

COURT ❖ SUPERVISION ❖ and ❖ DIVERSION ❖ PROGRAM



WHAT IS COURT SUPERVISION?

Court Supervision is a sentencing option available in certain types of cases in Illinois including many traffic, misdemeanor and ordinance violations. You cannot get supervision in felony cases. Court supervision is granted at the discretion of the judge. It is not a matter of right so never assume you can get a sentence of supervision.

In order to receive a sentence of court supervision you have to first plead guilty to the charge in court. But, instead of the Judge finding your guilty at that time, the Judge takes the plea under advisement and places you on a period of supervision. Usually, this time period is at least three months and can last much longer.

During the time you are on court supervision the court will impose conditions. One condition always imposed is that you must not commit any further offenses. Other common conditions include: paying court costs and fines, community service, and education programs.

If you successfully complete the conditions of your supervision, the case is dismissed and no guilty conviction is entered on your record.



WHO CAN TELL I HAD A SENTENCE OF COURT SUPERVISION?

Receiving a sentence of court supervision DOES NOT hide your record. It does mean you won't have a conviction of the traffic ticket, ordinance violation or criminal misdemeanor but this sentence is not hidden. Anyone accessing public court records can see this information. Additionally, with traffic tickets, supervision sentences are reported to the Secretary of State. So, if your insurance company chooses to pull your driving record they can see this information and can choose to increase your rates. Remember that future employers and U.S. citizenship and Immigration Services often times search databases and can use this information for deportation purposes or to deny employment. The only way this information is hidden is if you expunge the record.



WHAT HAPPENS IF I DON'T COMPLETE THE SUPERVISION CONDITIONS?

If you do not successfully complete the conditions of your supervision, the State's Attorney will file a Petition to Revoke and ask the Court to take back the sentence of supervision and re-sentence you. This means that you will have a guilty conviction on your record. Usually when this happens, you also get additional fines and increased public service. In some cases, there could even be jail time. If part of your supervision included dropping some other charges, those accompanying charges could be re-filed against you. If you need extra time to complete supervision in order to pay your fines, you must ask permission by going to court. If the court gives you extended time to pay the other conditions of your supervision remain in effect during the extension.



**IF I SUCCESSFULLY COMPLETE MY COURT SUPERVISION,
CAN I HAVE MY CASE EXPUNGED?**

Yes, following dismissal of your case, you may undertake expungement of your record. In most instances, you must wait a statutorily prescribed period of time following completion of the period of supervision in order to do so. This time period is usually two years.



WHAT IS THE FIRST TIME OFFENDER DIVERSION PROGRAM?

To be eligible for the diversion program you must be a FIRST TIME underage offender for alcohol possession or consumption and charged with a city ordinance violation. Participants must attend an educational class ½ day on a Saturday. The fee for diversion is \$350.00 and it must be paid at least one week prior to attending the educational class. If the program is completed successfully, there is no conviction. You should ask for diversion prior to court by either calling Student Legal Service or by returning the form sent to you by the City of Charleston.



The information contained herein is not intended as a substitute for legal advice. Students who are confronted with legal problems or who need specific advice are encouraged to seek assistance from a licensed attorney.

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