

**PURSUANT TO RULE 27(f) OF THE MISSISSIPPI RULES OF APPELLATE
PROCEDURE, THE SUPREME COURT SEEKS COMMENTS FROM THE BENCH, THE
BAR AND THE PUBLIC ON THE PROPOSED AMENDMENT TO RULE 8.01 OF THE
UNIFORM RULES OF CIRCUIT AND COUNTY COURT PRACTICE.**

**Comments should be filed with the Clerk of the Supreme Court, Gartin Justice Building, P.O.
Box 117, Jackson, MS 39205, no later than September 14, 2007.**

UNIFORM RULES OF CIRCUIT AND COUNTY COURT PRACTICE

**Rule 8.01
ARRAIGNMENT**

Arraignment will be in open court, and will consist of reading the indictment to the accused, and calling upon the defendant to plead to the charge in the indictment. Prior to arraignment a copy of the indictment must be served on the defendant. Defendants who are jointly charged may be arraigned separately or jointly within the discretion of the court. If codefendants are arraigned at the same time and charged with the same offense, the indictments need be read only once, with stated identification of each defendant.

In all cases waiver of the reading of the indictment may be permitted if the defendant is represented by an attorney. Arraignment is deemed waived where the defendant proceeds to trial without objection.

At arraignment, the matter shall be set for trial. Unless good cause be shown, and a continuance duly granted by the court, all offenses for which indictments are presented to the court shall be tried no later than two hundred seventy (270) days after the accused has been arraigned, pursuant to Miss. Code Ann. § 99-17-1. The trial shall not be continued except upon written order stating therein the good cause for continuance.

[Adopted effective May 1, 1995; Amended September _____, 2007.]