

Prior law provided that a criminal defendant in a non-capital case may knowingly and intelligently waive his right to trial by jury. New law retains prior law.

Prior law provided that the court must inform the defendant of his right to waive trial by jury. New law deletes this provision.

Prior law provided that the defendant must waive his right to trial by jury pursuant to time limits set forth in prior law or with the court's permission at any time prior to the commencement of trial. New law deletes these provisions and adds that the defendant must exercise his right to waive trial by jury pursuant to present constitution and by written motion not later than 45 days prior to the date his case is set for trial. New law further provides that this motion must be signed by defendant, and also signed by defendant's counsel unless the defendant has waived his right to counsel.

Prior law provided that the defendant may withdraw a waiver of trial by jury unless the court finds that withdrawal of the waiver would result in interference with the administration of justice, unnecessary delay, unnecessary inconvenience to witnesses, or prejudice to the state. New law deletes this provision and adds that the defendant may waive trial by jury within 45 days prior to the commencement of trial with the consent of the district attorney.

New law provides that the waiver of trial by jury is irrevocable and the defendant cannot withdraw his waiver of trial by jury.

Effective upon signature of the governor (June 17, 2013).

(Amends C.Cr.P. Art. 780)