WEST VIRGINIA CODE: §61-3-390

§61-3-390. Agreement to suspend prosecution of a person accepted into the restitution program.

- (a) The prosecuting attorney may enter into an agreement with a participant of the worthless check restitution program to suspend prosecution for a period to be determined by the prosecuting attorney.
- (b) To remain eligible for the worthless check restitution program, the participant shall:
- (1) Contact a representative of the program before the date required by the notice sent pursuant to section thirty-nine-n of this article;
- (2) Agree to comply with all the program terms;
- (3) Complete a class conducted by the prosecuting attorney, his or her designee, or a private entity under contract with the prosecuting attorney, which offers offender education and instruction;
- (4) Pay a fee in the amount of \$10 to be deposited in the "worthless check fund" established pursuant to the provisions of section thirty-nine-h of this article;
- (5) Pay the fee required to participate in the class;
- (6) Pay full victim restitution; and
- (7) Pay all fees for participation in the program, unless those fees are waived.
- (c) The prosecuting attorney shall agree not to file criminal charges if the participant in the program completes the conditions of the agreement.