

**A COMPLAINT WAS FILED AGAINST ME
(FOR OFFENSES DATED ON/AFTER JANUARY 1, 2018)
QUESTIONS AND ANSWERS**

Q: I was not physically arrested or taken to jail but an officer told me that I was being charged with a crime. What does this mean?

A: This means that the officer decided to submit the charges to the State Attorney's Office for review. This can happen in several ways, including processes known as a sworn complaint, a notice to appear, or a civil citation.

Q: What will the State Attorney do about the charges?

A: The State Attorney will review the file for several purposes. First, a decision will be made as to the legal sufficiency of the charges. If the State Attorney determines that the charges are legally insufficient then the case will be dismissed and you will have no further obligations. Second, if the State Attorney determines that the charges are legally sufficient but that you qualify for an out of court diversion program, you will be notified of that so that you can decide if you wish to accept diversion. Third, if the State Attorney determines that the charges are legally sufficient and that you do not qualify for diversion you will be sent a court date at which you must appear.

Q: How will I be notified?

A: You will receive written notification at the address you provided to the officer. If the State Attorney dismisses the charges or determines that you are eligible for diversion, that notice will come from the State Attorney's Office. If the State Attorney determines that the case should go to court, that notice will come from the court.

Q: If the charges are not dismissed will I be arrested?

A: If you appear as required by a notice regarding either diversion or court then you will not be arrested. If you do not appear or respond then it is possible that a warrant for your arrest will be issued.

Q: How do I know if I qualify for diversion?

A: If the charges against you do not involve violence and if you have no significant prior criminal history you may be eligible for diversion.

Q: When will I hear something?

A: Generally, a decision about the charges against you will be made within 30 days of the State Attorney receiving them from the officer.

Q: Should I hire an attorney?

A: That is a decision you will have to make. Consulting with an attorney at any point is always your right.

**FOR ADDITIONAL INFORMATION ABOUT DEFERRAL, FOLLOW THE
LINK FOR DIVERSION COURT/DEFERRED**