

WHAT YOU NEED TO KNOW ABOUT NON-ADJUDICATED PROBATION

Non-adjudication means that you have not yet been convicted of the crime you are charged with. Non-adjudication allows you the opportunity to avoid the felony conviction. Only first time offenders are eligible for non-adjudication.

If you are placed on non-adjudication, you will be required to follow certain court orders and remain on probation for a certain period of time, often years. The court's orders or requirements typically vary but usually include payment of a fine and staying out of trouble. If at the end of the probationary period, you have completed all the requirements set out by the court, then the charge will be dismissed and you will not be convicted of the crime. If you fail to meet the specific requirements, you may be convicted and sentenced up to the maximum punishment under the law.

Not everyone is eligible for non-adjudicated probation (or deferred adjudication). If you have been charged with the following crimes, you are not eligible for non-adjudicated probation:

- Murder/Attempted Murder;
- Felony DUI;
- Aggravated Assault;
- Manslaughter;
- Killing of an Unborn Child;
- Kidnapping;
- Human Trafficking;
- Poisoning;
- Rape/Statutory Rape;
- Robbery;
- Sexual Battery;
- Drive-By Shooting;
- Carjacking;
- Felony Neglect, Abuse or Battery of Child;
- Burglary of a Dwelling;
- Exploitation of a Child; Shooting into a Dwelling); and
- Embezzlement/Fraud.

In summation, if you are placed on non-adjudicated probation you have not been convicted of that crime. However, the crime you are charged with and your case remain open until the Court has determined whether the charge shall be dismissed or whether the defendant shall be adjudicated guilty and thereby convicted.

If you have successfully completed all the terms of your non-adjudicated probation, the crime you are charged with will be dismissed. In addition, our office can apply to have the arrest expunged from your record if you request us to do so. In order to have the arrest expunged, you will need to make an appointment with our office after you have successfully completed all the terms of your non-adjudicated probation.