

By Mr. Plunkett of Lowell, petition of Patrick F. Plunkett for legislation relative to notice to the accused before trial in district courts. The Judiciary.

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## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Four.

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### AN ACT RELATIVE TO NOTICE TO ACCUSED BEFORE TRIAL IN DISTRICT COURTS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Before a person is tried for any offence upon an  
2 indictment or complaint the following notice must be  
3 given to him in writing:—

4 NOTICE TO ACCUSED.

5 1. You are charged with an offence which is specifi-  
6 cally described in a complaint which will be read to  
7 you by the clerk and which you may examine if you  
8 so desire and if you do not understand the nature of  
9 the complaint if you make this known to the clerk  
10 he will explain it to you.

11 2. When you are brought before the judge you will  
12 be asked by the clerk whether you wish to plead guilty  
13 or not guilty to the offence.

14 3. If you plead guilty it will mean that you admit  
15 you are guilty of the offence charged.

16 4. If you plead not guilty it means you are denying  
17 that you committed the offence, in which case you  
18 will be given a trial and will have the right to have  
19 witnesses testify in your presence.

20 5. If you are not ready for trial you can ask the  
21 judge to have the case continued for a reasonable  
22 time in order to prepare your case.

23 6. You have the right to have a lawyer of your  
24 own choosing, but at your own expense, to represent  
25 you, or you may try your own case yourself.

26 7. If you are convicted and sentenced you will have  
27 the right to appeal to the superior court; provided you  
28 appeal immediately after conviction and sentence by  
29 the court. If you do not then appeal you will not  
30 have any further right of appeal.

31 8. If your offence is a felony and the court finds  
32 probable cause against you, you will be held for the  
33 superior court where you will be given a trial.