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A bill to be entitled  
 An act relating to the right to a speedy trial; creating  
 time limits within which a person charged with a crime  
 must be brought to trial; permitting state attorneys to  
 file a demand for a speedy trial; providing conditions  
 that must be met in order to do so; requiring that the  
 trial judge schedule a calendar call upon the filing of a  
 demand for a speedy trial in order to schedule a trial;  
 prescribing conditions under which the trial court may  
 postpone a trial date; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Victim's right to a speedy trial; speedy trial  
 demand by the state attorney.--

(1) The state attorney may file a demand for a speedy  
 trial if the state has met its obligations under the rules of  
 discovery, and if the charge is:

(a) A felony or misdemeanor and the court has granted at  
 least three continuances upon the request of the defendant and  
 over the objection of the state attorney.

(b) A felony and the case is not resolved within 125 days  
 after the date that formal charges are filed and the defendant  
 is arrested or the date that notice to appear in lieu of arrest  
 is served upon the defendant.

(c) A misdemeanor and the case is not resolved within 45  
 days after the date that formal charges are filed and the  
 defendant is arrested or the date that notice to appear in lieu

29 of arrest is served upon the defendant.

30 (2) Upon the filing of a demand for a speedy trial, the  
31 trial court shall schedule a calendar call within 5 days, at  
32 which time the court shall schedule the trial to commence no  
33 sooner than 5 days or later than 45 days following the date of  
34 the calendar call.

35 (3)(a) The trial court may postpone the trial date for up  
36 to 30 additional days upon a showing by the defendant that a  
37 necessary witness who was properly served failed to attend the  
38 deposition and also failed to attend a subsequently scheduled  
39 deposition following a court order to appear.

40 (b) The trial court may also postpone the trial date for  
41 no fewer than 30 days but no more than 70 days if the court  
42 grants a motion by counsel to withdraw due to a conflict of  
43 interest, or for other good legal cause, and the court appoints  
44 other counsel.

45 Section 2. This act shall take effect July 1, 2005.