

**IN THE COURT OF COMMON PLEAS
OF THE FIFTY-NINTH JUDICIAL DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF PENNSYLVANIA

* **COUNTY BRANCH:** []ELK []CAMERON

*

* **CRIMINAL**

*

* **OTN-** _____

*

* **No. CP-** _____ **-CR-** _____ **-20** _____

Vs.

_____,
DEFENDANT

DEFENDANT'S WAIVER OF APPEARANCE AT ARRAIGNMENT

Pursuant to Pa. R. Crim. P. Rule 571, Defendant is hereby advised that Defendant has the right to appear before the Court of Common Pleas of the Fifty-Ninth Judicial District of Pennsylvania to be formally arraigned in the above captioned criminal matter. You may waive your appearance at arraignment if:

1. You are represented by legal counsel of record;
2. Your legal counsel agrees in the waiver of your appearance at arraignment; and
3. You and your legal counsel sign and file this document with the Clerk of Courts prior to your scheduled arraignment date before the Court of Common Pleas;

DEFENDANT'S ACKNOWLEDGEMENT OF RIGHTS AND REQUIREMENTS AT ARRAIGNMENT

1. Defendant acknowledges receiving Notice of Defendant's scheduled arraignment before the Court of Common Pleas of the Fifty-Ninth Judicial District of Pennsylvania;
2. Defendant **acknowledges and understands that Defendant has the right to be represented by legal counsel** in the above captioned criminal matter;
3. Defendant **acknowledges and understands the nature of the criminal charges contained in the Criminal Information** filed by the Commonwealth;
4. Defendant **acknowledges and understands the right to file motions** in accordance with Pa. R. Crim. P. Rule 575, including:
 - a. **Request for a Bill of Particulars** shall be in accordance with Pa. R. Crim. P. Rule 572 and served upon Commonwealth within 7 days following arraignment and promptly filed as provided Pa. R. Crim. P. Rule 576;
 - b. **Motion for Pretrial Discovery and Inspection** as provided by and in accordance with Pa. R. Crim. P. Rule 573 within 14 days after arraignment;
 - c. **Motion Requesting Transfer from Criminal Proceedings to Juvenile Proceedings** pursuant to 42 Pa.C.S.A. § 6322, and
 - d. **Omnibus Pretrial Motion** shall be filed and served within 30 days after arraignment in accordance with Pa. R. Crim. P. Rule 578 and 579;

5. Defendant **acknowledges and understands that if Defendant fails to appear without cause at any proceeding for which the Defendant's presence is required, including trial, that Defendant's absence may be deemed a waiver of the right to be present, and the proceeding may be conducted in the Defendant's absence.**
6. Defendant **acknowledges receiving a copy of the Criminal Information** filed in the above captioned matter by the Commonwealth.
7. Defendant **knowingly, intelligently and voluntarily waives his or her right to appear for arraignment** before the Court of Common Pleas of the Fifty-Ninth Judicial District of Pennsylvania.
8. Defendant enters a plea of **NOT GUILTY** to all of the Criminal Charges set forth in the Criminal Information filed by the Commonwealth in the above captioned matter.

VERIFICATION

Under statement of penalty punishable pursuant to 18 Pa. C.S.A. 4904, regarding unsworn falsification to authorities, Defendant and Attorney for Defendant state to the Court that they have each have individually **read and understand this Waiver of Appearance At Arraignment Form**, that Defendant and Attorney for Defendant **knowingly, intelligently and voluntarily waive Defendant's appearance at arraignment** and that **Defendant knowingly, intelligently and voluntarily enters a plea of NOT GUILTY** to all the Criminal Charges set forth in the Criminal Information filed by the Commonwealth in the above captioned matter.

Signature of Defendant

Date: _____

Signature of Attorney for Defendant

Date: _____

Print Name of Attorney

Attorney PA Supreme Court ID

ORDER OF COURT

AND NOW, this _____ day of _____, 20____, upon consideration of the foregoing Defendant's Waiver of Appearance At Arraignment signed by Defendant and Defendant's Attorney, **IT IS HEREBY ORDERED AND DECREED**, that Defendant's Waiver of Appearance At Arraignment is accepted and approved by the Court, that Defendant and Defendant's Attorney required appearance at arraignment is waived and that Defendant's plea of not guilty to all of the Criminal Charges set forth in the Criminal Information filed by the Commonwealth in the above captioned matter shall be entered of record at this time.

BY THE COURT:
