

ARD/DUI EXPUNGEMENT

If you are reporting to the Adult Probation Office to get your ARD/DUI expunged from your record, the following steps must be completed.

1. Report to the Clerk of Courts Office for an Expungement packet.
2. Complete the defendant's portion of the packet in its entirety. If you did not keep the necessary records, you may access your file in the Clerk of Courts Office or you may access your record via the Internet at <http://uisportal.pacourts.us>.
3. Have the Clerk of Courts sign and stamp the appropriate page showing that costs are paid in full.
4. Call the Adult Probation Office to schedule an appointment to have the Probation sheet signed. You must bring with you a completion letter from the Care center or other approved treatment agency stating that all treatment has been completed and all services are paid in full. Individual class receipts are not accepted. Do not fax or mail; paper must be brought with you to your appointment.
5. If you drop your paper off to the Care center to be completed, you still must make an appointment to see a Probation Officer. Expungements are only completed once a month and you must have an appointment.

ACT 122 AND 151

If you are reporting to the Adult Probation/Parole Office about restoration of your driving privilege, or if you have received a restoration letter from Penn Dot the following steps must be completed for an ACT 122:

1. You must make an appointment to see your Probation Officer to complete an ACT 122 form.
2. A letter of Completion from the Care center or other treatment agency and proof of payment in full must be brought with you.
3. An ACT 122 Affidavit from the Clerk of Courts that states all costs and fines are paid in full. A copy of a receipt will not be accepted.
4. Have your driver license number for proper paper work. If you do not know your number it is on your restoration letter.

An ACT 151 states that any jail time has been completed. If you are in the process of having your driver's license restored, the ACT 151 paperwork will be completed at the same time as the ACT 122. You will need to notify your Probation Officer at your appointment that Penn Dot does not have verification of your jail time.

If you have not completed the process for an ACT 122, but Penn Dot does not have notification that your jail time was completed, contact your Probation Officer and ask them to complete an ACT 151. It will be helpful if you are able to provide the dates in which you were incarcerated.

INSTRUCTIONS FOR COMPLETION OF EXPUNGEMENT FORM UPON COMPLETION OF ARD OR OTHER NO PENALTY DISPOSITIONS

Complete all blanks with information relative to your case. If you do not have this information, you may come to the Clerk of Courts Office, Suite 1005, Washington County Court House, to review your file. **If your case was filed prior to 2002, please call the Clerk of Courts and we will retrieve the file from the Archives. You will need the file to complete your petition. You may also access your information on CPCMS at <http://uisportal.pacourts.us>.**

Note: If your case did not come to the Court of Common Pleas, information is available from the District Judge before whom the matter was held.

The District Attorney requires that you attach a copy of the disposition of the District Judge to your petition.

1. If your case was disposed of by ARD or other no penalty disposition involving probation, the ARD completion form (Exhibit "A") **must be completed by the Adult Probation Office. You must call the Adult Probation Officer at 724-228-6860 and make an appointment. Do not simply appear at the office.**
2. If your case was disposed of by the Judge of the Court of Common Pleas and you were ordered to pay costs (Exhibit "B" the statement that all costs and fines are paid in full) **must be completed by the Clerk of Courts Office.**
3. Once the form is completed in its entirety, a copy of the entire petition including (Exhibit "A" and "B", if applicable) must be served on the District Attorney. **The District Attorney will keep the form and take your phone number and will telephone you when the form is ready to be picked up.** The District Attorney will complete the District Attorney's statement form included in this packet if the charge you are asking to expunge is, in fact, expungeable. The District Attorney requires at least 10 days notice of presentment for criminal cases and at least 30 days notice on juvenile matters. This notice to be given by the Court. **You must then take the form to the sentencing judge. Each sentencing judge has a special time called "Motions Court" when the form must be presented. The Clerk of Courts will advise you of those specific times. The Court will check to make certain that you notified the District Attorney of your intent to request that the matter be expunged.**
4. When the judge signs the Court Order permitting expungement, bring it to the Clerk of Courts Office, along with a filing fee of \$192.00. The Clerk of Courts Office will then supply you with certified copies of the order. You will be responsible for either mailing or personally serving these copies to the appropriate agencies listed in the Court Order.
5. Because we currently on the new statewide system, **it will take approximately 30 days, more or less, for you record to be removed from our files.** The various other agencies require additional time to complete this request.
6. For your convenience, a list of Washington County District Justices and police departments is also available at the Clerk of Courts Office. The same information is also available in your telephone directory. **We have attempted to streamline this process for your convenience. It may still appear to be quite involved. However, once completed, it will be to your benefit to have invested the time and effort required to complete the process. Thank you.**

FRANK SCANDALE
CLERK OF COURTS

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

COMMONWEALTH OF PENNSYLVANIA

VS.

) FULL EXPUNGEMENT _____
) PARTIAL EXPUNGEMENT _____
) NO. _____
) Common Pleas Docket Number,
) OTN number or District Judge
) number.
)

PETITION FOR DISMISSAL OF CHARGES AND EXPUNGEMENT

AND NOW, this day _____ of _____, 20____, comes the defendant, and respectfully requests that this Petition for Dismissal of Charges and Expungement be granted for the following reasons:

1. On _____, 20____, the defendant was: (check one of the following)
 - _____ A. Placed in Accelerated Rehabilitative Disposition program by Judge _____
 - _____ B. Placed in the Probation w/o Verdict Program by Judge _____
 - _____ C. Charges were dismissed or a nol. pros. was entered by Judge _____.
 - _____ D. Charges were disposed of as follows by District Justice _____
2. The defendant has satisfactorily completed the program prescribed and complied with the conditions as verified by the Adult Probation Office labeled Exhibit "A" and attached hereto, if applicable.
3. In accordance with Pennsylvania Rule of Criminal Procedure 319, the Affidavit of the Clerk of Courts certifying compliance with all of the terms and conditions related to the payment of costs, fines and/or restitution imposed by the aforementioned Order of Court, is labeled Exhibit "B" and attached hereto, if applicable.
4. A copy of this Petition was served upon the District Attorneys of Washington County, Pennsylvania and an affidavit of Service to that effect appears on page 2 of this petition.

WHEREFORE, in accordance with the Pennsylvania Rules of Criminal Procedure, Rule 319 and 320, this defendant moves the Honorable Court to dismiss the charges set forth in the above-captioned proceeding and Order the expungement of the Arrest Record and all other documents pertaining to the defendant in the above-captioned proceeding.

Respectfully submitted,

Defendant

VERIFICATION

I verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to penalties of 18 Pa. C.S.A. ss4904, relating to unsworn falsification to authorities.

Defendant

AFFIDAVIT OF SERVICE

I, _____, hereby certify that I served upon the Commonwealth of Pennsylvania, through the office of the District Attorney of Washington County, Pennsylvania, a copy of the Petition for Dismissal of Charges and Expungement of Arrest Records in the above-captioned matter, by leaving a copy with the secretary in charge of the Office District Attorney of Washington County, Pennsylvania at the Washington County Courthouse, Washington, Pa. 15301, on the _____ day of _____, 20_____.

DATED _____

Defendant

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY,
PENNSYLVANIA
CRIMINAL DIVISION

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF WASHINGTON)
)
V.) NO. _____
)
_____)

**CERTIFICATE OF COMPLETION OF ARD or OTHER NO PENALTY DISPOSITION
REQUIRING PROBATION**

I hereby certify that the above-named defendant has successfully completed all of the terms and conditions of his/her supervision program at this number and term. *(If your parole/probation was transferred to another county, you should contact that county relative to expunction.)*

BY: _____
Adult Probation Officer

SWORN AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____, _____,

NOTARY PUBLIC

MY COMMISSION EXPIRES:

-EXHIBIT "A"-
EXPUNGEMENT PETITION

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

COMMONWEALTH OF PENNSYLVANIA)
)
) **v.**)
) **NO.** _____)
)
 _____)

AFFIDAVIT

AND NOW, this _____ day of _____, 20____, I hereby certify that the above-named defendant has complied with the terms and conditions imposed by the Court in the above matter relative to payment of all costs of prosecution, including fines and restitution, if ordered, through the Office of the Clerk of Courts.

FRANK SCANDALE
Clerk of Courts
Washington County Pennsylvania

(SEAL)

-EXHIBIT "B"-
EXPUNGEMENT PETITION

IN THE COURT OF COMMON PLEAS OF WASHINGTON COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA)	
)	
V.)	NO. _____
)	
_____)	

EXPUNGEMENT ORDER OF COURT

AND NOW, this _____ day of _____, 20_____, a Petition for Expungement having been presented on behalf of the above-captioned defendant and after consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Petition be and is hereby GRANTED and that criminal charges in this matter are dismissed and that the keepers of criminal records named below shall EXPUNGE and DESTROY the official and unofficial arrest and other documents pertaining to the arrest or prosecution or both of the above-named defendant in this criminal proceeding and that each shall request the return of such records which its agency made available to State and Federal agencies and immediately upon receipt thereof shall destroy such records, with the exceptions of District Attorney's records concerning ARD, which shall be used solely for the purpose of determining subsequent eligibility for ARD, and that said keepers of such criminal records shall file with this Court an Affidavit that the mandates of this Order have been fulfilled.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of Courts shall expunge the indices of the official and unofficial arrest and other documents pertaining to the arrest or prosecution or both of the above-named defendant in the above-captioned proceedings, and shall seal and impound the aforesaid Affidavits and the original and all copies of this Order, and no person or agency shall be permitted to examine such documents. The Clerk of Courts may advise the defendant or the defendant's counsel or both of the receipt of said Affidavits. The Clerk of Courts shall destroy all copies as soon as possible after receipt.

Pursuant to the requirements of Pa.Rule Criminal Procedure Rule 722 and Section 9122 of the Criminal History Record Information Act, the expungement information concerning this criminal matter is as follows:

DEFENDANT'S NAME: _____

DEFENDANT'S DATE OF BIRTH: _____

DEFENDANTS SOCIAL SECURITY NO.: _____

COURT OF COMMON PLEAS DOCKET NO: _____

OTN: _____ DJ DOCKET NO: _____

DATE OF ARREST: _____

ARRESTING AGENCY: _____

REASON FOR EXPUNGEMENT: Successful completion of ARD or _____

SPECIFIC CHARGES TO BE EXPUNGED: _____

LIST OF CRIMINAL JUSTICE AGENCIES UPON WHICH CERTIFIED COPIES OF THIS ORDER SHALL BE SERVED BY THE DEFENDANT OR HIS/HER COUNSEL:

1. Office of the District Attorney
2. District Justice: _____
- * 3. Court Reporter: _____
4. Arresting Officer and Agency: _____

NOTE: You do not have to speak to the arresting officer when hand delivering a copy of this order to the Pennsylvania State Police Barracks; simply leave it with the officer in charge who will process it.

5. Washington County Correctional Facility – Attn: Deputy Warden Hammett (If incarcerated relative to this case)
6. Pennsylvania State Police Central Repository – 1800 Elmerton Avenue, Harrisburg Pa 17110
- * 7. Adult Probation Office of Washington County
8. Clerk of Courts of Washington County
- * 9. Prothonotary of Washington County – Civil No:
- * 10. TRW Credit Bureau, P.O. Box 535595, Pittsburgh, PA 15253

(* IF APPLICABLE) NOTE: RCP722 sets forth the information that must be included in every expungement order, but it is not intended to be an exclusive list.)

BY THE COURT

_____, J.

AFFIDAVIT OF EXPUNGEMENT

This is to certify that the official arrest and criminal records and other documents filed pertaining to the particular arrest or prosecution or both of the above-named defendant in the above-captioned criminal proceeding, which are in custody of this office have been expunged or destroyed.

DATE: _____

CERTIFYING OFFICER

**ALL AFFIDAVITS ARE TO BE RETURNED TO THE CLERK OF COURTS OF COURTS
OFFICE UNLESS OTHERWISE SPECIFIED**

EXPUNGEMENT ORDER – PAGE 2 OF 2

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

COMMONWEALTH OF PENNSYLVANIA)	
)	
V.)	NO:
)	
_____)	

DISTRICT ATTORNEY'S STATEMENT

In accordance with the Rules 319 and 320 of the Pennsylvania Rules of Criminal Procedure and 18PaCSA9122-9123, dealing with ARD dispositions, with regard to the Dismissal/Expungement of charges in the above entitled matter, the Commonwealth, by and through the Office of the District Attorney hereby:

:

DOES NOT OBJECT _____

OBJECTS AND REQUEST A HEARING _____

REQUIRES FURTHER INFORMATION _____

DATED: _____

ATTORNEY FOR THE COMMONWEALTH