

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND FIFTH LEGISLATURE

Legislative Document

No. 1921

H. P. 1478

House of Representatives, January 24, 1972

Committee on Judiciary suggested.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Jalbert of Lewiston.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-TWO

**AN ACT Authorizing the Supreme Judicial Court to  
Provide for Juries of Fewer than 12.**

Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. R. S., T. 14, § 1204, amended.** Section 1204 of Title 14 of the Revised Statutes, as amended, is further amended by adding at the end a new paragraph to read as follows:

The Supreme Judicial Court may by rule provide for the trial of civil actions by juries of fewer than 12 jurors.

**Sec. 2. R. S., T. 14, § 1354, amended.** Section 1354 of Title 14 of the Revised Statutes, as enacted by chapter 310 of the public laws of 1969, is amended by adding at the end a new paragraph to read as follows:

If the Supreme Judicial Court has by rule provided for the trial of civil actions by juries of fewer than 12 jurors, then a number of jurors equal to at least  $\frac{3}{4}$  of the jury may agree on the verdict and return it into court as the verdict of the jury, and the trial judge shall so instruct the jury, specifying the number of jurors necessary to constitute at least  $\frac{3}{4}$  of their number.

**Sec. 3. R. S., T. 15, § 1258, amended.** Section 1258 of Title 15 of the Revised Statutes, as repealed and replaced by section 47 of chapter 356 of the public laws of 1965 and as amended, is further amended by adding at the end the following new paragraph:

The Supreme Judicial Court may by rule provide for the trial of criminal actions by juries of fewer than 12 jurors to the extent permitted by the Constitution.

STATEMENT OF FACT

The purpose of this bill is reflected in the title.