

A.R.D. PARTICIPATION APPLICATION

Name _____ Date of Birth _____ Social Security Number _____

Phone Number _____ Address _____

Name of Attorney _____ Phone Number _____

COMPLETE AND RETURN THIS FORM TO THE ASSIGNED MAGISTERIAL DISTRICT COURT ON OR BEFORE THE DAY OF YOUR PRELIMINARY HEARING

Accelerated Rehabilitative Disposition ("A.R.D.") is a pre-trial intervention program for first time non-violent offenders. A.R.D. is not a conviction and does not require a defendant to serve mandatory jail sentences associated with convictions for the charged offenses, including Driving Under Influence of Alcohol or Controlled Substance ("D.U.I.") offenses. Upon successful completion of the A.R.D. agreement, you may file a motion requesting that the charges be dismissed and your criminal record be expunged under Rules 319 and 320 of Pennsylvania Rules of Criminal Procedure. If you are accepted into the A.R.D. program for an offense of D.U.I., under Section 3802 of Pennsylvania Motor Vehicle Code the A.R.D. disposition will be considered a prior conviction for sentencing purposes, and will increase the mandatory sentence for each subsequent D.U.I. offenses within the next ten (10) years from the date of the A.R.D. agreement. If you are accepted into the A.R.D. program and fail to comply with any of your A.R.D. agreement's conditions or are arrested for or convicted of a new offense, you will be removed from the A.R.D. program and the Bucks County District Attorney's Office will file a praecipe to have your case listed for trial on the original charges.

A recommendation for placement into the A.R.D. program is at the sole discretion of the Bucks County District Attorney's Office. The below list of eligibility requirements are basic considerations made by the Bucks County District Attorney's Office, but is not inclusive of all considerations made. Even if you meet the below-listed eligibility requirements, you still may not be accepted into the A.R.D. program.

ELIGIBILITY REQUIREMENTS

In order to be **eligible** for A.R.D., it is required that you:

1. Waive your preliminary hearing;
2. Complete and return this form to the Magisterial District Court on or before your preliminary hearing;
3. Have never been convicted of any misdemeanor or felony crimes in this or any other state or jurisdiction (including military tribunals);
4. Have never been placed on A.R.D. or its equivalent for any misdemeanor or felony crimes in this or any other jurisdiction;
5. Have not been charged in the instant manner with:
 - a. A crime of violence;
 - b. An act or offense that included the possession or use of a deadly weapon;
 - c. Any offense under Title 18, Chapter 31 (Sexual Offenses) except for § 3127 (Indecent Exposure);
 - d. Any offense under Title 18, Chapter 37 (Robbery);
 - e. Any felony offense under 18 Pa. C.S. § 3301 (Arson and Related Offenses) and § 3302 (Causing or Risking a Catastrophe);
 - f. Any offense under 18 Pa. C.S. § 3502 (Burglary);
 - g. Any felony offense under Title 35 (The Controlled Substance, Drug, Device, and Cosmetic Act);
6. Pay all court costs, fees, fines, and restitution on or before your court date (which routinely exceed \$1000.00) or make a good faith effort to pay all costs prior to your court date and provide proof (e.g. unemployment benefit records, social security disability records, medical records, pay stubs) of your inability to pay in full in order to proceed with an indigency hearing on your court date;
7. Waive your rights to a speedy trial from the date of your application for A.R.D. until the date on which your case is finally disposed;
8. For Driving Under Influence of Alcohol or Controlled Substance offenses only:
 - a. Were not involved in an accident where someone (other than yourself) was seriously injured;
 - b. Did not leave the scene of an accident;
 - c. Did not have a child under the age of fourteen (14) in the vehicle that you were operating;
 - d. Had a valid license at the time of offense;
 - e. Had valid vehicle insurance at the time of offense; and,
 - f. Schedule a CRN evaluation within 72 hours of your preliminary hearing and complete a CRN evaluation (and Drug and Alcohol Assessment if required) prior to your court date at either Livengrin Foundation or The Council of Southeast Pennsylvania.

ACCEPTANCE INTO A.R.D.

The Bucks County District Attorney's Office will make a determination on your A.R.D. application as early as your arraignment date. The court hearing where you will be formally placed into A.R.D. will be scheduled for approximately 90 days after your arraignment. If you are not accepted into the A.R.D. program, your case will be scheduled for a trial date. If you are otherwise eligible, but are not accepted into the A.R.D. program, you may elect to have your case remanded to the assigned Magisterial District Court for a preliminary hearing or you may proceed to trial on the assigned date.

If you are accepted into the A.R.D. program for an offense of Driving Under Influence of Alcohol or Controlled Substance, under Section 3802 of Pennsylvania Motor Vehicle Code, you may also be approved for a reduced A.R.D. term of six (6) month term if you pay all of your costs in full on or before your trial date, have completed the Alcohol Highway Safety School classes, and have completed any recommended treatment before your court date (proof of which must be provided).

PAYMENT INFORMATION

If your application for A.R.D. is conditionally approved by the Bucks County District Attorney's Office, the Bucks County Clerk of Courts will mail your estimated costs to you. Unless otherwise authorized by the Bucks County District Attorney's Office, you must pay all court costs,

fees, fines, and restitution in full prior to being formally placed into the A.R.D. program. All payments must be made payable to the Bucks County Clerk of Courts, Bucks County Courthouse, 4th Floor, Doylestown, PA 18901, You may pay by check, cash, money order, or Visa/Discover/MasterCard or Debit Card. Online payments can be made with a credit card using the Pennsylvania's Unified Judicial System's ePAY at <http://ujportal.pacourts.us/ePay>. Payments by phone can be made with a credit card, including American Express, using the toll free number 1-877-853-1060. If you are unable to pay in full on or before your court date, you must notify the Bucks County District Attorney's Office prior to your court date, make a good faith effort to pay costs, and bring proof of your inability to pay (e.g. unemployment benefit records, medical records, social security disability records, pay stubs) to your court hearing.

WAIVER OF SPEEDY TRIAL RIGHTS AND CERTIFICATION

I understand that I have a constitutional right to a speedy trial. I also understand that under the Pennsylvania Rules of Criminal Procedure, the Commonwealth must prosecute me within 365 days from the date on which the complaint was brought against me. By signing this form, I hereby waive my right to a speedy trial under the Constitution and the Pennsylvania Rules for the purpose of being evaluated for and/or participating in the A.R.D. Program. This waiver specifically includes the period of time between the date of this application and the date on which my case is finally disposed (or, in the event that my case is remanded, until the date of the preliminary hearing).

I hereby certify that there are no pending prosecutions against me in this or any other state. I also certify that I have never been convicted of any misdemeanor or felony charge in this or any other state or jurisdiction, nor have I ever been placed on A.R.D. or its equivalent for any misdemeanor or felony charge. By signing this document, I certify that all of the above information and statements are true and correct and that I meet the eligibility requirements as outlined by this document. This certification is made subject to penalty under Section 4904(b) of the Pennsylvania Criminal Code regarding false statements.

Defendant

Date

CONTACT INFORMATION

Bucks County District Attorney's Office, ARD Unit	215-348-6660	Bucks County Clerk of Courts	215-348-6389
Bucks County Bar Association Lawyer Referral Service	888-991-9922	Bucks County Public Defender's Office	215-348-6473
Livengrin Foundation	215-638-5266	The Council of Southeast Pennsylvania	215-230-8715
4833 Hulmeville Road, Bensalem, PA		252 W. Swamp Road, Unit 33, Doylestown, PA	