

EDM-CrRLJ 4.5(b)  
JURY CONFIRMATION

(i) Confirmation Required. No later than two (2) days prior to the date of the assigned jury trial, the defendant, if appearing pro se, or the defendant's attorney, if represented by legal counsel, and the City Prosecutor shall contact the Court Clerk between 9:00 AM and 4:00 PM and confirm that the case will proceed to jury trial.

(ii) Failure to Confirm. Failure of a party to confirm the jury trial or to advise the Court Clerk that another disposition has been reached may cause the case to be stricken from the jury trial calendar. Failure of the defendant, if appearing pro se, or the defendant's attorney, if represented by legal counsel, to confirm the jury trial or to advise the Court Clerk that another disposition has been reached shall constitute an excluded period of the defendant's speedy trial right pursuant to CrRLJ 3.3(e) (3). Likewise, failure to comply with any conditions set at the readiness hearing pursuant to EDM-CrRLJ 4.5(a) may result in the jury trial being stricken and the finding of an excluded period pursuant to CrRLJ 3.3(e) (3).

(iii) Failure to Appear. Failure of the defendant to appear on the jury trial date may result in the issuance of a bench warrant and the forfeiture of any posted bail unless a disposition has been confirmed by all parties. Any disposition will be heard on the next regularly scheduled court day unless an alternative date is set by the parties and is approved by the judge, judge pro tem or court commissioner.

(iv) Sanctions. Failure to comply with this rule or EDM-CrRLJ 4.5(a) may result in the imposition of sanctions. If a failure of a party to comply with this rule results in a jury pool actually appearing at the court unnecessarily, sanctions of not less than \$250 plus jury costs will be assessed against the offending party.

[Effective September 1, 2008]

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