

**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CRIMINAL DIVISION**

COMMONWEALTH OF PENNSYLVANIA

vs.

CC NO. _____

Charge(s): _____

WAIVER OF JURY TRIAL

AND NOW comes _____, the defendant, and pleads not guilty, and with the consent of his attorney waives his/her right to a jury trial and elects to be tried by a judge without a jury.

SIGNATURE DEFENDANT

DATE

SIGNATURE OF ATTORNEY FOR DEFENDANT

DATE

I, _____, the attorney for the Commonwealth, hereby waive the Commonwealth's right to a jury trial and elect to elect to have a judge try the case without a jury.

SIGNATURE OF ATTORNEY FOR THE COMMONWEALTH

DATE

The Court, having ascertained on the record that the Defendant knowingly and intelligently waives his/her right to a jury trial, hereby does **APPROVE** **DISAPPROVE** this waiver.

JUDGE

DATE

4. Do you understand that all twelve members of the jury so selected would have to find and vote for your guilt before you could be adjudicated guilty, that is, their verdict for your conviction would have to be unanimous?_____

5. Do you understand that in a non-jury or bench trial before a judge, the judge would sit as a trier of fact, just as a jury does, bound by the same rules of evidence and therefore it would be the judge rather than a jury who would decide whether you are guilty or not guilty from the evidence presented in court?_____

6. Do you understand that in a jury trial as in a non-jury trial before a judge, you would enter the courtroom clothed with the presumption of innocence and that presumption would remain with you until such time, if ever, that the jury should find you guilty?_____

7. Have you discussed with your attorney your intention to waive your constitutional right to a trial by jury and proceed in what we call a non-jury or bench trial before a judge only, who will decide your guilt or innocence from the evidence presented?_____

8. Knowing all of this and having discussed your rights with your attorney, it is the Court's understanding that you voluntarily wish to waive your constitutional right to a jury trial and proceed to trial before a judge without a jury, is that correct?_____

9. Do you completely understand these proceedings today? _____

10. Have you ever had any physical or mental illness that would disturb your thinking in any way whatsoever here today or affect the voluntariness of your waiver of rights to a jury trial?_____

11. Are you completely satisfied with the representation and legal advice of your attorney?_____

Initials _____

12. Has anybody forced you, or attempted to force you, in your decision to waive your constitutional right to a trial by jury? _____

13. Has anybody promised you anything for waiving your constitutional right to a trial by jury? _____

14. Are there any further questions concerning your right to a jury trial, your waiver of that right, or the charges against you, which you would like to ask of this Court? _____

Signature _____
Defendant

As attorney for the defendant, I hereby certify that I have advised my client of his rights and of the meaning of the questions contained in this form and it is my belief that the defendant understands these rights and that it is his voluntary decision to proceed non-jury.

Attorney for Defendant