

Rule 540. Preliminary Arraignment.

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Comment:

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See Chapter 5, Part H, Rules 595, 596, 597, and 598, for the procedures governing requests for transfer from criminal proceedings to juvenile proceedings pursuant to 42 Pa.C.S. § 6322 in cases in which the defendant was under the age of 18 at the time of the commission of the alleged offense and charged with one of the offenses excluded from the definition of “delinquent act” in paragraphs (2)(i), (2)(ii), and (2)(iii) of 42 Pa.C.S. § 6302.

For when an arresting officer is required to provide the name and contact information of the victim to the magisterial district court conducting the preliminary arraignment, see 18 P.S. § 11.201(2)(iii)(A).

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Rule 547. Return of Transcript and Original Papers.

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Comment:

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When arrest warrant information has been sealed pursuant to Rule 513.1, the arrest warrant information already will have been filed with the clerk of courts. When the case is transmitted to the court of common pleas, the clerk of courts should associate the transcript and other documents transmitted by the issuing authority with the original file created for the sealing procedure.

For when the magisterial district court or the Philadelphia Municipal Court is required to transmit the contact information of the victim to the court of common pleas, see 18 P.S. § 11.201(2)(iii)(B).

Rule 1003. Procedure in Non-Summary Municipal Court Cases.

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Comment:

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Paragraphs (D)(3)(d)(iii) and (E) make it clear that, with some exceptions, the procedures in Municipal Court for both preliminary hearings and cases in which the defendant fails to appear for the preliminary hearing are the same as the procedures in the other judicial districts.

For when an arresting officer is required to provide the name and contact information of the victim to the Philadelphia Municipal Court conducting the preliminary arraignment, see 18 P.S. § 11.201(2)(iii)(A).

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