

April 23, 1957

Memorandum No. 5

Subject: S. B. 33 (Jury Instructions)

We have asked Senator Dorsey's secretary to set this bill for hearing by the Senate Judiciary Committee on May 6. We delayed in setting it in the hope that we would have a large part of the Commission's program through the committee before it is heard because we are not very optimistic about the bill's prospects. As is indicated in the communication received from Mr. Hayes, the State Bar is opposed to the bill. And we know of at least potential opposition from Mr. Reed of the Department of Public Works.

I enclose a copy of a memorandum prepared for the March meeting summarizing comments which we have received on S.B. 33. Although we have twice reconsidered this matter without changing our original recommendation, I suggest that if time permits, we review the various objections which have been made to the proposal once again in order to be certain that we wish to stand on our original recommendations in the face of the opposition to them which has developed.

Respectfully submitted,

John R. McDonough, Jr.
Executive Secretary

att.