

Rule Change 2009(22)

**CHAPTER 30
COLORADO MUNICIPAL COURT RULES OF PROCEDURE**

Rule 223. Trial by Jury or by the Court.

(a) **Trial by Jury.** Trial shall be to the court, unless the defendant is entitled to a jury trial under the constitution, ordinance, charter, or general laws of the state, in which case the defendant shall have a jury, if, within ~~ten~~twenty days after arraignment or entry of a plea, the defendant files with the court a written jury demand and at the same time tenders to that court a jury fee of \$25, unless the fee is waived by the judge because of the indigence of the defendant. If the action is dismissed or the defendant is acquitted of the charge, or if the defendant, having paid the jury fee, files with the court at least ten days before the scheduled trial date a written waiver of jury trial, the jury fee shall be refunded. A defendant who fails to file with the court the written jury demand as provided above waives the right to a jury trial.

(b) [No change]

(c) [No change]

Amended by the Court, En Banc October 12, 2009, effective immediately.

By the Court:

Nancy E. Rice
Justice, Colorado Supreme Court