

Directions for

Motion for Dismissal of ARD Charges

Congratulations Again ! That you have received a letter verifying the successful completion of your Conditions of ARD and have been directed to this website means that you have earned the privilege to have the criminal record of your charge expunged.

As your letter explains; you may begin the Expungement process yourself by following these directions or you may elect to take your letter to an attorney who can assist you with the process and file the Motion for Dismissal of ARD for you.

If you have chosen to proceed - Follow these directions carefully.

1. Print Out the Motion for Dismissal of ARD Form.
2. Print or type in the information in the appropriate fields.
It is vital that this information is legible.
3. All blanks must be filled in.

Part I Case Information

Part I includes the top portion of the form and contains the following listed information. Completing the needed information is your responsibility and every blank must be filled-in. This information cannot be filled in later and it is not the responsibility of any other agency to complete any missing information.

COMMONWEALTH OF PENNSYLVANIA

VS

(n) _____

DEFENDANT

DOB: _____

SSN: _____

IN THE COURT OF COMMON PLEAS
OF NORTHUMBERLAND COUNTY, PA
CRIMINAL DIVISION

CR: _____

OTN: _____

CHARGE: _____ et.al

MOTION FOR DISMISSAL OF ARD CHARGES

AND NOW, the _____ day of _____, _____ ;(n) _____ the defendant in the above captioned case, moves for Dismissal of the charges pending against said defendant in accordance with Rule 319 and in support thereof makes the following statements:

1. The Defendant was arrested on _____ by _____.
2. The Defendant appeared before MDJ # _____ and was assigned MDJ docket #CR _____.
3. The Defendant has successfully complied with all conditions prescribed by the Court.
4. All costs and any restitution ordered have been paid.

- A. Enter the current date
- B. Enter your name at the two (2) locations marked (n)
- C. At DOB enter your Birth date
- D. At SSN enter your Social Security Number
- E. At CR enter Common Pleas Court Criminal Case Number of your case
- F. At OTN enter this 7 digit number always identified by OTN ex: (K 123456-7)
- G. At CHARGE enter the name of the charge against you.
- H. In Line 1 first enter the date on which you were arrested
- I. Still in Line 1 next enter the name of the police department or State Police Barrack or other agency which arrested you
- J. In Line 2 enter the Magisterial number of the District Justice before whom you appeared. (see supplied chart)
- K. Also in Line 2 next enter Criminal Case Number assigned at the Magistrate's Office (This is not the same CR number attached to your ARD Placement!!)

Information needed to complete E through K can be found among the various documents you may already have which chronicle your arrest and ARD.

They can also be accessed through public documents at: <http://ujportal.pacourts.us>

Directions for Portal Search

Select **Docket Sheets** from top of page
 From Drop Down Menu select **Magisterial District Courts** (click on)
 At **Search Type:** click on arrow and select '**Participant Name**' from Drop-Down Menu
 Enter your Last Name and your First Name
 At **County:** click arrow and select **Northumberland** from Drop-Down Menu
 Click **Search**
 Your District Magistrate Case Number and your name will appear
 (if you have other cases, they will also appear- select appropriate case)
 Click on **Magnifying Glass Icon** to reveal Docket Screen
 From the **Docket Screen** of your case, you can extract the needed information.

You can find the Magisterial Number of the District Magistrate before whom you appeared on this chart.

Magisterial Court Number Chart

Mt. Carmel Area	Michael Mychak/Hugh Jones	08 - 2 - 01
Milton Area	William Kear	08 - 3 - 01
Sunbury Area 1	Robert Bolton	08 - 3 - 02
Shamokin Area	John Gembic	08 - 3 - 03
Sunbury Area 2	Carl Rice	08 - 3 - 04

Part II Notary Republic

When you have inserted all the necessary information of Part I.; then you must take this form to a Notary Republic and sign the signature lines ONLY when you are in the presence of a Notary Public! There are two signature lines, print at (n) and sign at s//. The Notary will then affix his sign and seal.

(s//) _____
Defendant

CERTIFICATION

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF NORTHUMBERLAND ss:

(n) _____ being duly sworn according to law, deposes and says that the facts set forth in the Motion for Dismissal of Charges are true and correct to the best of the defendant's knowledge, information and belief.

Sworn and subscribed to before me this _____ day of _____, _____.

(s//) _____
Defendant

Notary

Directions for handling the completed Dismissal of Charges Form

When these two portions of the form have been completed, the Dismissal of Charges Form must be forwarded to the Northumberland County Adult Probation Department, 322 North Second Street, 4th Floor, Sunbury Office Park, PA 17801 for completion of Certification of Compliance..

If you wish to have a copy of this document when it is signed by the Court, you must include a stamped self-addressed envelope with the original form.

Part III Certification of Compliance

This section is completed by the Adult Probation Department and you are not required to complete anything in this section.

This is the section of the Dismissal Form where the Probation Officer affirms that you have complied with the conditions of the ARD Program and have earned the privilege of having the criminal record of this charge expunged.

Part IV Certification by the District Attorney

This section is completed by the District Attorney or a representative from his office and you are not required to complete anything in this section.

This is the section of the Dismissal where the District Attorney agrees that an order of Expungement shall be ordered by the Court.

Part V **Order of the Court**

This section is an order of the Court granting the Dismissal of Charges and directing that the arrest record of these charges be expunged and you are not required to complete anything in this section.

When this is signed by the Court, this document becomes the order that begins the process resulting in Expungement of your criminal record.

Your Motion for Dismissal Form's Journey to Expungement

When your Motion for Dismissal is received by the Adult Probation Department; your eligibility is verified and the form is signed by an Adult Probation Officer.

The Motion is forwarded to the District Attorney's Office for that required signature. And from there it is forwarded to the Judge's Chambers for the final signature on the Order portion of the form.

The Motion is now an Order of the Court and is filed with the keeper of the Court's records, the Prothonotary. The Prothonotary serves certified copies of the Order to the agencies listed at the bottom of the form. These agencies are responsible for annotating, deleting or destroying their own records. Only when the Order has been acted upon by these agencies, is the criminal record of your charge truly expunged.

If you supplied a self-addressed, stamped envelope, then you will receive your copy at this point.

Note on Expungement

In the spirit of Expungement of your record, most the Court's original documents will be destroyed. Those few that must remain are intentionally mutilated, leaving the Court with only the barest of essential information. All other agencies will destroy their information.

Caution

Access to public websites for criminal records (such as the one you may have just used) provide disclaimers as to the timeliness and the correctness of their information. Their information was public record at the time they acquired it, but they are not obligated to update nor are they liable for any errors. Subsequent Court proceedings and dispositions are NOT public record and can only be obtained by agencies cleared to access secured sites. This means, like an old newspaper article, the information on the public websites are not necessarily updated by their managers, and subsequent Court action, such as the Expungement of your criminal charge, is not automatically updated (or deleted). These updates and the final disposition of your charge can only be found on secure criminal record sites.

CONGRATULATIONS and GOOD LUCK

VS

(n) _____

OTN: _____

DEFENDANT

CHARGE: _____

DOB: _____

SSN: _____

et. al.

MOTION FOR DISMISSAL OF ARD CHARGES

AND NOW, the _____ day of _____, _____; (n) _____ the defendant in the above captioned case, moves for Dismissal of the charges pending against said defendant in accordance with Rule 319 and in support thereof makes the following statements:

1. The Defendant was arrested on _____ by _____.
2. The Defendant appeared before MDJ # _____ and was assigned MDJ docket #CR _____.
3. The Defendant has successfully complied with all conditions prescribed by the Court.
4. All costs and any restitution ordered have been paid.

(s//) _____
Defendant

CERTIFICATION

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF NORTHUMBERLAND

ss:

(n) _____ being duly sworn according to law, deposes and says that the facts set forth in the Motion for Dismissal of Charges are true and correct to the best of the defendant's knowledge, information and belief.

Sworn and subscribed to before me this
_____ day of _____, _____.

(s//) _____
Defendant

Notary

It is hereby certified that the above Defendant was supervised by the undersigned officer and the Defendant has satisfactorily completed the program prescribed and complied with its conditions.

Tara Snyder
Probation Officer I

AND NOW this _____ day of _____, _____, we hereby accept service of a copy of the above motion and agree, the court shall dismiss the charges against the Defendant and order the expungement of the Defendant's arrest record.

Asst. District Attorney

ORDER

AND NOW, this _____ day of _____, _____, the Motion for Dismissal of Charges is hereby granted and the charges are dismissed. The arrest record of the defendant is ordered expunged in accordance with Pa. R.C.P. Rule 320, Pa.C.S.A.

Copies: District Attorney
Adult Probation
Certified Copies: Arresting Agency
District Magistrate
PSP/Central Repository
AOPC

BY THE COURT:

Honorable Robert B. Sacavage P.J.