

SAC Rules of Criminal Procedure

Recommended Changes to Mass. R. Crim. P. 19(a) - Redlined Version

(a) General. A case in which the defendant has the right to be tried by a jury shall so be tried unless the defendant waives a jury trial in writing with the approval of the ~~judge~~court and files the waiver with the ~~court~~clerk, in which instance ~~the defendant~~he shall be tried by the ~~judge~~court instead of by a jury. If there is more than one defendant, all must waive the right to trial by jury, and if they do not so waive, there must be a jury trial unless the ~~judge exercises~~court in its discretion ~~to sever~~s the cases. The ~~judge~~court may refuse to approve such a waiver for any good and sufficient reason provided that such refusal is given in open court and on the record.