



LEHIGH COUNTY ADULT PROBATION AND PAROLE
COURT OF COMMON PLEAS
THIRTY-FIRST JUDICIAL DISTRICT
455 WEST HAMILTON STREET
ALLENTOWN, PENNSYLVANIA 18101-1614

PAMELA SHEFFER, CHIEF
KRISTIN BERKE, DEPUTY CHIEF

PHONE (610) 782-3933
FAX (610) 871-2784

NAME: _____

CASE NUMBER(S): _____

LCID#: _____

The Court of Common Pleas of Lehigh County has granted you _____ effective _____

Listed below are the rules and regulations you are required to follow:

1. You shall follow all verbal and written instructions and report in person at such times and places as instructed by your supervising officer.
2. _____ is your approved residence, any change must be reported to your supervising officer within 15 days of moving.
3. ~~You shall not leave the Commonwealth of Pennsylvania unless permission has been granted by your supervising officer. If you are arrested in another state while under supervision of the Lehigh County Adult Probation Department, you agree to return to PA at any time you are directed by PA or the receiving state. You may have a constitutional right to insist that PA extradite you from the receiving state or any other state where you may be found. This is commonly called the right to extradition. You also understand and acknowledge that you have agreed to return to PA when ordered to do so either by PA or the receiving state. You agree that you will not resist or fight any effort by any state to return you to PA and you agree to waive any right you may have to extradition. You waive this right freely, voluntarily and intelligently.~~
4. You shall obey all laws. Any arrest or citation must be reported to your supervising officer within 72 hours.
5. You shall abstain from the unlawful possession, use, or sale of illegal drugs, mood altering or synthetic substances deemed to be illegal under the laws of the Commonwealth of Pennsylvania. Prescription medication may only be taken if and as prescribed.
6. You shall undergo drug screening as directed by your supervising officer.
7. You shall obtain and maintain employment. Your supervising officer must be notified within 72 hours of any change or loss of employment.
8. You shall not possess, discharge or have any contact with any firearm or deadly weapon; hunting is prohibited.
9. You shall not behave in a manner which threatens or presents a danger to yourself or others.
10. You shall make all payments on your costs, fines, and restitution.
11. You shall permit the search of your person, property and residence without a warrant if reasonable suspicion exists by the Lehigh County Adult Probation Department in accordance with 42 PA Cons Stat Section 9912 (2014), to ensure your compliance with the terms and conditions of your supervision. Any items, the possession of which constitutes a violation, shall be subject to seizure and may be used as evidence in the violation process.
12. You will not enter into any agreement to act as a confidential informant for any law enforcement agency without the written permission of the Lehigh County Adult Probation Department.
13. You shall obey any other conditions as may be ordered by the Court at the time of sentencing and any conditions imposed by the Lehigh County Adult Probation Department in furtherance of the trial court's conditions.
14. ~~You shall undergo DNA testing, pursuant to Act 185 of 2004, Act 111 of 2011 and Act 147 of 2018, if applicable.~~

If you are arrested for a new criminal offense or violate any of the conditions of your supervision, the Lehigh County Adult Probation Department may detain you, without bail, in a correctional facility or notify the District Attorney's Office to remove you from the A.R.D. Program. If after the appropriate hearing(s) the Court decides you are in violation of any condition of your supervision, you may be re-sentenced or remanded to jail for such time as specified by the Court.

OFFENDER GRIEVANCE PROCEDURE

An Offender Grievance Procedure has been developed to assist you if you believe you have a complaint about any administrative decision, action, policy or regulation of the Department. If you believe you have a valid complaint concerning your supervision, you must try to resolve the situation with your supervising officer. If your attempts to resolve the situation are unsuccessful, you must submit a written request no later than 10 days to discuss your complaint with the supervising officer and his/her supervisor. The supervisor will conduct a meeting during which he/she will listen to both sides of the complaint and attempt to negotiate a compromise. If an agreeable solution cannot be reached during this second step of the appeal process, you have one final option. Within 5 working days you must submit a written grievance to the Chief Adult Probation Officer. A final appeal will be reviewed by the Chief within 10 days of receiving your written grievance, and a ruling will be made with or without the benefit of a hearing. If the Chief holds a full hearing, it would be at a time convenient to all parties involved. The decision of the Chief Adult Probation Officer shall be final.

AVAILABILITY OF SUPERVISION SERVICES

Regular office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m. The Lehigh County Adult Probation Department has 24 hour on-call services in cases of emergency. An emergency is defined as notification of an alleged criminal or technical violation of your supervision or required intervention concerning the health and safety of you or another individual. All other calls should be made to the office during regular office hours. To contact an on-call officer, in cases of an emergency, call (610) 704-6687.

Assistance with local resources including crisis and emergency housing, health care, and job listings is available 24 hours a day, 7 days a week. 2-1-1 is a free and confidential service that will help you find the local resources you need. You can reach 2-1-1 by calling **2-1-1 or (855) 501-6785**, or visiting the website at **www.211.org**.

I have read, and have had read to me, the conditions of my supervision. I fully understand them and agree to follow them. I understand the penalties involved should I, in any manner, violate them.

X _____
Offender Signature

Date

Probation Officer/Aide Signature

Date

I acknowledge that the translations of the offender's conditions are true and correct.

Translator Signature

Date

License Suspension

If you received a suspension as a result of your DUI:

Within 60 days of your sentencing/acceptance into the ARD Program, you will receive notification of your effective date for your suspension from PennDOT. Your letter will direct you to surrender your license to PennDOT. You **must surrender** your **license** as directed in the PennDOT letter. Failure to do so may result in additional penalties. Upon notification of your suspension, you then have two options:

- You may elect to serve your suspension **without** ignition interlock.
- You may elect to serve your suspension **with** ignition interlock. Ignition interlock allows you to drive during your suspension period, provided you have been approved for an ignition interlock license. You may only drive a vehicle with an interlock installed. You may begin to drive once you have obtained your ignition interlock license.
- For additional ignition interlock information, please refer to the PennDOT and PA DUI Association websites, where you can also access the most updated forms and applications.
- There are circumstances that would make you ineligible or may delay your approval for the interlock license. Please review all information carefully before applying for this program. Follow all directions **exactly**. If you fail to do so, you may be denied the ignition interlock license. All **fees** associated with the application process are **non-refundable**. Ultimately, PennDOT makes the final decision to approve your ignition interlock application.

License Restoration

By law (Act 24), license restoration falls into two categories based upon if you are required to complete treatment. Please refer to your compliance report to determine if treatment is needed and then follow the directions below. **In addition, the Court requires that Alcohol Highway Safety School must be completed for license restoration.**

If you are required to complete treatment:

1. You must provide your initial assessment recommendation to the Adult Probation Department, LCProbDUI@lehighcounty.org. The letter must include:
 - Date of assessment and recommended level of care.
2. ALL of your treatment must be completed with no further treatment recommended. A certificate will not be accepted. It must be in letter format and clearly state all levels of care completed. It is your responsibility (not your treatment provider) to submit documentation to your Probation Officer.
3. You must pay your restoration fee to PennDOT.
 - This is not part of your costs and fines. Please refer to the PennDOT and/or PA DUI Association websites for the most updated license restoration fees. Restoration fees for refusals can be up to \$2000. (Fees can change without notice.)
 - You can go to a PennDOT Processing Center, pay online to PennDOT, or mail payment to PennDOT.

Your driving privilege **WILL NOT** be restored until you have provided the necessary documentation to your probation officer, completed Alcohol Highway Safety School **AND** your court costs and fines are paid in full. If you have **electd to obtain an ignition interlock license**, you **cannot** return to an unrestricted license until you have completed the above requirements. If you remove the interlock prior to completing the above, you will still be under suspension and therefore you are not a valid operator. **You must contact your probation officer to request restoration. Do not contact another officer.** Do not assume the restoration has been submitted.

- ARD cases that are non-reporting, PO Brandie Stickle can be reached at: **brandiestickle@lehighcounty.org** or (610)782-3378 to request restoration. **(Email preferred.)**
- If you have a different probation officer, you must contact your probation officer.
- Once your probation officer has requested restoration, it is up to PennDOT to restore your driving privilege. PennDOT's processing time varies. To confirm that your probation officer has submitted your restoration request, please refer to the UJS Portal Website (directions on how to access this website and where to locate license restoration information have been provided).

- **DO NOT** call your probation officer unless you have looked at this website and confirmed that a restoration request has NOT been submitted.
- If a restoration request has been submitted and you still do not have your license, you must contact the Lehigh County Clerk of Judicial Records office at (610)782-3077 or PennDOT for assistance. There is nothing your probation officer can do for you in this instance.

If you DO NOT have to complete treatment:

1. You must still complete Alcohol Highway Safety School.
 - If you get a letter from PennDOT that says treatment **IS** required, contact your probation officer immediately.
2. You must pay your restoration fee to PennDOT.
 - This is not part of your court costs and fines. Please refer to the PennDOT and/or PA DUI Association websites for the most updated license restoration fees. Restoration fees for refusals can be up to \$2000. (Fees can change without notice.)
 - You can go to a PennDOT Processing Center, pay online to PennDOT, or mail payment to PennDOT.

Please Note: Any questions regarding the effective date of your suspension or surrendering your license must be discussed with PennDOT and/or the Clerk of Judicial Records (610)782-3077. Your probation officer cannot assist you with these issues.

Successful completion of ARD supervision requires that the following be done:

1. **Court Reporting Network (CRN) Evaluation** – if not completed call (610)782-3356 to schedule.
2. **Drug and Alcohol Assessment** (if required)
 - Must be completed by a Department of Drug and Alcohol Programs (DDAP) licensed facility. Visit: www.ddap.pa.gov for a list of approved locations.
 - Out of state residents must have an assessment completed at a facility that is approved by your state licensing authority for drug and alcohol treatment.
 - Assessment results must be on letterhead and include the date of the assessment and the recommended level of care. This must also include the signature of the assessment provider.
3. **Treatment** (if required)
 - Must be completed at a DDAP licensed facility. Visit: www.ddap.pa.gov for a list of approved locations.
 - Out of state residents must complete treatment at a facility that is licensed for drug and alcohol treatment by your state licensing authority for drug and alcohol treatment.
4. Treatment is not completed until you are **SUCCESSFULLY** discharged with **NO FURTHER TREATMENT** needed. This includes completion of aftercare recommendations and reductions in the level of care. Treatment providers retain the right to increase your treatment needs during the therapeutic process. Completion dates for each level of care must be listed. It is your responsibility to send all treatment documentation to LCProbDUI@lehighcounty.org. Do not rely on treatment providers to send documentation for you.
5. **Alcohol Highway Safety School (AHSS)**
 - If you need to schedule classes, please contact Kimberly Nemes at (610)782-3560 or kimberlynemes@lehighcounty.org. To be enrolled, you must pay a minimum of \$350 to the Bureau of Collections.
 - If you miss your scheduled classes, you must call Kimberly Nemes to reschedule. You will be rescheduled for the entire session. There are no make-up classes.
 - If you are scheduled for a Saturday session and do not complete the classes, you **will not** be afforded another Saturday session when you reschedule. You will be given a weekday session.
 - For a referral to complete AHSS in another county, you must contact Kimberly Nemes to process the referral.
 - **ONLY** out of state residents are permitted to complete AHSS virtually.
6. **Costs and Fines paid in full** – questions about your bill or payment schedule call (610)782-3320.
 - It is your responsibility to notify your probation officer when your bill is paid in full and shows a ZERO balance.

7. **Proof of Restitution** (if required) – Refer to your court order (#12).

- If #12 is crossed out or does not appear on your court order, there is nothing that you need to do.
- If #12 is listed on your court order, the District Attorney's Office has provided you with a form and directions. You must submit this information to the DA's Office, not probation. For questions regarding restitution call (610)782-3100.
- Your costs and fines will not be considered paid in full until restitution is paid in full or it has been determined that there is no restitution owed in your case.

Please note: Successful completion includes remaining arrest free during your term of supervision while also refraining from operating a motor vehicle until all driver's license restoration requirements have been met and your driver's license has been restored.

Once all conditions are completed (ARD cases only):

Your case will **automatically** be reviewed after you have served **6 months** of your ARD sentence. The 6 months is based upon the date you were sentenced. For example, if you were sentenced on January 19, 2018, the six months will be after July 19, 2018.

- If all conditions are completed **and** you have provided proof of completion to your probation officer, your case will automatically be closed. Do not assume that your officer knows you have completed a requirement. **Actual documentation is required.**
- If you wish to confirm that your requirements have been documented as completed, you must email your probation officer. Your probation officer will not be returning voicemail messages to confirm completion of requirements. You may send an email (please give ample time for a response email to be sent to you) or continue to call your probation officer until you speak with them directly.
- Early release is a privilege and may not be guaranteed in all cases. There are instances where the Judge will not close your case early. Please refer to your court order. #2 on your court order will clearly state if you are eligible for early release. Additionally, if you have obtained new charges (felony, misdemeanor, or summary driving under suspension, public intoxication or disorderly conduct citations) during your term of ARD, you **WILL NOT** be eligible for early release.
- If your case is closed early, you will receive a refund of \$50 per month for each month you are not supervised. This is based upon a calendar month. If your case remains open into the next calendar month, any refund due will be reduced by \$50 per month. This refund can take up to 8 weeks to receive.

Expungement (ARD cases only):

- After your case has been closed successfully due to early termination or your maximum date has arrived **and** all of your requirements are completed (documentation of completion of all conditions must be submitted to your assigned probation officer), your case will be **AUTOMATICALLY** expunged. Expungement will erase your criminal record only. Your driving record will be expunged automatically by PennDOT after 10 years. (If you have a commercial license PennDOT will never expunge your driving record.) You will receive a copy of the expungement order in the mail.
- If you **do not complete your requirements** prior to your maximum date, your case will be closed unsuccessfully. You may be required to appear before your Sentencing Judge for a hearing. Once you complete the outstanding requirements and notify the Probation Department, you may petition the Court to expunge your record. If a case closes unsuccessfully, expungement is **NOT** an automatic process. You may hire an attorney to process your expungement. You may also refer to the Lehigh County website at www.lccpa.org for informational materials on how to file for expungement on your own (filing fees apply). Your probation officer is not permitted to help you file/fill-out this paperwork.

The only reasons you are required to contact your probation officer (ARD cases only):

1. Change of address or telephone number.
2. Any new arrest for a criminal offense.
3. Notification of completion of treatment, Alcohol Highway Safety School and when costs, restitution (if applicable) are paid so that your license restoration may be processed.

Access to Cases/Financials/Balances and Driver License Information

Step 1: Log on to: <http://ujportal.pacourts.us/>

Step 2: Go to Case Information

Step 3: Click on Case Search

Searching by case number:

1. Click on Search By: Docket Number.
2. Enter your Common Pleas/Municipal Case Number: CP-39-CR-case number-year.
3. Click on Search.
4. At the bottom of the screen is the case number you entered. Click on Docket Sheet or hold down Ctrl-Select if you have pop-up block on your computer.
5. Page that appears is the first page of the docket. Check to make sure it is the correct case.
6. The case financial information is usually found on the last few pages of the document.
7. Any page can be printed for your records.

Please Note: If you have more than one case in Lehigh County and there is a balance on any of these cases, when you make a payment, it may be distributed among these cases. You have to check each case for a balance and payments.

Searching by name:

1. Select Participant Name.
2. Enter last name and first name (use Capital letter for the first letter of the last and first name). Under Date Filed enter a date in each box following the example for the proper format. Enter 01/01/1988 through the present date or any dates you choose.
3. Click on Search. Choose the case you want to look up. Follow Steps 4 through 7 above.

To verify license information (only for cases where treatment is required):

1. Go to Entries section of docket.
2. Scroll down to view.
 - When treatment is completed (which includes providing your initial assessment results and treatment completion), your costs/fines/restitution is paid in full, Alcohol Highway Safety School is completed **and** the Probation Department has received confirmation of this, we will process the request for restoration. A request for restoration will not be submitted until all of these requirements are completed.
 - The docket will then reflect “DL21CF – prepared”, indicating the request has been submitted. When the request is electronically received by PennDOT the docket will reflect “DL21CF- Sent to PennDOT”. This means the Courts have requested the return of your license and PennDOT has received the request.
 - If the docket reflects DL21CF – Prepared and/or DL21CF – Sent to PennDOT, **and** you do not have your license back, contact PennDOT or the Lehigh County Clerk of Judicial Records office at (610) 782-3077. Do not contact the Probation Department.
 - Only contact the Probation Department if the docket **does not** show DL21CF – Prepared or DL21CF – Sent to PennDOT.



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ALCOHOL HIGHWAY SAFETY SCHOOL (AHSS) CLASS FOR FIRST AND SECOND OFFENDERS ONLY

In order to be placed on the waiting list to be scheduled for class, you must pay a minimum of \$350 if you are a first offender, or \$470 if you are a repeat offender. Please contact the Lehigh County Bureau of Collections at the Lehigh County Courthouse, 455 W. Hamilton St., Allentown, PA 18101, 610-782-3320 for payment information. Once payment is made, submit this completed form along with a copy of your receipt to Kimberly Nemes, Office Supervisor, Lehigh County Adult Probation Department, using any method below.

- Fax: 610-871-2784
- Mail: Lehigh County Adult Probation, Lehigh County Courthouse, 455 W. Hamilton St., Allentown, PA 18101
- Email: Kimberlynemes@lehighcounty.org
- Hand Deliver: to the Adult Probation Department, located on the Ground floor of the Lehigh County Courthouse

Please note that it can take up to 10 weeks to receive your class assignment letter after submission. You will be informed by mail and the letter will include your scheduled dates with all pertinent information regarding class, as well as rules and regulations. If you have questions regarding classes **after** you receive your letter, contact Kimberly Nemes at 610-782-3560 between the hours of 8:30 a.m. and 4:30 p.m. If you leave a message please speak clearly, spell your last name and include your date of birth.

Please specify your class preference(s) below. Classes are held once per week for five consecutive weeks. You will receive one class assignment. If you do not attend and complete your assigned class for any reason, it is your responsibility to contact Kimberly Nemes to reschedule.

_____ Monday - 5:30 p.m. to 8:00 p.m.

_____ Tuesday - 5:30 p.m. to 8:00 p.m.

_____ Wednesday - 9:00 a.m. to 11:30 a.m.

_____ Saturday - 9:00 a.m. to 11:30 a.m.

_____ I am able to attend any class that is available

_____ I am not a Lehigh County resident; I am requesting that a referral be sent to my county of residence, _____

_____ I will need a Spanish speaking class

NAME: _____ **LCID:** _____

Notice of 1543(b)

You are hereby notified that, either as a result of your conviction for DUI, or as a condition of acceptance of ARD, Section 1543(b) of the Pennsylvania Consolidated Statutes, Title 75, Vehicles (Vehicle Code) now applies to you.

Section 1543(b) provides that any person who drives a motor vehicle on any highway or traffic way of this Commonwealth at a time when their operating privilege is suspended or revoked either--

- as a condition of acceptance of Accelerated Rehabilitative Disposition,
 - for a violation of Section 3802 or the former section 3731 (relating to driving under the influence of alcohol or controlled substance),
 - because of a violation of section 1547(b)(1) (relating to suspension for refusal) or
 - suspended under section 1581 (relating to Driver's License Compact) for an offense substantially similar to a violation of section 3802 or former section 3731—
-
- shall upon, a first conviction, be guilty of a summary offense, and shall be sentenced to pay a fine of \$500 and be imprisoned for a period of not less than 60 days nor more than 90 days.
 - a second conviction, be guilty of a summary offense, and shall pay a fine of \$1,000 and be imprisoned for a period of not less than 90 days.
 - a third or subsequent conviction, be guilty of a misdemeanor of the third degree, and shall pay a fine of \$2,500 and be imprisoned for a period of not less than 6 months.

In addition to the penalty above, any person who drives a motor vehicle on any highway or traffic way of the Commonwealth when their operating privilege is suspended or revoked for any of the reasons noted above, AND whose blood alcohol by weight is equal to or greater than 0.02% at the time of testing OR whose blood has any amount of a Schedule I or nonprescribed Schedule II or III controlled substance or its metabolite at the time of testing--

- for the first conviction shall be guilty of a summary offense and shall be sentenced to pay a fine of \$1,000
- for a second conviction shall be guilty of a misdemeanor of the third degree and shall be sentenced to pay a fine of \$2,500 and be imprisoned for a period of not less than six months.
- for a third or subsequent conviction shall be guilty of a misdemeanor of the first degree and shall be sentenced to pay a fine of \$5,000 and be imprisoned for a period of not less than two years.

These provisions shall apply whether the person is currently serving a suspension, whether the effective date of the suspension or revocation has been deferred, or otherwise until the person has had his/her operating privilege restored. They shall also apply to a revocation under the habitual offender's provisions of section 1542 if any of the enumerated offenses was for a violation of section 3802 or former section 3731 or a substantially similar out of state offense under section 1581.

This signature verifies that I have read and understood the above and have been notified verbally of the consequences of violating Section 1543(b) of the Vehicle Code (75 Pa.C.S. § 1543(b)).

Signature

Date

Print Name

LCID