

RULE 10 - TRAFFIC PROCEDURE

- 10.1** All eligible first-time traffic offenders will be given the option of participating in the Carteens Program. A financial participation fee is determined by the Juvenile Court and the OSU extension office.
- 10.2** To be eligible to participate in the Carteens Program, the offense must not involve alcohol or drugs of abuse, not be an aggravated offense determined in the sole discretion of the court, if a speeding charge then not more than 20 miles over the posted speed limit, not involve an injury accident, and not objected to by the arresting officer or the prosecuting attorney. Likewise, all bondable offenses as defined by section 2.5 will not be eligible for the Carteens Program.
- 10.3** If a juvenile successfully completes through diversion participation the Carteens Program, the charge will not be filed with the court, nor reported to the Ohio Bureau of Motor Vehicles. The Juvenile Court will keep a database of all Carteens participants.
- 10.4** The Court hereby establishes a traffic bond procedure. If a charge presented to the Court is for one of the following offenses, then the juvenile and parents will be sent appropriate information to allow the juvenile to post a bond rather than appearing in court for the traffic offense. These bondable offenses include O.R.C. Sections 4513.263, 4511.56, 4511.66, 4511.681, 4511.69, 4503.11, 4503.21, 4513.04, 4513.05, 4513.06, 4513.09, 4513.15, 4513.21, 4513.22, 4513.221, 4513.23, 4513.24, 4513.241, 4513.25, 4513.26, 4519.02, 4519.20, or other miscellaneous non-moving traffic offenses. The juvenile charged with one of the above referenced offenses and parents will be sent a Notice of Filing and a Waiver and Admission form (**see attached Appendix A and B**) to sign and return with the appropriate bond. The amount of the bond will be established periodically by the court for each offense. No court appearance will be necessary for any bondable offense. All bondable offenses that are admitted to will be sent in to the Ohio Bureau of Motor Vehicles.

10.5 The use and filing of a ticket that is produced by computer or other electronic means is hereby authorized in the Belmont County Juvenile Court. The electronically produced ticket shall conform in all substantive respects to the Ohio Uniform Traffic Ticket. If an electronically produced ticket is issued at the scene of an alleged offense, the issuing officer shall provide the defendant with a paper copy of the ticket.

**Appendix A
NOTICE**

State of Ohio, Belmont County Court of Common Pleas, Juvenile Division

**TRAFFIC COMPLAINT FILED.
NOTICE OF FINE & COSTS ISSUED.**

Date: _____

IN THE MATTER OF:

Case #

ALLEGED TRAFFIC OFFENDER.

TO:

ORC: _____
Description: _____

ORC: _____
Description: _____

On _____, _____ filed in this Court a complaint/traffic citation, duly verified according to law, setting forth that the above name child, date of birth: _____, appears to be a Juvenile Traffic Offender.

It is therefore ordered by the Court, that this Notice be issued to the above named juvenile and his/her parent(s) informing them that a fine of \$_____ and Court costs of \$_____ for a total of \$_____, will be due in this matter within _____ **days** from the above date. The juvenile will also have the option of denying the charge and appearing in Court for a formal hearing by calling the Court at (740) 699-2141 upon receipt of this notice in order to schedule a pretrial hearing.

If you wish to enter an admission to the charge (plead guilty) and pay the fine and Court costs, please send a check or money order in the above amount. Make the check or money order payable to **Albert E. Davies, Juvenile Judge**. Credit Card payments are also accepted in person, over the phone or at www.BelmontCountyJuvenileCourt.com.

You MUST RESPOND with the payment or phone call within twenty (20) days of the receipt of this letter. Failure to respond to this notice within the listed amount of days may result in the licensing authority of the home state being notified and the driver's license being suspended until the juvenile responds or the fine and costs have been paid, further fine and Court costs and being cited into Court. **YOU WILL BE REQUIRED TO TURN IN YOUR DRIVER'S LICENSE TO THE COURT BY THE ABOVE DATE.** Juveniles cited as passengers who do not have a driver's license will have

their right to obtain a permit or driver's license suspended until all fines and costs due this Court have been paid.

Also enclosed you will find **An Admission Slip** to be signed by you and approved by one (1) of your custodial parent(s) along with a **Proof of Insurance Form** (if no proof was shown to officer at time of arrest). **BOTH OF THESE FORMS ARE TO BE RETURNED TO THE COURT ALONG WITH YOUR PAYMENT.** If you have any questions, please feel free to call the Court at the above number.

ALBERT E. DAVIES - JUVENILE JUDGE

Appendix B
BELMONT COUNTY JUVENILE COURT
BELMONT COUNTY COURTHOUSE
ST. CLAIRSVILLE OHIO 43950
WAIVER AND ADMISSION

IN THE MATTER OF:

Case #

ALLEGED Juvenile Traffic Offender.

TO:

ORC:
Description:

In consideration of not appearing in Court, I, the undersigned do hereby enter my appearance on the complaint for the offense alleged in this notice. I **WAIVE** the reading of the complaint and the right to be present at a trial of this action. I hereby enter a plea of **ADMISSION** to the allegations in the complaint and **WAIVE** the right to appeal any error in these proceedings. I understand the nature of the complaint against me. I understand by right to have counsel and I **WAIVE** this right. I **WAIVE** my right to trial before a Judge.

I **ADMIT** to the allegations in the complaint fully aware that my signature to this plea will have the same affect as a judgment of this Court and that a record of it will be sent to Ohio Bureau of Motor Vehicles.

A fine of \$_____ and costs of \$_____ for a total of \$_____. Payment in full is due within **days** of receipt of this notice.

Date:

Juvenile Signature

Parent/Custodian Signature

Parent/Custodian Signature

Pursuant to Rule 22 (C) and upon the admission heretofore entered, it is therefore ordered and adjudged that the above disposition is hereby approved and entered this _____ day of _____, 20__.

Albert E. Davies, Juvenile Judge