

1 **Rule 5. Information and indictment.**

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3 ~~(a) Unless otherwise provided, all criminal prosecutions whether for felony, misdemeanor or~~
4 ~~infraction shall be commenced by the filing of an information or the return of an indictment.~~
5 ~~Prosecution by information shall be commenced before a magistrate having jurisdiction of the~~
6 ~~offense alleged to have been committed unless otherwise provided by law.~~

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8 ~~(b) Unless otherwise provided, no information shall be filed before a magistrate charging the~~
9 ~~commission of a felony or class A misdemeanor unless the prosecuting attorney shall first~~
10 ~~authorize the filing of such information. This restriction shall not apply in cases where the~~
11 ~~magistrate has reasonable cause to believe that the person to be charged may avoid apprehension~~
12 ~~or escape before approval can be obtained.~~

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Effective July 1, 2016