

## **What is Intervention in Lieu of Conviction (ILC)?**

Intervention in Lieu of Conviction (ILC) is a program allowing eligible defendants to receive assistance or treatment to avoid a felony conviction. It is designed to give people the opportunity to address issues that were a factor leading to committing the offense.

Those issues include: substance abuse, mental health, intellectual disability, victim of human trafficking or prostitution.

## **What are the Benefits of (ILC)?**

The defendant will complete an ILC evaluation, and if eligible, and granted ILC, he or she will plead guilty to the offense. However, the judge withholds a finding of guilt and any sentence he or she may impose. Instead, the defendant will enroll into the ILC program and establish a plan of intervention. If the defendant successfully completes the ILC requirements, the criminal charge is ultimately dismissed and the defendant avoids a felony conviction. Upon dismissal, the defendant is eligible to file a motion to seal the criminal charge from his or her record.

### **OUR MISSION**

WARREN COUNTY COURT SERVICES IS COMMITTED TO FULFILLING THE ORDERS OF THE COMMON PLEAS COURT, PROTECTING OUR COMMUNITY, PROVIDING JUSTICE FOR VICTIMS, HOLDING OUR CLIENTS ACCOUNTABLE, AND UTILIZING EVIDENCE-BASED PRACTICES AS A WAY OF POSITIVELY IMPACTING OUR CLIENTS' BEHAVIOR.

## **Warren County Common Pleas Court**

500 Justice Dr.  
Lebanon, OH 45036

Phone: 513-695-1244  
Fax: 513-695-2315

Email: [courtservices@co.warren.oh.us](mailto:courtservices@co.warren.oh.us)



**Intervention in Lieu  
of Conviction (ILC)**

## Who is eligible for ILC?

A defendant is eligible for ILC if willing to comply with all terms and conditions imposed by the court, has never been convicted or plead guilty to a felony offense of violence, and if the **current charge is not any of the following:**

- ◆ An offense of violence;
- ◆ 1st or 2nd degree felony;
- ◆ 3rd degree felony (excludes Drug Possession);
- ◆ 1st- 4th degree felony of Trafficking or Aggravated Trafficking;
- ◆ A felony sex offense;
- ◆ OVI;
- ◆ Vehicular Homicide or Aggravated Vehicular Homicide;
- ◆ Aggravated Vehicular Assault
- ◆ Any offense carrying a mandatory prison term;
- ◆ Corrupting Another with Drugs;
- ◆ Illegal Manufacture of Drugs, Illegal Cultivation of Marijuana, or Methamphetamine offenses;
- ◆ Illegal Administration or Distribution of Steroids;
- ◆ A crime involving an alleged victim of 65 years of age or older, permanently or totally disabled, under 13 years of age, or an on- duty police officer;
- ◆ A Tampering with Drugs charge that resulted in physical harm to someone; and/or
- ◆ An offense that would result in sanctions against a Commercial Driver's License.

## What are the requirements of ILC?

- ◆ Abstain from using illegal drugs and alcohol;
- ◆ Participate and be compliant in treatment and recovery support services;
- ◆ Regular, random drug testing;
- ◆ Pay restitution, reimbursement, court costs, fines, and supervision fees in full;
- ◆ Demonstrate progress on identified goals in targeted skills identified on the individualized intervention plan;
- ◆ Other terms and conditions may be ordered by the court on an individual basis.

## Reporting Requirements

The frequency a defendant reports to see their probation officer is based upon an initial assessment completed at the ILC evaluation. As a defendant shows progress on their individualized intervention plan, reporting frequency adjusts.

INITIAL	FREQUENCY RANGE BASED ON PROGRESS
Every week	Every 2 weeks to Every 3 weeks
Every 2 weeks	Every 3 weeks to Every 5 weeks
Every 4 weeks	Every 5 weeks to Every 12 weeks

## ILC vs. Community Control (Probation)

If a defendant is not granted ILC, and sentenced to Community Control:

- ◆ The defendant is convicted of the crime pled guilty to;
- ◆ Reporting frequency is less intense;
- ◆ Sealing laws differ

## Frequently Asked Questions....

**“Will I be finished with ILC once I complete treatment?”**

No. Ohio law states you must be on ILC for a minimum of 1 year, remain drug and alcohol free for 1 year, and complete all other terms and conditions ordered by the court.

**“Will my charges show on my record while on ILC?”**

Yes, the charges will show; however, they will show as “pending” charges and not convicted charges.

**“Why did the judge say that I’m not on probation?”**

Probation is a sentence ordered to someone who has been convicted of a crime. With ILC, a defendant has not been convicted; however, the defendant is still placed under the general control and supervision of the probation department.

**“If I’m not convicted, why do I have to pay court costs?”**

The ILC process still requires court hearings, filings, etc., all which have costs associated with them.

**“How long after completing ILC do I have to wait to file for sealing?”**

Upon dismissal, the defendant is immediately eligible to file a motion to seal the criminal charge from his or her record.