

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT _____

STATE OF ALASKA)
)
Plaintiff)
)
vs.)
)
)
)
Defendant.) CASE NO. _____ CR
DOB: _____)
WAIVER OF INDICTMENT

I, the above-named defendant, am charged with violation of:

(statute)

(offense)

I am fully advised of the following:

1. Under the Alaska Constitution, I have a right to have the above charge presented to a Grand Jury for review.
2. A Grand Jury consists of 12 to 18 citizens who hear evidence presented by the District Attorney through witnesses.
3. During the presentation of a case before the Grand Jury, only the District Attorney, a clerk, and the witness are present.
4. The Grand Jury can return an indictment against me only upon the concurrence of a majority of the total number of jurors and when all the evidence taken together, if unexplained or uncontradicted, would warrant a conviction of me at trial.
5. If the Grand Jury declines to indict me after reviewing the evidence, the effect is to dismiss the charge which was before them; and that charge may not be again submitted to the Grand Jury without a court order.
6. The effect of an indictment being returned by the Grand Jury is to place the charges against me before the Superior Court.
7. The effect of a Waiver of Indictment by me will be to allow the charges against me to be placed before the Superior Court without the Grand Jury having reviewed the evidence in my case.

I have received a copy of the Complaint or Information charging me with the offense referred to above and therefore I am familiar with the nature of the charges against me.

I have been advised by my attorney and the court of the nature of the charges against me and my right to indictment by Grand Jury. I have taken into consideration the information listed above. I hereby waive in open court prosecution by indictment and consent to prosecution in Superior Court by information rather than indictment.

Date

Defendant's Signature

Assistant District Attorney

Counsel for Defendant

Type or Print Name Bar Number

Type or Print Name Bar Number

FINDING

After having personally inquired of the defendant in open court and of defendant's attorney, and having advised the defendant as to defendant's right to indictment by Grand Jury, I find that the defendant has made a voluntary, intelligent, and knowing waiver of defendant's right to indictment by Grand Jury.

Date

Superior Court Judge

Type or Print Name

I certify that on _____

A copy of this waiver was sent or given to:

Defense Counsel: _____

Prosecutor: _____

Clerk: _____