

## **SAC Rules of Criminal Procedure**

### **Recommended Changes to Mass. R. Crim. P. 19(b)**

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**(b) Less Than a Full Jury.** If after jeopardy attaches there is at any time during the progress of a trial less than a full jury remaining, a defendant may waive the right to be tried by a full jury, provided that the judge determines after a colloquy that such waiver is knowing and voluntary. The defendant shall sign a written waiver, which shall be filed with the court. If there is more than one defendant, each must waive the right to be tried by a full jury unless the judge exercises discretion to sever the cases.