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HOUSE BILL 1470

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State of Washington                      55th Legislature                      1997 Regular Session

By Representatives Schoesler and Mastin

Read first time 01/28/97. Referred to Committee on Law & Justice.

1            AN ACT Relating to juries in criminal trials; amending RCW  
2 10.01.060; and adding a new section to chapter 10.46 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 10.46 RCW  
5 to read as follows:

6            All superior court criminal cases shall be tried by a jury of  
7 twelve unless both the defendant and the prosecution consent to a  
8 lesser number. Criminal cases may be tried by the court without a jury  
9 with the consent of the defendant, the prosecution, and the trial  
10 judge.

11           **Sec. 2.** RCW 10.01.060 and 1951 c 52 s 1 are each amended to read  
12 as follows:

13           No person informed against or indicted for a crime shall be  
14 convicted thereof, unless by admitting the truth of the charge in his  
15 plea, by confession in open court, or by the verdict of a jury,  
16 accepted and recorded by the court: PROVIDED HOWEVER, That except in  
17 capital cases, where the person informed against or indicted for a  
18 crime is represented by counsel, such person may, with the assent of

1 the court and the prosecutor, waive trial by jury and submit to trial  
2 by the court.

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