

The First Stages of a Criminal Trial



Preliminary Arraignment

- Typically follows an arrest and is the initial appearance of a defendant usually before a Magisterial District or Municipal Court judge
- Defendant is given a copy of the charges and advised of legal rights
- Bail is determined
- Preliminary hearing date and time set

Preliminary Hearing

- This is not a trial - and helps protect people from unlawful arrest and detention
- Prosecution (referred to as the Commonwealth) must present evidence that a crime has been committed and that the accused is likely the one who committed the crime
- Judge will dismiss charges if insufficient probable cause, or order the case to move forward to the Court of Common Pleas



Arraignment

- Pretrial proceeding in the Court of Common Pleas (trial court) where the defendant is advised of the criminal charges
- Plea is entered – “guilty,” “not guilty” or “no contest”
- Jury or nonjury trial requested by defendant
- Timeline identified for future court action



Disclaimer: This contains simplified definitions for general informational purposes and does not encompass the full range of implications or contexts for the terms defined. The information set forth here should not be used in place of legal advice; a lawyer should be consulted for advice on specific legal issues.