

(1) the term “judicial officer” means, unless otherwise indicated, any person or court authorized pursuant to section 3041 of this title, or the Federal Rules of Criminal Procedure, to detain or release a person before trial or sentencing or pending appeal in a court of the United States, and

(2) the term “offense” means any Federal criminal offense which is in violation of any Act of Congress and is triable by any court established by Act of Congress (other than a Class B or C misdemeanor or an infraction, or an offense triable by court-martial, military commission, provost court, or other military tribunal).

(Added Pub. L. 93-619, title II, § 201, Jan. 3, 1975, 88 Stat. 2088; amended Pub. L. 98-473, title II, §§ 203(c), 223(h), Oct. 12, 1984, 98 Stat. 1985, 2029; Pub. L. 99-646, § 55(i), Nov. 10, 1986, 100 Stat. 3610; Pub. L. 103-322, title IV, § 40501, Sept. 13, 1994, 108 Stat. 1945; Pub. L. 104-294, title VI, § 607(i), Oct. 11, 1996, 110 Stat. 3512; Pub. L. 105-314, title VI, § 601, Oct. 30, 1998, 112 Stat. 2982; Pub. L. 114-22, title I, § 112, May 29, 2015, 129 Stat. 240.)

AMENDMENTS

2015—Subsec. (a)(4)(C). Pub. L. 114-22 inserted “77,” after “chapter”.

1998—Subsec. (a)(4)(C). Pub. L. 105-314 added subpar. (C) and struck out former subpar. (C) which read as follows: “any felony under chapter 109A or chapter 110; and”.

1996—Subsec. (a)(5). Pub. L. 104-294 added par. (5).

1994—Subsec. (a)(4)(C). Pub. L. 103-322 added subpar. (C).

1986—Subsec. (a). Pub. L. 99-646 substituted “the term” for “The term” in pars. (1) to (4) and struck out “and” after “Congress;” in par. (2).

1984—Subsec. (a). Pub. L. 98-473, § 203(c)(1), substituted “3141” for “3146” in provision preceding par. (1).

Subsec. (a)(1). Pub. L. 98-473, § 203(c)(2), substituted “to detain or release” for “to bail or otherwise release” and struck out “and” after “District of Columbia;”.

Subsec. (a)(3), (4). Pub. L. 98-473, § 203(c)(3), (4), added pars. (3) and (4).

Subsec. (b)(1). Pub. L. 98-473, § 203(c)(5), substituted “to detain or release” for “to bail or otherwise release”.

Subsec. (b)(2). Pub. L. 98-473, § 223(h), substituted “Class B or C misdemeanor or an infraction” for “petty offense as defined in section 1(3) of this title”.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-646 effective 30 days after Nov. 10, 1986, see section 55(j) of Pub. L. 99-646, set out as a note under section 3141 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by section 223(h) of Pub. L. 98-473 effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of such amendment, see section 235(a)(1) of Pub. L. 98-473, set out as an Effective Date note under section 3551 of this title.

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AMENDMENTS

1979—Pub. L. 96-43, § 11, Aug. 2, 1979, 93 Stat. 332, substituted “Persons detained or designated as being of high risk” for “Interim limits” in item 3164 and inserted “and implementation” in item 3174.

1975—Pub. L. 93-619, title I, § 101, Jan. 3, 1975, 88 Stat. 2076, added chapter 208 and items 3161 to 3174.

§ 3161. Time limits and exclusions

(a) In any case involving a defendant charged with an offense, the appropriate judicial officer, at the earliest practicable time, shall, after consultation with the counsel for the defendant and the attorney for the Government, set the case for trial on a day certain, or list it for trial on a weekly or other short-term trial calendar at a place within the judicial district, so as to assure a speedy trial.

(b) Any information or indictment charging an individual with the commission of an offense shall be filed within thirty days from the date on which such individual was arrested or served with a summons in connection with such charges. If an individual has been charged with a felony in a district in which no grand jury has been in session during such thirty-day period, the period of time for filing of the indictment shall be extended an additional thirty days.

(c)(1) In any case in which a plea of not guilty is entered, the trial of a defendant charged in an information or indictment with the commission of an offense shall commence within seventy days from the filing date (and making public) of the information or indictment, or from the date the defendant has appeared before a judicial officer of the court in which such charge is pending, whichever date last occurs. If a defendant consents in writing to be tried before a magistrate judge on a complaint, the trial shall commence within seventy days from the date of such consent.

(2) Unless the defendant consents in writing to the contrary, the trial shall not commence less than thirty days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se.

(d)(1) If any indictment or information is dismissed upon motion of the defendant, or any charge contained in a complaint filed against an individual is dismissed or otherwise dropped, and thereafter a complaint is filed against such defendant or individual charging him with the same offense or an offense based on the same conduct or arising from the same criminal episode, or an information or indictment is filed charging such defendant with the same offense or an offense based on the same conduct or arising from the same criminal episode, the provisions of subsections (b) and (c) of this section shall be applicable with respect to such subsequent complaint, indictment, or information, as the case may be.