

1 S.189

2 Introduced by Senator Sears

3 Referred to Committee on

4 Date:

5 Subject: Executive; attorney general; court diversion

6 Statement of purpose: This bill proposes to designate the court file as
7 confidential once a case is accepted by the court diversion project.

8 An act relating to expanding confidentiality of cases accepted by the court
9 diversion project

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 3 V.S.A. § 164(c)(1) is amended to read:

12 (c) All adult court diversion projects receiving financial assistance from the
13 attorney general shall adhere to the following provisions:

14 (1) The diversion project shall accept only persons against whom
15 charges have been filed and the court has found probable cause, but are not yet
16 adjudicated. If the prosecuting attorney refers a case to diversion, the
17 ~~information and affidavit~~ court file related to the charges shall be confidential
18 and shall remain confidential unless:

19 (A) the board declines to accept the case;

20 (B) the person declines to participate in diversion; or

1 (C) the board accepts the case, but the person does not successfully
2 complete diversion.

3 Sec. 2. EFFECTIVE DATE

4 This act shall take effect on passage.