

~~Rule 10-1-202. Verifying use of jury.~~

Intent:

~~To establish a procedure allowing attorneys to enter an appearance or request a trial setting by telephone.~~

~~To establish a procedure allowing attorneys to verify with the clerk's office, by telephone, the need for a jury in criminal cases.~~

Applicability:

~~This rule shall apply to the Second District Court in Class B and C misdemeanors and infractions.~~

Statement of the Rule:

- ~~(1) Defendants and/or their attorneys, who enter an appearance in a criminal case or request a trial setting by telephone, shall be deemed by the Court as having waived the filing of a formal Information and having agreed to proceed on the citation, unless the filing of an Information is specifically requested in writing.~~
- ~~(2) Defendants and/or their attorneys who demand a jury trial in a criminal case may file a written demand in accordance with the Rules of Criminal Procedure or, in the alternative, may request a jury trial and move the Court to waive the filing of the written demand upon assuming responsibility for verifying the need for a jury with the Clerk of the Court on the business day before commencement of the trial and stipulating that a failure to do so shall be construed by the Court as a waiver of a jury trial.~~

~~Effective May/November 1, 20__~~