**IN THE \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*(Justice Court, Justice Court of Record, Municipal Court, City Court, City Court of Record)*

 **COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, STATE OF MONTANA**

 *(County)*

|  |  |
| --- | --- |
| State of Montanavs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Defendant. | **Case No:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ JURY TRIAL WAIVER |

I, *(your name)* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, have entered a plea of not guilty in this case.

1. The Constitutions and the laws of Montana and the United States give me the right to a trial by a jury of 6 persons. I could be found guilty only if all 6 jury members agree I have been proved guilty.
2. I do not have an impairment or disability preventing me from understanding this waiver.
3. No promises or threats have been made to convince me to sign this waiver.
4. **I waive or give up my right to a jury trial.**
5. **I understand I will have a trial by a judge.**

|  |  |  |  |
| --- | --- | --- | --- |
| Dated: |  |  |  |
|  |  |  | Defendant’s Signature |
| Dated: |  |  |  |
|  |  |  | Defendant’s Attorney’s Signature |

The prosecuting attorney waives the State’s right to a jury trial.

|  |  |  |  |
| --- | --- | --- | --- |
| Dated: |  |  |  |
|  |  |  | Prosecutor’s Signature |

cc: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [ ]  Prosecutor [ ]  Defendant’s attorney [ ]  Defendant