

## WAIVER OF ARRAIGNMENT

- ✓ The Waiver of Arraignment process will be managed by Court Administration/Court Information Management.
- ✓ Defendant **must** be represented by counsel in order to waive Arraignment.
- ✓ Waiver of Arraignment forms as well as each criminal judges' disposition and trial dates will be located in each Magisterial District Judge Office, in Common Pleas courtrooms and in Court Administration – 4<sup>th</sup> Floor Services Center.
- ✓ The Waiver of Arraignment form can also be located on the County of Berks website – [www.berkspa.gov](http://www.berkspa.gov)
  - 'Government' → 'Court of Common Pleas' → 'Schedules and Forms' → 'Arraignments' → 'Waiver Arraignment Form'
- ✓ The individual judges' disposition and trial dates can also be found on the County of Berks website – [www.berkspa.gov](http://www.berkspa.gov) ; **\*please note, disposition/trial dates must be filled out at time of filing\***
  - 'Government' → 'Court of Common Pleas' → 'Schedules and Forms' → 'Arraignments' → respective Judge's arraignment schedule
- ✓ It may be beneficial for defense counsel to have waiver forms prepared for their client to sign directly after the Preliminary hearing.
- ✓ Magisterial District Courts will not be involved in the waiver process, rather they will simply be supplying forms and arraignment schedules to defense counsel, should they need them.
- ✓ Waivers will be accepted in Court Administration – 4<sup>th</sup> Floor, Services Center, or by mail.
  - If mailing waiver, allow for possible delay, particularly around holidays. Also, please ensure that a self-addressed envelope with postage is enclosed for attorney's return copy.
- ✓ Waiver of Arraignment form **must** be received by Court Administration at least **three (3)** business days prior to the scheduled arraignment date.
- ✓ The waiver form may be rejected by Court Administration for any of the following reasons:
  - Not completed properly
  - Did not supply required number of copies (original, plus four copies)
  - Did not include self-addressed, stamped envelope, if mailed
- ✓ If rejected by Court Administration, the defendant must appear on the scheduled arraignment date, otherwise, a bench warrant will be authorized for defendant.