

# What is a Plea in Abeyance?

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In simple English, “abeyance” means to be in a state of temporary suspension. Legally, **a plea in abeyance means that you can have your criminal charges dismissed by the prosecuting attorney if you agree to meet certain conditions.** If you do meet these conditions, you will keep a conviction off of your record as well as avoid prison or jail time.

In some cases, **a plea in abeyance can lower the degree of the criminal offense that you face rather than resulting in the case being dismissed altogether.** For example, a felony might be reduced to a misdemeanor or a misdemeanor may be reduced to a simple infraction. While a plea in abeyance for a felony might still entail jail time, this option does help you avoid getting a felony conviction on your record. Felony convictions can have life-altering effects, such as making it difficult to obtain certain jobs or preventing you from legally owning a gun. For this reason, speaking with a Utah criminal defense lawyer about a plea in abeyance that will reduce the felony that you face to a misdemeanor might be the best option.

In short, pleas in abeyance are used to help rehabilitate defendants and put them in the best position to avoid making similar mistakes going forward. Some courts in Utah will allow the court clerk to enter a plea in abeyance rather than making the defendant go in front of a judge for certain offenses.

## **When you enter a plea of abeyance, you are agreeing to several conditions:**

1. You agree to **plead either “no contest” or “guilty”** to the charges that you face;
2. You understand that your plea will be suspended for as much as one year;

3. You **agree to fulfill all of the conditions** outlined in your plea in abeyance agreement;
4. You understand that you will have the **charges against you dismissed following this abeyance period**, leaving no record of a conviction.

Note that, even after you fulfill the terms of your plea in abeyance agreement and have the charges against you dismissed, the record of the charges that you faced and the fact that you entered a plea in abeyance will still exist. You would need to seek to have the criminal records expunged in order to seal them.

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## Plea in Abeyance in Utah FAQ

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A criminal conviction in Utah can result in a prison sentence, financially disastrous fines and restitution, living under probation restrictions, difficulties finding employment, loss of basic rights, suspended licenses, and other serious consequences. A plea in abeyance agreement offers an opportunity for many people facing prosecution in Utah to avoid such serious outcomes. A skilled Utah criminal defense attorney can help you in your effort to obtain a plea in abeyance agreement.

Here is a list of the most frequently asked questions about having a plea held in abeyance for a defendant in a Utah criminal case:

### What Does a Plea in Abeyance Mean?

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In the majority of criminal cases, when a defendant pleads innocent, the case goes to trial, and when a defendant pleads guilty or pleads no contest, the court enters a conviction into the record and proceeds with sentencing the convicted person. A plea in abeyance is an arrangement that can be negotiated with a prosecutor as an alternative to going to trial in a court case.

### Is a Plea in Abeyance a Conviction?

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### What Are the Benefits of Pleading in Abeyance?

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### Who Is Eligible for a Plea in Abeyance?

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### What is Required to Satisfy the Terms of Your Plea in Abeyance?

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### What Do I Need to Do to Get a Plea in Abeyance?

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### Will a Plea in Abeyance Show up on a Background Check?

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### Will the Plea in Abeyance Stay on My Record After the Case Is Dismissed?

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How Can My Record Be Cleared After the Case Is Dismissed?

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Is It Possible to Get a Plea in Abeyance for a Drug Charge in Salt Lake County?

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What Does the Sentence "Held in Abeyance" Mean?

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What Concerns Should I Have About a Plea in Abeyance Agreement?

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## **Are You Facing Criminal Charges in Utah and Curious if You Qualify for a Plea in Abeyance?**

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Our team of talented Utah defense attorneys can help you explore your options, whether you are facing a new criminal charge or are looking for a 402 reduction or expungement to help clear your record. Wasatch Defense Lawyers serve clients throughout Utah, and our experience and expertise have led to a lengthy list of dismissals, appellate reversals, and not guilty verdicts. Moreover, our team has a long track-record obtaining pleas in abeyance for clients facing both misdemeanor and felony charges.

## **Wasatch Defense Lawyers, Salt Lake City UT**

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We are criminal defense attorneys in Salt Lake City, Utah. Our experienced, highly-effective lawyers start working immediately to get charges dismissed or reduced and keep you from spending time in jail. We have successfully defended many people against very serious charges throughout Utah. We have negotiated successfully to get plea in abeyance agreements regarding a wide range of criminal charges.

We speak Spanish and German. We provide payment arrangements. Ask about our military discounts.

If you or a loved one has been charged with a criminal offense, contact Wasatch Defense Lawyers, Salt Lake City UT, to schedule a free confidential review of your case.

Contact Wasatch Defense Lawyers at 801-980-9965 today for a no-obligation consultation.

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