

July 1 Changes

Speedy Trial - Fla. R. Crim. P. 3.191

- **Trigger Date** - The trigger date for speedy trial is now the date of filing the charging document (Information, Indictment, UTC, etc). **(a)**
- **Speedy By Demand** - You must now wait 60 days (instead of 50) from filing your demand to file a notice of expiration **(b)**
- **Recapture Extension** - The recapture period is now permanently set to 30 days. It is up to 5 days to hold the calendar call, and then 30 days from the calendar call to have trial. Per section (c), speedy trial is satisfied when the large venire is sworn in for voir dire. **(o)**
- **Federal and Out-Of-State Inmates** - Speedy trial rules do not apply to defendants who are in custody in federal jails or jails outside of Florida, but now regardless of whether they are formally charged by charging instrument. **(e)**
- **Discharge is Without Prejudice** - Aside from a claim that a defendant's constitutional speedy trial rights have been violated, any discharge received from a speedy trial violation is without prejudice for the State to refile. **(n)**

Time for Filing - Fla. R. Crim. P 3.134

- **63rd Day Rule** - Creates a "63rd Day Rule" for out-of-custody defendants, where if they remain unfiled on the 60th day, we can file to have them released from "all requirements of bail and all conditions of pretrial release" on the 63rd day. **(b)(1)**
- **Pretrial Release Conditions** - Unlike the 33 Day Rule, 63rd Day Rule releases the defendant from statutory Pretrial Release Conditions in § 903.047. **(b)(2)**
- **Good-Faith Extension** - Like the 33 Day Rule, the State can get a "Good Faith" extension on the 63 Day Rule for 30 days, so it would not take effect until up to the 93rd day. **(b)(1)(B)**