

The Bucks County ARD Program

For more information on the ARD program, please visit our "What is the ARD program" section. As discussed, admission into the ARD program is strictly within the authority of the District Attorney's Office of the county where the offense occurred.



Prior to the new DUI laws of February 1, 2004, each county's ARD requirements and driver's license suspensions varied. For example, Bucks County and Bucks County used to impose a 30 day loss of license, while in Northampton and Lehigh County the license suspension was four to six months or more! The Pennsylvania legislature, with help from defense attorneys and various law enforcement agencies sought to establish some sort of uniformity to the ARD requirements, including the amount of time you will lose your drivers license. In particular, they established the general rule that your blood alcohol level generally dictates how long your drivers license will be suspended.

As a general rule, if your BAC is between a .08 and a .099, there is no loss of license. A BAC between .10 and .159 mandates a thirty (30) day loss of license and a BAC of .159 and above results in a sixty (60) day loss of license.

In spite of this rule, many different variables still remain between the various ARD programs. The costs, required treatment, length of probation, methods of application and acceptance, alcohol classes, examination of prior criminal record, community service and the ability/requirement that the defendant waive certain court appearances are just some of the remaining factors in the maze of the ARD program the defendant is expected to navigate.

Accordingly, hereafter I will attempt to specifically answer these questions as they pertain to Bucks County.

ARD in Bucks County

I generally enjoy practicing in Bucks County. For the most part, Bucks County is cooperative with first-time offenders. For example, Bucks County has very liberal house arrest criteria. Bucks County may give ARD more than once, if your last offense was more than ten years ago. ARD cases are disbursed among the assistant district attorneys. As such, the outcome of your case may depend upon the particular prosecutor assigned to your case. Accordingly, it is especially important that you hire an experienced attorney who practices in Bucks County. I have handled hundreds of cases in Bucks County. I rarely have a problem getting my clients accepted into the ARD program.



One of the other benefits of Bucks County is that they offer flat 48 hour and 72 hour sentences for those defendants who do not qualify for ARD on a first offense. A flat sentence means that there is no "tail" or period of probation attached to the sentence. Most counties require one year probation to first offender guilty pleas. Bucks County does not. For the casual drug user the lack of probation may be a blessing!

Costs

The fines and costs for the ARD program are about \$1000.00. You need to pay all of your court costs (at least \$600.00) on the date you are admitted into the ARD. However, an

attorney can lower your costs considerably by having your summary offenses and other charges incorporated into the ARD agreement.

Treatment

Like all counties, you must attend a CRN evaluation prior to the ARD hearing. In Bucks County you need to schedule the CRN immediately after your Preliminary Hearing. The CRN evaluation takes place at either Bucks County Council on Alcoholism and Drug Dependence or Livingrin Foundation and they will suggest whether you need additional treatment for alcohol and/or drugs. Most likely you will be forced to attend some form of additional treatment.

Past Criminal record

In Bucks County, you may not be accepted into the ARD program if you have misdemeanor or felony convictions. A good attorney should still be able to get you admitted if your record only contains a minor crime like drug possession or retail theft.

Alcohol Classes

You will be required to complete alcohol classes. The classes are called Alcohol Highway Safe Driving Classes and are an informative look at alcohol and alcohol related vehicle issues.

Length of Probation

Six months.

Community Service

There is a requirement for fifty (50) hours of community service. If you hire an attorney or you waive your preliminary hearing, you will probably only have to complete twelve (12) hours of community service. If you hire an attorney, you also will be able to choose where you elect to perform these hours.

Application Process

There is a formal application for admission into the ARD program. We assist our clients in preparing the application to determine eligibility, including providing the notary fees. It is very important that the applicant is truthful and discloses all prior offenses and convictions.

Wavier of Court Dates

Thankfully, there is no formal requirement in Bucks County that you waive your preliminary hearing to be considered for ARD. Additionally, you can also waive your arraignment. Thus, the ARD process may involve as little as two court dates. This results in cheaper rates when hiring representation.

Summary Offenses

Most summary offenses will only be dismissed or incorporated into the ARD order if you have an attorney. Underage drinking and Driving Under Suspension are exceptions to this rule because they involve an additional license suspension. If you are charged with one of these offenses, or offenses involving point violations (like careless driving), you should speak with us right away.