



## LEHIGH COUNTY MARIJUANA DIVERSION PROGRAM GENERAL INFORMATION

The Marijuana Diversion Program (“MDP”) is a voluntary program offered by the District Attorney’s Office for individuals who have been charged with certain drug offenses related to marijuana. The MDP offers eligible participants an alternative to a conviction and criminal record while teaching the physiological and social consequences of marijuana usage and techniques participants can use to stop using marijuana.

Who is eligible?

- A participant must be:
  - at least 18 years old;
  - charged with a violation(s) of Section(s) 780-113(a)(16), (a)(31) or (a)(32) of the Controlled Substance, Drug, Device, and Cosmetic Act.  
780-113(a)(16) related to Marijuana;
  - Approved by the District Attorney.
- *Prior Criminal history or prior participation in the MDP is not an automatic restriction to eligibility to participation in the MDP.*

What are the Program requirements?

- Waiver of Preliminary Hearing and Rule 600
- Agree to attend required course and/or volunteer service hours
- Follow conditions set by the Magisterial District Judge, including attendance at any status conferences
- Remain drug and crime free for the duration of the MDP

How long is the MDP?

- A minimum of 60 days and a maximum of 120 days.

What happens upon completion of the MDP?

- The criminal charges shall be dismissed by the MDJ and all records of the charges shall be expunged for first time participants, except that the DA shall retain a record of the individual’s participation in the program.

What happens upon violation of MDP conditions?

- Participation will be terminated and the case will proceed.

What if an individual does not want to participate?

- Participation in the MDP is voluntary. Those who do not want to participate will have a Preliminary Hearing at the Magisterial District Court and could be held over to Common Pleas Court for Trial and subject to higher penalties and costs.

What are the financial costs of the program?

- The participant is responsible for the court costs of the case remaining at the District Court. The participant may apply to the MDJ for indigency and if granted costs will be waived and/or community service may be required in lieu of court costs at the discretion of the MDJ.
  - If the case is resolved at the Common Pleas Court level, court costs are approximately 3 times higher and additional penalties could include: formal probation or incarceration, driver's license suspension, and a permanent criminal record. If the case is eligible for automatic expungement, the participant is responsible for those fees as well.
- On-line class fee

How do I begin the process to get into MDP?

- Complete the Application Packet and submit it to:  
Lehigh County Office of the District Attorney  
Lehigh County Courthouse, Room 307  
455 W. Hamilton St.  
Allentown, PA 18101  
[DAMDP@lehighcounty.org](mailto:DAMDP@lehighcounty.org)