

**DEFENDANT'S WAIVER OF
PHYSICAL PRESENCE**

DOCKET NO. _____

**Massachusetts
Trial Court
Superior Court**

Commonwealth v. _____

CLERK OF COURTS
COUNTY _____

The defendant and defense counsel must execute this form for any proceeding for which a defendant has a right to be physically present but wants to waive that right.

WAIVER OF RIGHT TO PHYSICAL PRESENCE

This waiver concerns the following hearing: _____

I, the defendant in the above-captioned case, state as follows:

1. I have had the opportunity to consult with my attorney about participating in this hearing by telephone or videoconference rather than in person.
2. My attorney has explained to me my right to be physically present at this hearing and has answered all my questions to my satisfaction.
3. I understand that I have the option to refuse to have this hearing conducted by telephone or videoconference and can have it in person.
4. I have decided to waive my right to be physically present at this hearing and to proceed by telephone or videoconference, and that it is in my best interests to do so.
5. I understand that any hearing conducted by telephone or videoconference is as binding on me as if it were conducted in person.

Defendant's signature _____ **Dated:** _____

Printed name: _____

Defense counsel's signature _____ **Dated:** _____

Printed name: _____

BBO No. _____