



FRANKLIN COUNTY PAY-IT OFFENSE PROGRAM POLICY **(UPDATED JANUARY 1, 2025)**

The Franklin County Attorney's Office has established the following guidelines for its **Pay-It Offense Program** in traffic cases. These guidelines are effective for any cases pending or offenses committed on or after January 1, 2025.

A defendant is **NOT** required to have an attorney for this process.

Our Pay-It Offense policy is a privilege and not a right. No presumption in favor of eligibility for this program exists in any case.

General Eligibility

The County Attorney will consider a number of factors in determining whether or not an individual qualifies for the Pay-It Offense Program. The Pay-It Offense Program applies only to infractions listed in the Kansas Uniform Fine Schedule. Generally, a person is eligible to participate if he/she has no more than 3 convictions or diversions for traffic-related offenses within the past 3 years.

In addition to the above, a person will **NOT** be eligible in the following circumstances:

- 1) Defendant possesses a Commercial Driver's License (CDL).
- 2) Defendant is under 18 years of age.
- 3) Defendant was operating a commercial motor vehicle (CMV) at the time of the offense.
- 4) The traffic offense(s) arose out of an accident.
- 5) The traffic offense(s) resulted in personal injury or property damage.
- 6) Traffic offense(s) related to:
 - Emergency vehicles (i.e. police, fire, EMT, etc.)
 - Construction, school, safety, and/or no passing zones
 - Railroad crossings
 - School, day-care, or church buses
 - Crossing guards
 - Driving the wrong way
 - Utility/Telecommunication vehicles
- 7) Speeding offenses that exceed the legal limit by more than 30 mph and/or speeds over 99 mph.

Procedures

- 1) **All court appearances must be attended during the application process unless there is prior approval from the Court or the County Attorney to miss court.** Only the Court, not the County Attorney, can grant a continuance of a court hearing.

- 2) The Defendant must complete the Pay-It Offense form and submit it to the County Attorney's Office prior to the court appearance date listed on the citation.

- 3) Once approved, the Defendant must submit payment to the County Attorney's Office via Money Order or Cashier's Check. Payment will be as follows:
 - (1) Money Order or Cashier's Check made payable to the Franklin County Attorney's Office for the diversion fee.
 - (2) Money Order or Cashier's Check made payable to the Clerk of the District Court for the fine and court costs.

- 4) Once paid in full a 1-Day Diversion Agreement will be filed with the Court along with a Notice of Dismissal dismissing the case that same day.

All questions with regard to the Pay-It Offense Program should be directed to the County Attorney's Office.

FRANKLIN COUNTY PAY-IT OFFENSE APPLICATION

(Please fully complete or you will be automatically denied.)

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Driver's License State: _____ DL Number: _____

Telephone Number: _____ Email Address: _____

Date of Birth: _____ Sex: _____

SSN: _____ Race: _____

Date Ticket Issued: _____ Next Court Appearance: _____

Ticket / Citation #: _____

Current Charges:

Have you had any other traffic-related offenses reduced, amended, or diverted within the last 3 years?

Yes No

Printed Name: _____ Date: _____

Signature: _____

Return this application, either in person, by US mail, facsimile, or email to:

Franklin County Attorney's Office

ATTN: Traffic Diversions

220 South Beech Street, Suite B

Ottawa, Kansas 66067

785-229-8970

785-229-8971 (facsimile)

countyattorney@franklincoks.org

COMPLETED APPLICATIONS WILL NOT BE CONSIDERED IF YOU FAIL TO PROVIDE REQUIRED DOCUMENTATION.