

**Information about possible referral of your underage drinking case to  
Community Diversion Programs (Kenaitze Indian Tribal Circle  
Program or Kenai Peninsula Youth Court)**

***If:***

- (1) you were younger than 19 years old on the date of offense, and  
(2) this is your first Minor Consuming or Possessing Alcohol ticket,***

your case may be eligible for a Suspended Imposition of Sentence and referral to one of the two Community Diversion Programs available to local youth (the Tribal Circle or the Youth Court). Under a Suspended Imposition of Sentence, eventually the conviction may be set aside if you follow through with the Diversion Program and have no further convictions. A referral to either of these Diversion Programs is voluntary, and pursuant to Alaska Statute 4.16.050, is available upon a plea of "no contest" or "guilty."

Representatives of the Tribal Circle and the Youth Court are often available at your arraignment hearing so you will have a chance to ask questions about the respective programs. If you choose to have your case referred to either one, these are the steps that will follow:

- After making sure you understand your rights, the Judge will ask for your plea.
- If you plead guilty or no contest, the Judge will ask if you are interested in one of the diversion options.
- If you say you would like to go to either Diversion Program, the Court may enter a Suspended Imposition of Sentence, put you on one year unsupervised Court Probation, and order you to contact the Diversion Coordinator by a certain date. The Diversion Coordinator is Ginny Espenshade; her phone number is **398-4027**.
- Following that contact, you will schedule an appointment with either the Youth Court or the Tribal Circle to begin their process.
- You will have actions to complete that are decided through the diversion process. (Briefly, the Youth Court uses a court process in which all attorneys, prosecutors and judges are teens. The Tribal Circle, based on traditional principles, brings you together with family, friends, and others from the community to create a plan to make things right and get on a good path).
- Upon completion of your Diversion Program, a report will be filed in your District Court case, and at the end of your probation the conviction will be set aside if you haven't had any other offenses before then.
- This type of conviction, even if set aside, will still count if you get a new minor consuming or possessing alcohol charge, in that the new case will be considered a Repeat MCA case.