

L140. Preliminary Arraignment.

A. In advising the defendant of his right to secure counsel of his choice and of his right to be assigned counsel, the issuing authority shall specifically describe the procedure to be followed in applying for assignment of counsel and shall have public defender application forms available.

B. The defendant shall be specifically advised that if he fails to obtain counsel to represent him at the scheduled preliminary hearing, he shall be found to have waived his right to counsel. No continuance of the preliminary hearing will be granted by reason of a failure to make timely application for counsel prior to the hearing. An application for public defender is deemed to be timely if filed with the court administrator not less than two (2) working days before the scheduled hearing, provided the defendant is advised of that fact. A working day is any day in which the court holds regularly scheduled sessions.

C. Where a preliminary hearing is not held within the time limits required by the Pennsylvania Rules of Criminal Procedure, the issuing authority's transcript shall set forth precisely the reasons or cause for any extension of the ten-day time limit.