

**CrR 5.2**  
**CHANGE OF VENUE**

**(a) When Ordered--Improper County.** The court shall order a change of venue upon motion and showing that the action has not been prosecuted in the proper county.

**(b) When Ordered--On Motion of Party.** The court may order a change of venue to any county in the state:

(1) Upon written agreement of the prosecuting attorney and the defendant;

(2) Upon motion of the defendant, supported by affidavit that he believes he cannot receive a fair trial in the county where the action is pending.

**(c) Discharge of Jury.** When the court orders a change of venue it shall discharge the jury, if any, without prejudice to the prosecution, and direct that all the papers and proceedings be certified to the superior court of the proper county and direct the defendant and the witnesses to appear at such court.

Comment

Supersedes RCW 10.25.080, .090, .100; RCW 10.46.180.

[Adopted effective July 1, 1973.]