

**IN THE COUNTY COURT OF THE ELEVENTH JUDICIAL CIRCUIT OF
FLORIDA, IN AND FOR MIAMI-DADE COUNTY**

THE STATE OF FLORIDA,
Plaintiff,

CRIMINAL DIVISION
CASE NO.: _____

vs.

JUDGE: _____

_____,
Defendant
_____ /

WAIVER OF JURY TRIAL

COMES NOW, _____, defendant in this cause and waives trial by jury of the issues made by the charge and defendant's plea of not guilty and requests that said issues be tried by the Judge sitting without a jury.

I understand that I have a constitutional right to a trial before a jury of my peers, where six (6) jurors listen as the trier of fact to the testimony presented and determine my guilt or innocence. I understand that each of the six (6) jurors would have to unanimously (all) agree that I am guilty before I am found guilty.

I understand that I am giving up this constitutional right and that the Judge alone will be the trier of fact instead of a jury and that the Judge will determine my innocence or guilt based upon the evidence presented at my trial.

I understand that the Judge is more familiar than the jurors with these types of cases and the defenses typically raised and that the Judge, because of the Judge's experience, may be able to better distinguish the reasonableness of a witness' testimony in light of the evidence in my case including believing or disbelieving all or any part of the evidence or testimony of any witness.

I believe that this waiver of jury trial is in my best interests.

I further represent to the court that the waiver is made freely and voluntarily and that I have not been subjected to any threats, pressure or coercion to induce this waiver, nor have I been assured of any leniency or expectations of reward in consideration of this waiver of jury trial.

Dated this _____ day of _____, 20__.

DEFENDANT

I have discussed this waiver with my attorney. I am satisfied with the services of my attorney thus far.

Counsel believes that this waiver of jury trial is in the best interests of the defendant.

I have discussed with the defendant the advantages, disadvantages, benefits, and possible consequences of waiving his/her right to a jury trial and the defendant freely and voluntarily waives his/her right to jury trial.

COUNSEL FOR DEFENDANT

DEFENDANT

STATE CONSENT

Pursuant to Fla. R. Crim. P. 3.260, the State of Florida consents to the waiver of trial by jury in the above captioned matter.

ASISTANT STATE ATTORNEY

By _____

ORDER ACKNOWLEDGING AND ACCEPTING WAIVER OF JURY TRIAL

Defendant having entered this waiver of trial by jury in this cause, the Court finds Defendant's waiver to have been knowingly, understandingly, and intelligently made, and the State consents to the waiver of trial by jury.

WHEREFORE, it is hereby **ORDERED AND ADJUDGED** that this cause shall be tried by the Court sitting without a jury.

DONE AND ORDERED in open court, in Miami-Dade County, Florida, on this _____ day of _____, 20__.

COUNTY COURT JUDGE