

CARBON COUNTY ACCELERATED REHABILITATIVE DISPOSITION (ARD)
FACT SHEET

What is ARD?

- Accelerated Rehabilitative Disposition (ARD) is a pretrial intervention program in Pennsylvania for non-violent first-time offenders who must meet criteria listed in this packet. The District Attorney will evaluate your eligibility for this program and approve or disapprove your application.
- Individuals who successfully complete the ARD program can have their charges dismissed and their records expunged by the Court.
- Read the information in this packet completely. You may wish to consult an attorney for legal advice to protect your rights. If you feel you cannot afford an attorney, you may apply for representation at the Carbon County Public Defender's Office. Your application will be evaluated for your ability to afford an attorney.

How do I enter the ARD Program?

1. Prior to your Preliminary Hearing at the Magisterial District Judge's office,

YOU MUST:

- Complete the ARD Questionnaire to determine your eligibility.
- Complete the Prior Record of Criminal History Statement.
- Sign the Waiver of Rights Form (for DUI offenses only).
- Bring all of above completed documents to your preliminary hearing at the Magisterial District Court where they will be evaluated for your eligibility.
- At your preliminary hearing, and if you are determined to be eligible, you will be given a hearing date at the Court of Common Pleas in Jim Thorpe. This date will be approximately 60-75 days after your preliminary hearing date.

2. Prior to your ARD hearing at the Court of Common Pleas in Jim Thorpe,

YOU MUST:

- Comply with the judicial order to have your fingerprints recorded at the Carbon County Correctional Facility.
- Schedule and Complete a CRN Evaluation at:
Carbon-Monroe-Pike Drug and Alcohol Commission (CMPDA)
430 South Seventh Street
Lehighton, PA 18235
610-377-5177
- Complete a Comprehensive Drug and Alcohol Evaluation if required by the results of the CRN.
- Pay one-half (1/2) of the ARD Administrative fee on or before your scheduled ARD hearing date.

GUIDELINES FOR ARD PROGRAM ELIGIBILITY

THE ARD PROGRAM IS FOR NON-VIOLENT FIRST TIME OFFENDERS. THE FOLLOWING CONDITIONS WILL DISQUALIFY YOU IF YOU HAVE:

- Any charge of sexual nature.
- Any Felony 1 convictions or adjudications.
- Any Felony 2 or Felony 3 convictions
- Any juvenile felony adjudications or adult DUI offenses within last 10 years.
- Caused a serious injury or death.
- Any prior revocations of probation supervision.
- Committed a new offense while waiting for your Court date or while under supervision by the Adult Probation Department.
- Falsified information on your ARD Application.

FOR DUI OFFENSES, YOU WILL BE DISQUALIFIED IF YOU HAVE:

- An extensive criminal history.
- Prior DUI offenses.
- An extensive history of vehicle-related offenses.
- Any prior juvenile adjudication or conviction for Homicide by Motor Vehicle.

THE FOLLOWING CONDITIONS OF YOUR ARREST WILL ALSO DISQUALIFY YOU:

- If a child under the age of 14 was in the vehicle when you were arrested.
- If your vehicle lacked proper insurance when arrested.

REQUIREMENTS FOR COMPLETING THE ARD PROGRAM

TO COMPLETE THE ARD PROGRAM, ALL OFFENDERS MUST:

- Complete and pay for counseling / treatment if recommended.
- Pay Court costs, restitution, offender supervision fees, and the balance of the ARD Administrative fees on a monthly schedule as directed by the Court prior to expiration of your Adult Probation Supervision. (See next section for Penalties and ARD Fees Based on Type and Level of Offense).
- Complete any other conditions as directed by the Court.
- Comply with rules and regulations of the Adult Probation Department.

PENALTIES AND ARD FEES BASED ON TYPE AND LEVEL OF OFFENSE

Refer to your Criminal Complaint for information about your Blood Alcohol Content (BAC) to properly categorize your offense to its penalties.

NON-DUI OFFENDERS:

- You will serve up to a two-year probation supervision period.
- You will pay an ARD Administrative fee (\$450.00).

DUI OFFENDERS (BAC .08-.09)

- You will serve up to a six month probation supervision period.
- You will pay an ARD Administrative fee (\$450.00).
- You will complete the Alcohol Highway Safety Program.

DUI OFFENDERS (BAC .10-.159)

- You will serve up to a one year probationary period.
- You will pay an ARD Administrative fee (\$500.00)
- Your driver's license will be suspended for 30 days.
- You will complete the Alcohol Highway Safety Program.

DUI OFFENDERS (BAC .16 AND HIGHER)

- You will serve up to a one year probation supervision period.
- You will pay an ARD Administrative fee (\$550.00).
- Your driver's license will be suspended for 60 days.
- You will complete the Alcohol Highway Safety Program.

DUI OFFENDERS (REFUSAL TO SUBMIT FOR TESTING AT TIME OF ARREST)

- You will serve up to a one year probation supervision period.
- You will pay an ARD Administrative fee (\$600.00).
- Your driver's license will be suspended for 60 days.
- You will complete the Alcohol Highway Safety Program.

DUI OFFENDERS (CONTROLLED SUBSTANCE/ DRUGS)

- You will serve up to a two-year probationary period.
- You will pay an ARD Administrative fee (\$600.00).
- Your driver's license will be suspended for 60 days.
- You will complete the Alcohol Highway Safety Program.