

**IN THE COURT OF COMMON PLEAS OF GREENE COUNTY, PENNSYLVANIA
CRIMINAL DIVISION**

COMMONWEALTH OF PENNSYLVANIA,)	
Vs.)	No. _____, CRIMINAL, _____
)	
_____)	
Defendant.)	

PRELIMINARY ORDER

AND NOW, this _____ day of _____, 20____, the within Motion for Accelerated Rehabilitative Disposition Program having been presented to the Court, and its contents duly noted, a hearing thereon shall be held in Courtroom No. 2, on the _____ day of _____, 20____ at _____ AM/PM.

ATTEST:

BY THE COURT:

Clerk of Courts

Judge

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COMMONWEALTH OF PENNSYLVANIA,)

Vs.)

No. _____, CRIMINAL, _____

)

)

Defendant.

ACCELERATED REHABILITATIVE DISPOSITION MOTION

The application is hereby made by _____, the above named defendant, for consideration by the Court for accelerated rehabilitative disposition of the charge of _____ now pending, with a full understanding on the part of the defendant, that:

1. Acceptance into and satisfactory completion of the Accelerated Rehabilitative Disposition Program offers the opportunity to earn a dismissal of the misdemeanor or felony charges now pending; and
2. Should there be a failure to complete the program satisfactorily an indictment may be returned indicted or, if already indicted, the case may be brought to trial.
3. It is further understood that if accepted into the program my signature below waives the applicable statute of limitations and my right to a speedy trial under the State and Federal Constitutional provisions, as well as any statutes or rules of court providing the same.
4. By this application for ARD consideration I specifically waive my rights under Rule 600 of the Pennsylvania Rules of Criminal Procedure to a Prompt Trial.
5. Defendant shall agree to serve community service as arranged by the probation office.
6. **If the charge is Driving Under the Influence the Defendant shall have CRN evaluation completed by the CARE Center prior to this application.**

Date: _____

Defendant

Approved by _____
Defendant's Attorney

Date: _____

Approved by _____
District Attorney

Date: _____

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)	
_____)	
Defendant.)	

WAIVER OF RULE 600, PA. R.C.P.

I understand that I have a legal right to have my trial commence within 180 days from the date of the filing of the criminal complaint against me under the provisions of the Pennsylvania Rule of Criminal Procedure 600. Noncompliance with this rule by the Commonwealth requires dismissal of the charges stated on the Complaint unless the noncompliance is a result of a certain period or periods of time specifically excluded under Rule 600 or an Order of Court granting an extension of time to the Commonwealth for just cause shown. Based upon my understanding of my rights to a speedy trial, I hereby waive this right from the time this application is approved by the Commonwealth and presented to the Court. In the event that ARD is not granted, for whatever reason, I agree that the period of time from presentment of the application to the Court to the time of rejection shall be excluded from time period calculations under Rule 600 of the Pa. R.C.P. and further agree to an extension of said rule to include the trial term following rejection.

Dated: _____		_____
		Defendant

Dated: _____		_____
		Attorney for Defendant

I, _____, Esquire, attorney for the above-named defendant do certify that I have fully explained the above Waiver of Rule 600 to the defendant, have answered all of his questions regarding the same and to the best of my knowledge and belief he fully understands its legal ramifications.

Dated: _____		_____
		Attorney for Defendant

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Vs.)	No. _____, CRIMINAL, _____
)	
)	
_____)	
Defendant.)	

ORDER

AND NOW, this _____ day of _____, 20____, upon consideration of the Defendant's Application and hearing on the matter, the Court admits the Defendant to the Accelerated Rehabilitative Disposition Program for a period of one (1) year from this date subject to the following terms and conditions:

1. That the Defendant shall comply with all of the provisions of this Order and all the rules and regulations of the Greene County Probation Office.
2. That the Defendant shall pay the sum of \$250.00 for administrative costs to the County of Greene for the Program.
3. That the Defendant shall pay all the normal Court costs of this proceeding.
4. That the Defendant shall serve 90 hours community service as arranged through the Greene County Probation Office. Defendant shall pay \$3.00 Accident Insurance and a Thirty-five (\$35.00) Administrative fee.
5. That in the event the Defendant is arrested or cited for violation of any law or ordinance of the Commonwealth or its political subdivisions, or violate any term of this Order or any rule or regulation of the Greene County Probation Office, the Defendant shall be removed from the Program and placed on the next criminal trial list to stand trial on the original charges filed in this action.
6. That in the event the Defendant complies with all laws and ordinances of this Commonwealth and its political subdivisions, abides by the rules and regulations of the Greene County Probation Office, and obeys the provisions of this Order for a period of one (1) year from this date, the misdemeanor or felony charges in the above matter shall be dismissed and those records of the Defendant expunged from the criminal justice system (except records existing that the Defendant had participated in the ARD program or had pled guilty to any summary charges).
7. That the defendant makes full and complete restitution to the victim of the crime. (If applicable.)

8. That the defendant shall refrain from the use, purchase, possession or transportation of alcohol and drugs and further, shall not enter an establishment, which sells or serves alcohol.
9. All costs, fees and fines must be paid within fifteen (15) days of today unless other arrangements have been made with the Probation Office.
10. Obtain a Drug & Alcohol Assessment at Greene County Human Services, if not already completed, and comply with any recommendations made as a result of that assessment. The defendant shall submit to random drug and alcohol testing.
11. That in the event the defendant is charged with Driving Under the Influence, they shall:
 - (a) Attend five (5) sessions of the Greene County DUI School as arranged by the Greene County Probation Office.
 - (b) Pay \$125.00 Administrative cost for the Greene County DUI School.
 - (c) Undergo an operator's license suspension for a period of ____ days.
 - (d) Pay Twenty-Five (\$25.00) Dollars for the Emergency Medical Services Act.
 - (d) Pay Fifty (\$50.00) Dollars for the Insurance Catastrophic Fund.

ORDERED, ADJUDGED AND DECREED accordingly,

ATTEST:

BY THE COURT:

Clerk of Courts

Judge