

By Mr. Cahoon of Chatham, petition of Howard C. Cahoon, Jr., and another relative to strengthening the jury system in the Commonwealth. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Six.

AN ACT STRENGTHENING THE JURY SYSTEM IN THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any special or general law to the
2 contrary all trial justices of the Commonwealth, in all courts of the
3 Commonwealth, shall accept the decisions of juries in all civil and
4 criminal cases, and shall not set aside, change or reduce verdicts of
5 juries unless expressly authorized by such juries at the time their
6 decision is rendered.

1 SECTION 2. Any decisions rendered by juries shall not effect
2 the right of appeal as is now authorized by the statutes of the
3 Commonwealth of Massachusetts.

1 SECTION 3. Any trial justice of the Commonwealth of Massa-
2 chusetts in his instructions to jurors in any civil or criminal case
3 before their courts shall advise jurors that their verdict will not be
4 set aside, reduced or changed if they so instruct the court.

1 SECTION 4. If a jury fails to bring forth a recommendation,
2 after having been charged by a court of their right to bring forth a
3 recommendation that their judgement is final, subject to appeal,
4 then a justice may take whatever statutory authority is available in
5 addressing that jury's verdict, and may render a decision accord-
6 ingly. Otherwise the decision of the jury, subject to appeal,
7 becomes absolute, and may not be changed, set aside, or reduced

8 by any trial justice of the Commonwealth in accordance with the
9 jury decision.

1 SECTION 5. This act shall take effect upon passage.