

COMMONWEALTH OF PENNSYLVANIA: IN THE COURT OF COMMON PLEAS  
 : OF NORTHUMBERLAND COUNTY, PA  
 vs. :  
 :  
 : CRIMINAL LAW DIVISION  
 : DOCKET NO. CR \_\_\_\_\_  
 \_\_\_\_\_ :  
 Defendant :

**DUI COURT COLLOQUY**  
 (Use a separate face sheet for each CR#)

- (1) I voluntarily request entry into the Northumberland County's DUI Treatment Court Program. I understand that entry into the program requires that I plead guilty to my criminal charges. This program also requires the waiver of other important rights.
- (2) I agree to submit to and complete a diagnostic evaluation and treatment program dealing with my substance abuse problem as ordered by the Court. I further authorize Northumberland County Drug and Alcohol Department to release my treatment information to the Court. Such information will not, however, be used by the District Attorney in any subsequent trial. In addition, I understand that any statements made during DUI Treatment Court sessions will not be used against me at any subsequent criminal proceedings.
- (3) If I do not successfully complete the diversion program or comply with the conditions of this agreement, a hearing will be scheduled and may result in a modification of my treatment plan, revocation of my release from incarceration or termination from the program resulting in a sentencing hearing.
- (4) I understand that I am charged with and I am entering a guilty plea to the following offenses, which carry standard range minimum penalties based on my prior record score:

<u>OFFENSE</u>	<u>PRS</u>	<u>OGS</u>	<u>Standard Range</u>	<u>Max. Jail</u>	<u>Max. Fine</u>
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	_____	\$ _____

INITIALS: \_\_\_\_\_

(5) I understand that by agreeing to enter the DUI Treatment Court Program, I am surrendering my rights to:

- a jury trial;
- to confront and cross-examine Commonwealth witnesses;
- pre and post-trial motions;
- raise any legal or factual defense; and
- appeal, except those areas specified in the written plea colloquy.

(6) I also agree to:

- not violate any law and to immediately notify my probation officer if arrested;
- attend school, work and treatment as approved by the Court;
- obtain permission from my probation officer before changing my approved residence and before leaving my home overnight;
- report to all programs as required and to fully cooperate;
- appear in court as required;
- permit extension of my treatment as the court determines appropriate to allow successful completion of the requirements;
- pay all fines, costs and supervision fees as required;
- abstain from all alcohol and drug use; if prescribed by a doctor, my probation officer must be notified prior to usage;
- abide by all probation conditions;
- not leave Northumberland County without permission; and
- comply with the following special conditions:

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I have read and understand the above statement and my obligations and the rights I am surrendering. I am knowingly and voluntarily entering into this program.

Date: \_\_\_\_\_

Defendant: \_\_\_\_\_

### **ATTORNEY CERTIFICATION**

I, \_\_\_\_\_, am the attorney for the defendant in the above case, who has expressed a desire to enter the DUI Treatment Court Program and do hereby certify that I have thoroughly explained the DUI Treatment Court Program phases, conditions and requirements and fully explained each paragraph of the DUI Treatment Court colloquy to the defendant and I believe the defendant fully understands the entire DUI Treatment Court colloquy. I have thoroughly discussed all the facts and circumstances surrounding the filing of the charges against the defendant and I have thoroughly explained each element of each crime as well as all possible defenses to each charge that the defendant has expressed a desire to enter a plea.

If the defendant enters a plea, I know of no reason why the plea would not be a knowing, understanding, intelligent and a voluntary act. Further, I know of no reason why the plea would not be valid and binding. If the plea is nolo contendere, I have fully explained the consequences and effect thereof.

Defense Counsel: \_\_\_\_\_

Date: \_\_\_\_\_