

RULE 602.1 WAIVER OF RIGHT TO TESTIFY BY DEFENDANT

In all cases, the defendant may waive the right to testify. The judge shall ascertain from the defendant whether the waiver is a knowing, voluntary and intelligent waiver. A waiver colloquy, on the record, should be conducted by defense counsel, but may be supplemented by the Court and/or the Attorney for the Commonwealth. In a jury trial, the colloquy shall be held outside the presence of the jury before the defense rests its case.