

RULE 3.260 | WAIVER OF JURY TRIAL

A defendant may in writing waive a jury trial with the consent of the state.

Committee Notes

1968 Adoption. This is the same as Federal Rule of Criminal Procedure 23(a). This changes existing law by providing for consent of state.

1972 Amendment. Changes former rule by deleting “the approval of the Court,” thus making trial by judge mandatory where both parties agree. The committee felt that the matter of withdrawal of a waiver was a matter within the inherent discretion of the trial judge and that no rule is required.

