

COMMONWEALTH OF PENNSYLVANIA

COURT OF COMMON PLEAS
COUNTY OF LACKAWANNA
CRIMINAL DIVISION

NO. _____

WAIVER OF PHYSICAL APPEARANCE AND CONSENT TO PROCEED USING TWO-WAY SIMULTANEOUS AUDIO-TELEPHONIC/VISUAL COMMUNICATION

I, _____, the undersigned Defendant in the captioned case, hereby acknowledge that I have consulted with my attorney and I understand the following:

1. I have been advised of my right to appear in a courtroom and be personally present for the proceedings in the above-captioned matter, including my right to confront and cross-examine witnesses;
2. I have been advised of my right to waive my physical presence at this criminal proceeding _____ and to have the proceeding conducted by using two-way simultaneous audio-telephonic/visual communication;
(type of proceeding)
3. I am not required to waive my right to be present, and if I do not waive that right, my case will not be unreasonably delayed in accordance with Pa. R. Crim. P. 600, Pa. R. Crim. P. 704(a)(1), and Pa. R. Crim. P. 708(B)(1) and/or the declaration of a state or local judicial emergency;
4. I, _____, hereby state my intention to waive my right to appear in person
(sign here if you wish to appear by video conferencing) and I do hereby knowingly, voluntarily, and intelligently consent to have my criminal proceeding conducted using two-way simultaneous audio-telephonic/visual communication without leaving the Lackawanna County Prison, State Correctional Institution, Inpatient Rehabilitation Facility at which I am currently housed.

*If I remain on bail, I knowingly, voluntarily, and intelligently consent to have my criminal proceeding conducted using two-way simultaneous audio-telephonic/visual communication either remotely, ie. my residence upon Court approval, or by utilizing two-way simultaneous audio-telephonic/visual communication provided to me and located within the Lackawanna County Courthouse.

I AM NOT WAIVING ANY OTHER RIGHTS BY EXECUTION OF THIS DOCUMENT.

The undersigned Defendant has executed this document on this _____ day of _____, 20_____.

DEFENDANT

ATTORNEY FOR DEFENDANT