

CRIMINAL JURISPRUDENCE & PRACTICE COMMITTEE
Respectfully submits the following position on:

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ADM File No. 2010-34

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The Criminal Jurisprudence & Practice Committee is comprised of members appointed by the President of the State Bar of Michigan.

The position expressed is that of the Criminal Jurisprudence & Practice Committee only and is not an official position of the State Bar of Michigan, nor does it necessarily reflect the views of all members of the State Bar of Michigan.

The State Bar position on this matter is to support the adoption of Alternative B.

The total membership of the Criminal Jurisprudence & Practice Committee is 20.

The position was adopted after an electronic discussion and vote. The number of members in the decision-making body is 20. The number who voted in favor to this position was 13. The number who voted opposed to this position was 3.

Report on Public Policy Position

Name of committee:

Criminal Jurisprudence & Practice Committee

Contact persons:

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Proposed Court Rule or Administrative Order Number:

[2010-34 - Proposed Amendment of Rule 6.519 of the Michigan Court Rules](#)

Alternative A would revise MCR 6.419 to be similar to the federal corollary of this rule (FR Crim P 29[b]). Under this language, the trial court would be entitled to reserve judgment on a motion for directed verdict. Alternative B would allow a trial court to reconsider its decision to grant a directed verdict. This language was proposed based on the United States Supreme Court decision of *Smith v Massachusetts*, 543 US 462 (2005).

Date position was adopted:

June 18, 2012

Process used to take the ideological position:

Position adopted after a discussion at a scheduled meeting and an e-vote.

Number of members in the decision-making body:

20

Number who voted in favor and opposed to the position:

13 Voted for position
3 Voted against position
0 Abstained from vote
4 Did not vote

Position:

Support the Adoption of Alternative B

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

http://courts.michigan.gov/supremecourt/Resources/Administrative/2010-34_2012-05-02_order.pdf