

CPL ARTICLE 340: PRE-TRIAL.

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Local Criminal Court trial of an Information (including Misdemeanor Complaint accompanied by waiver of prosecution) is by a single judge, generally; and the same basic rules as underlie indictments apply.

Defendant is only entitled to a jury trial in local criminal court when charged with a misdemeanor (except that in NYC, must be punishable by at least 6 month imprisonment to be so eligible).

Regardless of above, Youthful Offender **must** be single-judge trial (unless otherwise ineligible due to previous youthful offender adjudgment, or criminal conviction).

Defendant must be present at any local criminal court trial, unless removed for bad conduct (if previously warned, and behavior continues). However the Court *may* excuse a defendant upon motion, if such defendant has executed written authority for attorney to act, and only if the People do not object.