

## **Plea in Abeyance**

A plea in abeyance is a plea bargain entered into between a defendant and the prosecutor. A defendant pleads guilty, but the court does not enter the guilty plea. The court holds the guilty plea in abeyance for the term of the agreement (typically nine to 12 months). If the conditions of the plea are completed successfully, the case is dismissed at the end of the abeyance period. The advantage of a successful plea in abeyance is that a conviction does not go on your record. However, if the terms of the plea in abeyance are not completed successfully, your guilty plea will be automatically entered. You will be brought back to court for sentencing under the original charge.

In certain traffic cases the prosecution has a "standing order" with the court that requests the court to allow a standard plea in abeyance in certain circumstances, even when the prosecutor is not present. The terms of the standard traffic plea in abeyance are that you will pay the bail amount, plus a \$25 plea in abeyance fee. You may also be required to complete traffic school within 45 days. There will be a separate charge at the time you sign up for traffic school. Additionally, you may not have any additional moving violations during the period of the abeyance. A court clerk may inform you if you qualify for the standard plea in abeyance.