186 (88th Regular Legislative Session).
- Box 2.** Courts that opt to do intermediate diversion must include that type of diversion in their diversion plan. Intermediate diversion occurs prior to filing the charge. A youth diversion coordinator or juvenile case manager must advise the child and child's parent before the charge is filed that a case may be diverted for up to 180 days if the requirements in Article 45.309(a)(1)-(4) are met. Art. 45.309, C.C.P.
- Box 3.** Subchapter E provides for judicial diversion after a charge involving a child is filed and after a finding or verdict of guilt in the trial of a child, whether bench or jury trial. Judicial diversion may not exceed 180 days. Art. 45.310, C.C.P.
- Box 4.** The process for referral of charges under intermediate diversion should be addressed in the diversion plan. After referral, certain determinations must be made before proceeding to diversion.
- Box 5.** If a charge involving a child who is eligible for diversion is filed with the court, the judge must divert the case under Article 45.310. After such a charge is filed, certain determinations must be made before proceeding to diversion.
- Box 6.** Whether intermediate or judicial diversion, a child must be eligible for diversion. A child is eligible to enter into a diversion agreement under Subchapter E only once every 365 days. A child is not eligible for diversion if the child previously had an unsuccessful diversion under Subchapter E or if the prosecutor objects to the diversion. Art. 45.304, C.C.P.
- Box 7.** The child has a right to go to trial. Therefore, if the child contests the charge, set the child for trial. See Boxes 20-26 for diversion after trial.

- Box 8.** A court may not divert a child from criminal prosecution without the written consent of the child and child's parent. Art. 45.304(e), C.C.P.
- Box 9.** Article 45.308 lists the requirements for a diversion agreement. A charge may not be filed against a child or, if filed, shall be dismissed by the court if the child does not contest the charge, is eligible for diversion, and accepts the terms of the diversion agreement.
- Box 10.** Article 45.312 authorizes a court to collect from a child's parent a \$50 administrative fee (Local Youth Diversion Administrative Fee) to defray the costs of the diversion of the child's case under Subchapter E. This fee is optional. It may not be collected unless it is specified as a term of the diversion agreement accepted by the parent. Diversion may not be contingent upon payment of this fee. Art. 45.312, C.C.P.
- Box 11.** By the end of the diversion period, determine whether the child has successfully complied with the terms of the diversion agreement.
- Box 12.** The case of a child who successfully complies with the terms of the diversion agreement shall be closed and reported to the court as successful. Arts. 45.309(c), 45.310(d), C.C.P.
- Box 13.** A child who does not comply with the terms of the diversion agreement shall be referred to court for a non-adversarial hearing. Arts. 45.309(d), 45.310(e), C.C.P. This non-adversarial hearing is an opportunity for a judge to confer with the child and parent to determine whether a diversion should be declared unsuccessful by the court. The court may also hear from any person who may assist the child or the court in determining what is in the best interests of the child and the long-term safety of the community. Art. 45.311, C.C.P.
- Box 14.** After the hearing, a court may enter one of the orders listed in Article 45.311(c). See Boxes 15, 16, and 17 for possible orders.
- Box 15.** Under Article 45.311(c)(1)-(4), a court may enter an order: (1) amending or setting aside terms in the diversion agreement; (2) extending the diversion period not to exceed one year from the initial start date of the diversion; (3) issuing a continuance for the hearing for a period not to exceed 60 days to allow an opportunity for compliance with the terms of the diversion agreement; and (4) require the child's parent to perform (or refrain from doing) certain acts the court determines will increase the likelihood the child will successfully complete the diversion and comply with any other order of the court that is reasonable and necessary for the welfare of the child. If the court orders any of these, the next step is to determine whether the child has successfully completed the terms of the agreement under the order. Go to Box 11.

- Box 16.** The court may enter an order finding the diversion successful on the basis of substantial compliance. Art. 45.311(c)(5), C.C.P. After such an order, the case shall be closed. Arts. 45.309(c), 45.310(d), C.C.P.
- Box 17.** The court may enter an order finding the diversion unsuccessful. Art. 45.311(c)(6), C.C.P.
- Box 18.** Upon a finding of an unsuccessful diversion, the court may transfer the child to juvenile court for alleged conduct indicating a need for supervision under Section 51.08 of the Family Code or refer the charge to the prosecutor for consideration of re-filing. Art. 45.311(c)(6), C.C.P.
- Box 19.** If a child either is ineligible or contests the charge or the child or parent does not give written consent to diversion, the case proceeds with prosecution. Arts. 45.304, 45.310, C.C.P.
- Box 20.** Making the determination in this box will either result in a finding of Not Guilty or potentially another opportunity for diversion.
- Box 21.** If the answer to the question in Box 20 is No, enter a judgment of Not Guilty.
- Box 22.** If the answer to the question in Box 20 is Yes, determine if the child is eligible for diversion. Art. 45.041(a-2), C.C.P. See Box 6.
- Box 23.** If the child is ineligible or the child or parent does not accept placement in diversion, find the child guilty and proceed to sentencing. Art. 45.041(a-2), C.C.P. All options normally available to the judge at this point in the case are still available, including deferred disposition.
- Box 24.** If the child is eligible, provide the child and parent the opportunity for placement in diversion under Article 45.310 (Diversion by Judge). Art. 45.041(a-2), C.C.P.
- Box 25.** If the answer is Yes, go to Box 26. If the answer is No, go to Box 23.
- Box 26.** If the child and parent accept, place the child in diversion under Article 45.310. Art. 45.041(a-2), C.C.P. Do not enter an adjudication of guilt or a judgment of conviction. Art. 45.041(a-2); Art. 45.310(a)(2), C.C.P. Complete a diversion agreement. Art. 45.308, C.C.P. Then go to Box 10.

CAUSE NO. _____

IN THE MATTER OF

§ IN THE JUSTICE COURT

§

§

_____,
A CHILD

§ PRECINCT1

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§ BAILEY COUNTY, TEXAS

JUVENILE DIVERSION AGREEMENT – DIVERSION BY COURT

The court **FINDS** that Child is eligible for diversion under the Code of Criminal Procedure and that the following charge or offense is being diverted: _____.

I. Terms of the Agreement

This Diversion Agreement between this court, _____ (Child), and _____ (Parent/Guardian) is entered into as a Diversion by Justice or Judge under Article 45.310 of the Code of Criminal Procedure.

This agreement is effective beginning on _____, 20__ and remains in effect until _____, 20__ (not to exceed 180 days from date of this agreement). During the period of this agreement, Child and Parent/Guardian must inform

- the court at _____
- the Juvenile Diversion Coordinator at _____

of the best address to receive court notices, and of any changes to that address.

The terms of this agreement are entered into with consideration of the circumstances of Child, the best interests of Child, and the long-term safety of the community. During the period of this agreement, the court will not process any criminal case based upon the diverted offense, alleged to have occurred on _____, 20__. Upon successful completion of this Diversion Agreement, the court may not accept charges related to the diverted offense.

If Child and Parent/Guardian do not successfully complete the terms of this diversion agreement, Child shall be referred to the court for a hearing with the judge of the court, Child, and Parent/Guardian. At this hearing, the court may either extend the diversion period or determine the diversion to be successful or unsuccessful. If the diversion is unsuccessful, the case may be referred for criminal prosecution or for proceedings in juvenile court.

Diversion is not an admission of guilt, and a guilty plea is not required to participate in diversion.

II. Child's Responsibilities

During the period of this agreement, Child's responsibilities shall be to provide documentation to

- the court at _____

the Juvenile Diversion Coordinator at _____

proof of completion of the following requirements. As needed, the Juvenile Diversion Coordinator will report to the court on the progress of Child:

- Teen Court
- School-related program: _____
- Educational program: _____
- Rehabilitation program: _____
- Self-improvement program: _____
- Tutoring: _____
- Community-based services: _____
- Mental health screening
- Clinical assessment
- Counseling
- Mentoring
- Mediation
- Alcohol testing
- Drug testing
- Course of treatment prescribed by a physician
- Restitution in the amount of \$_____ (*not to exceed \$100*) paid to _____.
- Complete _____ (*not to exceed 20*) hours of community service
- Child is referred to the following Service Provider for described services:

- Other conditions or detailed description of above responsibilities:

III. Parent/Guardian's Responsibilities

During the period of this agreement, Parent/Guardian's responsibilities include:

- During the period of this agreement, Parent/Guardian must pay a \$50 administrative fee to the court to defray the costs of this diversion.

IV. Acknowledgments

Child acknowledges that, upon successful completion of this diversion agreement, Child will be ineligible for diversion for a period of 365 days, and that upon unsuccessful completion of this agreement, Child will never again be eligible for diversion. Child hereby knowingly and voluntarily consents to diversion from criminal prosecution, as provided in this agreement, acknowledges and accepts the terms of this agreement, and verifies that Child received notice of their rights, including that all records of this diversion are confidential, that they will be automatically expunged on Child's 18th birthday, and that Child has the right to refuse diversion.

Child's Signature

Date

Parent/Guardian hereby knowingly and voluntarily consents to Child's diversion from criminal prosecution, as provided in this agreement, acknowledges and accepts the terms of this agreement, and verifies that Parent received notice of Child's rights, including those listed above.

Parent's Signature

Date



**BAILEY COUNTY
JUSTICE OF THE PEACE COURT**
306 West 2nd St.
Muleshoe, Texas 79347
806-272-4300

AFFIDAVIT FOR YOUTH DIVERSION PROGRAM (Art. 45.308, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE JUSTICE COURT

VS.

§

CITY OF MULESHOE

§

BAILEY COUNTY, TEXAS

AFFIDAVIT

I swear that I have not participated in a Youth Diversion Program within the last 365 days to divert from criminal prosecution for the dismissal of a non-traffic Class C Misdemeanor.

Child's Signature _____ Date _____

Child's Printed name _____

Violation _____

I swear that my child _____ has not participated in a Youth Diversion Program within the last 365 days to divert from criminal prosecution for the dismissal of a non-traffic Class C Misdemeanor. I understand the gravity of making a false statement under oath and affirm that the information provided is true and accurate to the best of my knowledge and belief. I understand perjury is a Class A misdemeanor, the highest level of misdemeanor in Texas and its punishment can be up to one year in county jail and/or a fine of up to \$4,000.

Parent's Signature _____ Date _____

Parent's Printed name _____

Sworn and subscribed before me on this ____ day of _____, 20____.

Notary Public in and for the State of Texas

My commission expires on _____

CAUSE NO. _____

IN THE MATTER OF

§ IN THE JUSTICE COURT

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§

_____,
A CHILD

§ PRECINCT 1

§

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§ BAILEY COUNTY, TEXAS

JUVENILE DIVERSION AGREEMENT – INTERMEDIATE DIVERSION

The above court’s juvenile diversion coordinator _____ (“JDC”) has determined that the above Child is eligible for diversion under the Code of Criminal Procedure and that the following potential charge or offense is being diverted: _____.

I. Terms of the Agreement

This Diversion Agreement between JDC, _____ (Child), and _____ (Parent/Guardian) is entered into as an Intermediate Diversion under Article 45.309 of the Code of Criminal Procedure.

This agreement is effective beginning on _____, 20__ and remains in effect until _____, 20__ (not to exceed 180 days from date of this agreement). During the period of this agreement, Child and Parent/Guardian must inform JDC of the best address to receive court notices, and of any changes to that address.

The terms of this agreement are entered into with consideration of the circumstances of Child, the best interests of Child, and the long-term safety of the community. During the period of this agreement, the court will not process any criminal case based upon the diverted offense, alleged to have occurred on _____, 20__. Upon successful completion of this Diversion Agreement, the court may not accept charges related to the diverted offense.

If Child and Parent/Guardian do not successfully complete the terms of this diversion agreement, Child shall be referred to the court for a hearing with the judge of the court, Child, and Parent/Guardian. At this hearing, the court may either extend the diversion period or determine the diversion to be successful or unsuccessful. If the diversion is unsuccessful, the case may be referred for criminal prosecution or for proceedings in juvenile court.

Diversion is not an admission of guilt, and a guilty plea is not required to participate in diversion.

II. Child’s Responsibilities

During the period of this agreement, Child’s responsibilities shall be to provide documentation to JDC proof of completion of the following requirements. JDC will report to the court the progress of Child.

Teen Court

School-related program: _____

- Educational program: _____
- Rehabilitation program: _____
- Self-improvement program: _____
- Tutoring: _____
- Community-based services: _____
- Mental health screening
- Clinical assessment
- Counseling
- Mentoring
- Mediation
- Alcohol testing
- Drug testing
- Course of treatment prescribed by a physician
- Restitution in the amount of \$_____ (not to exceed \$100) paid to _____.
- Complete _____ (not to exceed 20) hours of community service
- Child is referred to the following Service Provider for described services:

- Other conditions or detailed description of above responsibilities:

III. Parent/Guardian's Responsibilities

During the period of this agreement, Parent/Guardian's responsibilities include:

- During the period of this agreement, Parent/Guardian must pay a \$50 administrative fee to the court to defray the costs of this diversion.

IV. Acknowledgments

Child acknowledges that, upon successful completion of this diversion agreement, Child will be ineligible for diversion for a period of 365 days, and that upon unsuccessful completion of this agreement, Child will never again be eligible for diversion. Child hereby knowingly and voluntarily consents to diversion from criminal prosecution, as provided in this agreement, acknowledges and accepts the terms of this agreement, and verifies that Child received notice of their rights, including that all records of this diversion are confidential, that they will be automatically expunged on Child's 18th birthday, and that Child has the right to refuse diversion.

Child's Signature

Date

Parent/Guardian hereby knowingly and voluntarily consents to Child's diversion from criminal prosecution, as provided in this agreement, acknowledges and accepts the terms of this agreement, and verifies that Parent received notice of Child's rights, including those listed above.

Parent's Signature

Date

Juvenile Diversion Coordinator _____ agrees to these terms and conditions.

Coordinator's Signature

Date

Address/Phone number: 306 W 2nd MULESHOE, TX 79347 (806) 272-4300

CAUSE NO. _____

STATE OF TEXAS	§	IN THE JUSTICE COURT
	§	
v.	§	PRECINCT 1
	§	
_____	§	
DEFENDANT	§	BAILEY COUNTY, TEXAS

ORDER DISMISSING CHARGE FOR JUVENILE DIVERSION

The court **FINDS** that Defendant is a child charged with the offense of _____.

The court further **FINDS** that Defendant is eligible for diversion under Article 45.304, accepts the terms of the Diversion Agreement signed on _____, 20____ by

Defendant and their parent, and:

- does not contest the charge.
- agrees to a diversion in lieu of conviction after trial.

Therefore, the court **ORDERS** that the charge against Defendant is dismissed.

It is further **ORDERED** that this case file and all related records are confidential under Art. 45A.462.

ISSUED AND SIGNED _____, 20____.

 JUSTICE OF THE PEACE, PRECINCT1
 BAILEY COUNTY, TEXAS

CAUSE NO. _____

IN THE MATTER OF

§
§
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§
§
§

IN THE JUSTICE COURT

A CHILD

PRECINCT 1

BAILEY COUNTY, TEXAS

NOTICE TO APPEAR FOR HEARING – JUVENILE DIVERSION

Child's Name: _____ Charge being Diverted: _____

Child's Address: _____

Parent/Guardian's Name: _____

Parent/Guardian's Address if different from Child's Address:

The court has good cause to believe that you have failed to comply with the diversion agreement entered on _____, 20__ according to its terms, specifically: _____.

You and your parent/guardian are hereby ordered to appear before the court at _____
at ____m., on _____, 20__, for a hearing to determine whether the diversion should be declared unsuccessful.

The court may also hear from any person who may be of assistance in determining what is in the best interests of the child and the long-term safety of the community. If applicable, please contact the court and provide the name and address of such person.

If the court finds the diversion unsuccessful, the case may be referred to juvenile court or to the prosecutor for consideration of criminal prosecution.

ISSUED AND SIGNED _____, 20____.

JUSTICE OF THE PEACE, PRECINCT 1
BAILEY COUNTY, TEXAS

CAUSE NO. _____

IN THE MATTER OF

§ IN THE JUSTICE COURT

§

§

§ PRECINCT 1

_____ A CHILD

§

§

§ BAILEY COUNTY, TEXAS

HEARING ORDER – JUVENILE DIVERSION

The court **FINDS** that on _____, 20____, _____ (Child) and _____ (Parent/Guardian) signed a Diversion Agreement for the following charge: _____. The court further **FINDS** that Child and Parent/Guardian were sent notice to appear for a hearing to determine whether diversion should be declared unsuccessful.

The court hereby **ORDERS**:

- The following terms of the Diversion Agreement are set aside: _____
- The following terms of the Diversion Agreement are amended as described: _____
- The diversion period is extended for the following period (*not to exceed one year from the original start date of the diversion*): _____
- A continuance for the referral hearing until _____, 20____ (*not to exceed 60 days*) to allow an opportunity for compliance with the terms of the diversion agreement.
- To increase the likelihood that Child will successfully complete the diversion, Parent/Guardian shall: _____
- Due to it being reasonable and necessary for the welfare of Child, Parent/Guardian shall comply with the following Order: _____
- That the diversion is determined to be **SUCCESSFUL** based on substantial compliance.
- That the diversion is determined to be **UNSUCCESSFUL** and:
 - transfers Child to juvenile court for alleged conduct indicating a need for supervision.
 - refers the charge to the Prosecutor for consideration of criminal prosecution.

ISSUED AND SIGNED _____, 20____.

JUSTICE OF THE PEACE, PRECINCT 1
BAILEY COUNTY, TEXAS