

IN THE COURT OF COMMON PLEAS OF LEBANON COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA	:	
	:	
v.	:	Action No.
	:	
	:	
	:	

WAIVER OF JURY TRIAL

AND NOW, this _____ day of _____, _____, comes the Defendant and pleads not guilty and with the consent of his/her attorney, and the attorney for the Commonwealth and the approval of the Judge, waives a jury trial and elects to be tried by Judge, without a jury.

DATE: _____ DEFENDANT: _____

Attorney For the Defendant

Attorney For the Commonwealth

_____, J.
Judge

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WAIVER OF JURY TRIAL

You are present before this Court because you or your lawyer have stated that you wish to waive your right to a Jury Trial and proceed to trial in front of a Judge alone.

Please answer fully all the questions on this document. If you do not understand any explanation given to you on this document, say so by marking the word "no" in the space provided after the question. If you do understand the question, you should mark the word "yes." All of the questions must be answered.

If there is any question that you do not understand, you should say so in writing on this form. You should also tell your lawyer and the Judge who hears your case, so that they can explain it to you fully, to make sure that you understand all of your rights.

Initials _____

Most of these questions are designed to be answered "Yes" or "No". Where general information is asked for, however, please answer fully.

1. What is your full name? _____
2. How old are you today? _____
3. How far did you go in school? _____
4. Can you read, write and understand the English language? Yes___ No___
5. If your answer to Number 4 is "No", is this Waiver being read to you in a language you do understand? Yes___ No___
6. Have you ever been treated for a mental illness? Yes___ No___
7. To your knowledge do you now suffer from any mental or emotional disability? Yes___ No___
8. Are you now under the influence of any intoxicants or drugs that affect your understanding of what you are doing? Yes___ No___
9. Do you understand you have a right to a jury trial? Yes___ No___
10. Do you understand that a jury is composed of 12 citizens from Lebanon County selected from a larger panel? Yes___ No___
11. Do you understand that both your attorney and the attorney for the Commonwealth would have the opportunity to ask questions of the potential jurors prior to their selection? Yes___ No___
12. Do you understand that you would be allowed to help your attorney in the selection of the jury? Yes___ No___

Initials _____

13. Do you understand that in a Jury Trial, the jury decides the facts of the case and makes the determination of guilty or not guilty? Yes___ No___
14. Do you understand that in a Jury Trial in order to be convicted, the verdict of the jury would have to be unanimous in that all 12 members would have to agree upon your guilty beyond a reasonable doubt? Yes___ No___
15. Do you understand that in a trial before the Judge, only one individual, the Judge, must be convinced of your guilty beyond a reasonable doubt? Yes___ No___
16. Do you have any questions about what has been explained to you? Yes___ No___
17. Is it still your desire to waive or give up the rights explained to you and proceed to trial without a jury? Yes___ No___

I affirm that I have read this three (3) page document in its entirety and I understand its full meaning and I still, nevertheless, want to waive my right to a jury trial.

DATE: _____ DEFENDANT: _____

I, _____, Esquire, Attorney for _____, state that I have advised my client of the contents and meaning of this document; that it is my belief that he/she comprehends and understands what is set forth above; that I am prepared to try this case; and that the defendant understands what he/she is doing by waiving his/her right to a jury trial.

Attorney for Defendant

Initials _____