

IN THE IOWA DISTRICT COURT IN AND FOR MADISON COUNTY

STATE OF IOWA,
Plaintiff,

CRIMINAL NO. _____

vs.

WAIVER OF RIGHT TO SPEEDY TRIAL

_____,
Defendant.

COMES NOW the above named Defendant and states to the Court the following:

1. I realize that I have a right under the Constitution of the United States and the Constitution of the State of Iowa to a speedy trial.

2. I realize that I also have a right to a speedy trial under Iowa Rule of Criminal Procedure 2.33, which provides, in part:

It is the public policy of the State of Iowa that criminal prosecutions be concluded at the earliest possible time consistent with a fair trial to both parties.

If a defendant indicted for a public offense has not waived his or her right to a speedy trial he or she must be brought to trial within ninety days after indictment is found or the court must order the indictment to be dismissed unless good cause to the contrary be shown.

3. I have been fully advised by my attorney of my right to speedy trial and of the ramifications of that right, including the considerations that the memories of the witnesses fade with the passage of time; that witnesses may disappear or become unavailable; that delay may impair the effectiveness of my defense; that the community may view me with suspicion during the pendency of this case thereby affecting my occupational and social endeavors; that I will have to endure prolonged anxiety and concern and that I am or can be subjected to incarceration pending trial. Taking all of these factors and considerations into account, I deem it to be in my best interest to waive my speedy trial right at this time.

4. I voluntarily waive and give up my right to a speedy trial and I agree that the trial may be postponed until a date scheduled by the court. I reserve the right to withdraw this waiver by written notice to the court and to the State of Iowa and I understand that I would then have a right to be tried within 90 days from the date of that withdrawal.

Signed this ____ day of _____, 20____.

Defendant

I have discussed the matters referred to above with my client and I acknowledge that he/she executes the same knowingly, intelligently, and voluntarily.

Attorney for Defendant