



**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION**

United States
v

Case Number:

PDID Number:

**WAIVER OF RIGHT TO BE PHYSICALLY PRESENT FOR
PRELIMINARY HEARING / GUILTY PLEA / SENTENCING**

By submitting this completed form, the undersigned Defendant, after consultation with his or her Counsel, agrees to waive the right to be physically present for the above proceeding(s). This waiver is based upon the Defendant having been informed of the following:

1. The Defendant understands that he or she has a right to be physically present before the Court under D.C. Superior Court Rule 43.
2. After consulting with counsel, the Defendant knowingly and voluntarily waives that right in the matter before the Court.
3. The Defendant, by waiving the right to be physically present, gives up the right to request to reopen the preliminary hearing, withdraw the guilty plea or vacate the sentence on the sole grounds that the defendant was not physically present.
4. In lieu of physical presence, the Defendant consents to participate in the proceeding(s) by video and/or teleconference (select method of participation).

I have had read to me the contents of this waiver form. I understand and agree to these terms. After a full and fair opportunity to consult with my legal counsel, I authorize the Court to acknowledge my acceptance of these terms as a valid and voluntary waiver of my right to be physically present for the above referenced proceeding(s).

Acknowledged under oath:

Defendant

Defense Counsel
(approved telephonically)

Assistant U.S. Attorney
(approved telephonically)

Upon consideration of the foregoing, the declaration of a judicial emergency in light of the COVID-19 pandemic materially impacting the functioning of the D.C. Superior Court and requiring that the foregoing proceeding(s) be conducted remotely in order to promote public health and safety, and the impracticability of in-person attorney visits at the D.C. Jail to obtain the defendant's signature, the undersigned hereby accepts the waiver of the defendant's right to be physically present consistent with the best interest of the administration of justice.

DATE

JUDGE