

## **Rule 590. PLEAS, PLEA AGREEMENTS, AND PLEA COLLOQUIES**

(a) The Court will be available for the purpose of taking guilty or *nolo contendere* pleas from time to time as designated by the Court Administrator, and at other times pursuant to court order. Plea Court times shall generally include each Thursday afternoon that court is in session, and immediately after the Call of the Criminal Trial List.

(b) Whenever a guilty or *nolo contendere* plea agreement is reached between the parties, a Plea Agreement shall be completed on the form provided by the District Court Administrator. The Plea Agreement shall be signed by the Commonwealth, the defendant, and counsel for the defendant (if any). The Commonwealth shall retain the original and provide a copy to the defendant and to defense counsel (if any) and, at the time of entering the plea, to the presiding judge.

(c) For defendants represented by counsel, guilty and *nolo contendere* pleas are to be entered through the use of a written colloquy substantially in conformity with the written plea colloquy form maintained by the District Court Administrator, available in each courtroom and online at the County website ([www.crawfordcountypa.net](http://www.crawfordcountypa.net)). A judge may, however, excuse the use of a written plea colloquy, or otherwise decide that a written colloquy should not be used.

(d) If the plea is to be entered through the use of a written colloquy, then prior to Plea Court, defense counsel shall review and explain the contents of the written plea colloquy form to the defendant, and both defense counsel and the defendant shall sign the completed form. Defense counsel must be satisfied that the defendant understands all of the questions on the form, has answered them truthfully, and is entering a knowing, voluntary, and intelligent plea. Counsel's signature on the written plea colloquy shall constitute a certification that defense counsel has explained and discussed all of the questions on the form, as well as all of the elements of the offense(s) charged, and that to the best of counsel's knowledge, information, and belief, the defendant understands the consequences of entering the plea.

(e) Those entering pleas through the use of a written plea colloquy will do so at the onset of Plea Court. Defense counsel shall appear with the defendant at the time set for Plea Court, unless advanced communication technology is being utilized with the permission of the presiding judge. The judge accepting the plea will also conduct a limited oral colloquy to supplement the written plea colloquy in accord with Pa.R.Crim.P. 590, and to address any issues raised therein. The written colloquy shall be filed in open court at the time the plea is entered.

(f) For a defendant unrepresented by counsel, the presiding judge shall conduct the guilty or *nolo contendere* plea colloquy in accord with Pa.R.Crim.P. 590 and the *Comment* thereto, together with an inquiry relating to waiver of counsel in accord with Pa.R.Crim.P. 121(a)(2). The plea colloquy may be conducted in combination with a video presentation, provided that the defendant acknowledges, either in writing or on the record, having watched the video.