

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

COMMONWEALTH OF PENNSYLVANIA,

vs.

CP-01-CR-_____ -20__

ARD ADMISSION COLLOQUY

1. Age: _____
2. Highest level of education completed: _____
3. Can you read, write, speak and understand the English language? _____
4. Are you currently under the influence of any drugs, alcohol or medication or undergoing a mental health issue which impacts your ability to understand what you are doing today? _____
5. Do you understand that you are here to be admitted in the Accelerated Rehabilitative Disposition (ARD) Program? _____
6. Do you understand that if you are not a citizen of the United States, regardless of whether you have lawful immigration status, entry into the ARD Program may result in detention, deportation, exclusion from the United States, or denial of naturalization or other immigration benefits? You have the right to seek advice about these issues before you admit guilt to any offense. You are not entitled to an immigration attorney at public expense. Upon request the court may allow you additional time to consult with an immigration attorney. Do you understand this? _____
7. Do you understand that you have a right to a trial by Judge, and that by entering the ARD Program you are giving up that right? _____
8. Do you understand the elements of the crimes you have been charged with and what the Commonwealth would have to prove at trial? _____
9. Do you understand that you are presumed innocent and that by entering and completing the ARD Program you are waiving your right to have the Commonwealth of Pennsylvania prove each element of each crime beyond a reasonable doubt? _____
10. Do you understand that if the judge denies your admission into the ARD Program agreement, you will be permitted to withdraw your application, and you will be in the same position as if you had never applied? _____
11. Do you understand the terms and conditions of the ARD Program? _____
12. Do you understand that by entering the ARD program you are waiving any protections afforded by the Double Jeopardy provisions of the Pennsylvania and United States Constitutions, as well as Section 110 of the Pennsylvania Crimes Code, which may otherwise be applicable? _____

13. Do you understand that by that by entering the ARD program you are waiving any protections afforded by the Speedy Trial provisions of both the Pennsylvania and United States Constitutions, as well as Rule 600 of the Pennsylvania Rules of Criminal Procedure, which may otherwise be applicable? _____

14. Do you understand that failure to comply with the conditions of the ARD Program may result in revocation of the ARD Program, and that you will face trial on the original offense(s)? _____

15. Do you agree to abide by all of the terms and conditions of the ARD Program? _____

16. Do you understand that successful completion of the ARD Program will be used as an element of any subsequent offense for Driving Under the Influence (DUI) under Section 3802(h) of the Vehicle Code?

17. Do you understand that that in a proceeding on a subsequent DUI offense under Section 3802(h) of the Vehicle Code the Commonwealth will not be required to prove the conduct that gave rise to your admission in ARD? _____

18. Is it your decision to enter the ARD Program? _____

19. Have you been threatened or forced to enter the ARD Program? _____

20. Have any promises been made to you to enter the ARD Program other than the terms and conditions of ARD Program? _____

I affirm that I have reviewed the entire ARD Colloquy as well as the terms and conditions of the ARD Program, and that I understand their full meaning and legal effect. I affirm that I have not been forced, threatened or coerced in any way to forgo my rights to trial and enter into the ARD Program, and that no promises have been made to me other than the terms and conditions of the ARD Program. With this understanding of my rights, I am hereby knowingly, intelligently, and voluntarily waiving my rights to trial and seeking admission into the ARD Program.

Date

Defendant

I affirm that I have reviewed the ARD Colloquy as well as the terms and conditions of the ARD Program with my client. It is my belief that my client fully comprehends all of his rights and is knowingly voluntarily and intelligently waiving those rights to be admitted into the ARD Program.

Date

Counsel for Defendant