

NOTICE OF POLICY CHANGES REGARDING
MONTGOMERY COUNTY DISTRICT ATTORNEY'S ARD PROGRAM

The District Attorney of Montgomery County, Risa Vetri Ferman, announces policy changes to her Accelerated Rehabilitative Disposition ("ARD") Program, effective June 1, 2014. These changes are being implemented to create a more efficient ARD admission process, help eliminate ARD cases from crowded judicial dockets, and reduce the number of defendants in violation of ARD conditions.

On January 1, 2011, the policy was implemented that all preconditions for ARD admission must be completed prior to admission into ARD. In recent years, the Office of the District Attorney has accepted a down payment, instead of full payment of costs, for admission. After discussions with the Clerk of Courts, it has become apparent that far too many defendants have failed to make the ordered payments over the course of probation. The failure to pay costs and/or restitution has created unnecessary burdens upon the Clerk of Courts, the Office of the District Attorney, and the Court by causing the Office of the District Attorney to seek revocation of the ARD Program.

Therefore, effective June 1, 2014, **all** ARD and related court costs must be paid to the Clerk of Courts Office **prior** to admission into the ARD Program. All other preconditions must also be completed prior to admission in the ARD Program: community service, CRN, Drug and Alcohol Assessment (if required), Treatment (if required), Alcohol Highway Safety School, and any other precondition required by the Office of the District Attorney.

If a Defendant is finished all preconditions for admission to ARD (including, but not limited to, full payment of costs and restitution, community service, CRN, Drug and Alcohol Assessment, Treatment, Alcohol Highway Safety School) at the first ARD listing, the Commonwealth will recommend that the Court accept term of probation that is six months less than the initial probationary offer. This lesser sentence will be available for both DUI and non-DUI cases. However, this offer will only be available at the first listing, and will be offered at no subsequent ARD listing. Effective March 1, 2014, the District Attorney's Office will begin recommending the six-month reduction for those defendants who have completed all of their preconditions by the first ARD court listing.

In order to ensure full and fair access to the ARD Program for all criminal defendants, the Office of the District Attorney is working with the Office of the Public Defender to design a procedure that will identify and address claims of indigence.

The goals of the District Attorney's Office are to ensure justice and restitution for the victims of crime in Montgomery County, accountability and rehabilitation for first time offenders, and fair and expeditious resolutions to cases.