

THE COURTS

Title 255—LOCAL COURT RULES

CUMBERLAND COUNTY

Rules of the Court of Common Pleas; No. 95-1387 Civil Term

And Now, this 8th day of December, 1997, the following Rules of the Court of Common Pleas of Cumberland County, Pennsylvania, are hereby promulgated and adopted for use, effective January 22, 1998, or thirty (30) days after publication in the *Pennsylvania Bulletin*.

Pursuant to Pa. R.C.P. 239, the Court Administrator is directed to forward seven (7) certified copies of this order to the Administrative Office of Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin* together with a diskette, formatted in Word Perfect 6.1 for Windows reflecting the text in the hard copy version, one (1) copy to the Supreme Court Criminal Procedural Rules Committee and/or the Supreme Court Domestic Relations Committee, and one (1) copy to the Cumberland Law Journal.

By the Court

HAROLD E. SHEELY,
President Judge

Rule 303-1. Arraignment. Every defendant shall be arraigned before a judge, before the Clerk of Court, the Clerk's deputy or by first class mail, where the defendant is represented by counsel of record and upon timely initiative, hereinafter set forth:

(a) Arraignment shall take place at the Cumberland County Courthouse, at the Cumberland County Prison, at the State Correctional Institution at Camp Hill, by first

class mail, or at such other place as may be designated by an order of the President Judge.

(1) If defense counsel chooses to have the defendant arraigned via first class mail, then the defendant and his or her counsel must complete the "acknowledgment of arraignment" form designated by Rule 303-2.

(b) Arraignment shall take place no later than fifteen (15) days after the information has been filed, unless waived by a defendant who has counsel, or is otherwise postponed by the court for cause shown.

(c) Defendant and counsel, if an appearance has been entered, shall receive written notice of the arraignment no later than five (5) days before the date scheduled for the arraignment.

(1) Such notice shall include a caption containing the name and docket number of the case and the charges against the defendant.

(2) Notice shall be given by first-class mail or in accordance with Pa.R.Crim.P. 309.

(d) If a defendant is represented by private counsel, or court-appointed counsel other than the Public Defender, defendant may appear with counsel before the Clerk of Court for arraignment anytime prior to the scheduled formal arraignment, at which time counsel shall enter a formal appearance, if an appearance has not been previously entered of record.

(e) At arraignment, the defendant shall be instructed to appear at a pretrial conference and trial in accordance with Rule 311.

Adopted January 11, 1978, effective January 16, 1978; Amended December 19, 1989, effective January 1, 1990; Amended December 8, 1997, effective January 22, 1998.

[Pa.B. Doc. No. 97-2076. Filed for public inspection December 26, 1997, 9:00 a.m.]