

IN THE COURT OF COMMON PLEAS OF CLINTON COUNTY, PENNSYLVANIA
CRIMINAL

COMMONWEALTH OF PENNSYLVANIA))	No. _____
)	(OTN)_____
Vs.)	
)	CHARGES: Driving Under the
_____)	Influence

ARD PLACEMENT ORDER

NOW, this _____ day of _____, 20____, the Defendant having requested acceptance into the A.R.D. program and having indicated an understanding of the program, the conditions of the program are as follows:

1. Defendant shall remain under the A.R.D. program and subject to supervision by Clinton County Adult Probation Services for a period of _____ () months, during which time he/she shall obey the law and be of good behavior.

2. Defendant shall pay the following sums under terms and conditions to be established by Adult Probation Services:

A. Six Hundred, Fifty Dollars (\$650.00) to Clinton County as program administrative costs;

B. Court costs;

C. The Twenty-five Dollar (\$25.00) E.M.S. Operating Fund Fee;

D. The Seventy-Five Dollar (\$75.00) Pennsylvania Transportation Trust Fund Surcharge;

E. The Two Hundred Dollar (\$200.00) surcharge to the local municipality responsible for the arrest, if applicable.

F. The Fifty Dollar (\$50.00) fee to the Criminal Justice Enhancement Account.

G. The One Hundred Dollar (\$100.00) fee for the C.R.N. evaluation.

H. The Two Hundred, Twenty-five Dollar (\$225.00) fee for the Alcohol Highway Safety School.

I. The Fifty Dollar (\$50.00) fee for the Drug & Alcohol Assessment.

J. The One Hundred Dollar (\$100.00) fee for the Victim/Witness Coordinator.

K. The One Hundred Fifty Dollar (\$150.00) fee for the Booking Center.

3. Defendant shall make restitution to any person or entity who incurred financial loss as a result of Defendant's actions. The amount of restitution shall initially be determined by the office of District Attorney; Defendant shall retain the right to ask for a hearing before the Court in the event of a dispute regarding restitution.

4. Defendant shall have prior permission, in writing, before changing his/her approved residence. Any change of employment or marital status and any arrest on any charge shall be reported to the Clinton County Adult Probation Services Office, in writing, within forty-eight (48) hours of any such change or any incident reasonably expected to result in arrest.

5. Defendant shall report to Adult Probation Services when directed to do so or to such other agency as it may direct at such time and in such manner as required.

6. Defendant shall abide by all of the requests and directions of Adult Probation Services and shall pay for and complete all evaluations, assessments, counseling or treatment, mandated by the Pennsylvania Vehicle Code and/or Clinton County Adult Probation.

7. Defendant shall abide by the following special terms and conditions:

A. Defendant shall devote up to fifty (50) hours of time to community service under guidelines to be provided by Adult Probation Services or the Court.

B. Defendant shall attend and successfully complete the Alcohol Highway Safety School operated by Clinton County Adult Probation Services in accordance with a schedule provided by the agency.

C. Defendant's operating privileges are suspended for a period of _____ (____) days effective this date. The Court has/has not received Defendant's operator's license # _____ this date. Defendant may not operate a motor vehicle until his/her operating privileges are restored by PennDOT.

D. Defendant shall not consume alcoholic beverages and shall not use nonprescription/illegal drugs, inhalants or solvents, and shall submit to drug and/or alcohol testing when requested. The cost of said testing shall be the responsibility of Defendant.

E. Defendant shall refrain from behavior which threatens or presents a clear and present danger to Defendant and/or others.

8. The Court notes that Defendant has accepted the above conditions; accordingly, all further criminal proceedings are postponed during the term of the program so long as Defendant complies with the above conditions.

9. Defendant is advised that upon satisfactory completion of the program an application may be made to the Court for an Order dismissing all charges.

BY THE COURT:

J.

xc: District Attorney
Defendant
_____, Esq. (Counsel for Defendant)
Clinton County Adult Probation Services
Court Administrator

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 _____) Influence

ACCELERATED REHABILITATIVE DISPOSITION EXPLANATION
Criminal Rules 300-320

1. Defendant wishes to be placed in the Accelerated Rehabilitative Disposition Program.
2. Defendant is aware of and understands the following rights:

_____ a. Acceptance into and satisfactory completion of the Accelerated
 Yes No Rehabilitative Disposition Program offers the Defendant an
 opportunity to earn a dismissal of the pending charges.

_____ b. Failure to complete the Program satisfactorily will result in
 Yes No prosecution as provided by law.

_____ c. Defendant agrees, if accepted into the Program, that he/she
 Yes No waives or gives up any applicable statute of limitations and
 his/her right to a speedy trial under any applicable Federal
 or State constitutional provisions, statutes or rules of court
 during enrollment in the Program.

_____ d. Defendant understands he/she has been charged with Driving
 Yes No Under the Influence and if he/she is arrested and convicted of
 that same charge within the next ten (10) years, placement into
 the ARD Program now will be considered a prior conviction.
 Therefore, any subsequent conviction for Driving Under the
 Influence will subject Defendant to a mandatory minimum
 jail sentence.

I acknowledge that I have read and am aware of the conditions covered in the ARD proposed Order and agree to accept and abide by these conditions.

 Defendant (sign)

 Counsel (sign)

 Date

 Counsel (print)