



The Carbon 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.

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 Carbon County.

ARD in Carbon County

Carbon County is very unique in dealing with first-time DUI offenders. For the most part, if you are a first-time offender in Carbon County it may actually be to your benefit to plead guilty to a DUI under the general impairment section of the DUI law. Under this section of the DUI law, in practicality there is no loss of license because your blood alcohol level is not entered into the record. As such, if you are older or unconcerned about having a criminal record, you may actually elect to proceed in this fashion. With the help of an experienced attorney, you might not suffer a loss of license even if your BAC is .16 or more!

Costs

The fines and costs for the ARD program are around \$1000.00. Carbon County requires payment in full of all costs before your period of probation is over. This gives you a year to pay your costs.

Treatment

Like all counties, you must attend a CRN evaluation. The CRN evaluation takes place at the probation department and they will suggest whether you need additional treatment for alcohol and/or drugs. You need to complete the CRN prior to your court date. You will also be required to attend a full Drug and Alcohol assessment. At the full drug and alcohol assessment, the Carbon-Monroe-Pike Drug and Alcohol Commission has the ability to require you to complete additional outpatient treatment, if deemed necessary. Most of the time they require a couple of group sessions with similarly situated individuals. In Carbon County this assessment is completed after you are admitted into the ARD program.

Past Criminal record

In Carbon County, for admission into the ARD program you can not have an extensive driving record or a criminal record with previous felony convictions within the past ten years. You also may not have any prior revocations from supervision (probation or parole violations). If there was an accident or injuries involved, you may also be denied admission.

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

One year, unless your BAC is below a .10 in which case it's six months.

Community Service

There is a requirement for community service, usually about twenty (20) hours.

Application Process

There is a formal application. 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.

Waiver of Court Dates

Thankfully, there is no requirement in Carbon 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. Also, Carbon County allows the defendant to execute a Stipulation at the Preliminary Hearing. By executing this stipulation, you do not need to pay half of your court costs on your ARD court date.

Summary Offenses

Most summary offenses will be incorporated into the ARD agreement if you have an attorney. Accordingly, the summary offenses will also be dismissed if you successfully complete your ARD requirements and subsequent period of probation.