

THE COURTS

Title 255—LOCAL COURT RULES

BERKS COUNTY

Rules of Court; No. 99-1099

Order

And Now, this 3rd day of September, 1999, Berks County Rules of Criminal Procedure (B.R.C.P.) No. 303, No. 303.3 and No. 303.5 are amended as hereinafter set forth, and as so amended are hereby promulgated. Said Rules as amended and promulgated are approved and adopted for use in the Court of Common Pleas of Berks County, Pennsylvania (23rd Judicial District of Pennsylvania), effective thirty (30) days after the date of their publication in the *Pennsylvania Bulletin*, and said Rules, as herein approved and adopted, shall apply to all criminal proceedings then and thereafter begun, including, but not limited to, proceedings then pending.

It Is Further Ordered that each of said Rules as said Rule existed prior to these amendments is hereby repealed and annulled on the effective date of said Rules as amended, but no rights acquired thereunder shall be disturbed.

The Prothonotary of Berks County is *Ordered and Directed* to do the following:

1. Keep continuously available for public inspection and copying, copies of this Order and of Berks County Rules of Criminal Procedure No. 303, No. 303.3 and No. 303.5 as herein amended and promulgated.

2. File with the Administrative Office of Pennsylvania Courts for distribution in accordance with Pa. Rule of Judicial Administration No. 103(c), ten (10) certified copies of each of the following:

(a) This Order;

(b) Berks County Rules of Criminal Procedure No. 303, No. 303.3 and No. 303.5, as herein amended and promulgated.

3. File two (2) certified copies of this Order and two (2) certified copies of Berks County Rules of Criminal Procedure No. 303, No. 303.3 and No. 303.5, as herein amended and promulgated, with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

4. File one (1) certified copy of this Order and one (1) certified copy of Berks County Rules of Criminal Procedure No. 303, No. 303.3 and No. 303.5, as herein amended and promulgated, with the Civil Procedural Rules Committee.

5. Within three (3) weeks after the publication of said amended Rules in the *Pennsylvania Bulletin*, the Prothonotary of Courts shall cause a copy of this Order and a copy of said amended Rules to be published one (1) time in the *Berks County Law Journal* in suitable form so that the same may be placed as an additional or replacement page in the current binder of the Berks County Rules of Court. Each such additional or replacement page shall show in its lower right-hand corner, the effective date of said amended Rules.

By the Court

SCOTT D. KELLER,
President Judge

Rules of Criminal Procedure

Rule 303. Arraignment.

Each Defendant in a criminal case shall be arraigned before a judge or before the court administrator or a deputy court administrator or a criminal court master when such court administrator or deputy is designated and authorized by an order of the president judge.

Rule 303.3. Arraignment Before Court Administrator, Deputy Court Administrator or a Criminal Court Master.

(a) Whenever arraignments are held before the court administrator or a deputy court administrator, or a criminal court master, designated and authorized by order of the president judge, and the defendant stands mute, the clerk is authorized and directed to enter a plea of not guilty for the defendant.

(b) Whenever arraignments are held before the court administrator or a deputy court administrator, or a criminal court master, designated and authorized by order of the president judge, and the defendant fails to appear, the court administrator, or deputy court administrator, or criminal court master, shall report such fact in writing to a judge of the court, and the court may authorize that a bench warrant be issued for the apprehension and arrest of the defendant so that he or she may be brought before the court.

Rule 303.5. Place and Manner of Arraignment.

Arraignment shall take place at the Berks County Courthouse, at the Berks County Prison in Bern Township, Berks County, Pennsylvania, or at such other places in the County of Berks as may from time to time be designated by a judge of the Court of Common Pleas and may be conducted by means of video conferencing.

[Pa.B. Doc. No. 99-1741. Filed for public inspection October 15, 1999, 9:00 a.m.]