

THE CODE OF CRIMINAL PROCEDURE (EXCERPT)
Act 175 of 1927

768.12 Peremptory challenge; offense not punishable by death or life imprisonment; number.

Sec. 12. (1) A person who is put on trial for an offense that is not punishable by death or life imprisonment shall be allowed to challenge peremptorily 5 of the persons drawn to serve as jurors. In a case involving 2 or more defendants who are being jointly tried for an offense that is not punishable by death or life imprisonment, each of the defendants shall be allowed to challenge peremptorily 5 persons returned as jurors. The prosecuting officers on behalf of the people shall be allowed to challenge 5 jurors peremptorily if a defendant is being tried alone or, if defendants are tried jointly, shall be allowed the total number of peremptory challenges to which all the defendants are entitled.

(2) On motion and a showing of good cause, the court may grant 1 or more of the parties an increased number of peremptory challenges. The number of additional peremptory challenges the court grants may cause the various parties to have unequal numbers of peremptory challenges.

History: 1927, Act 175, Eff. Sept. 5, 1927;—CL 1929, 17305;—CL 1948, 768.12;—Am. 2006, Act 655, Imd. Eff. Jan. 9, 2007.

Former law: See section 58 of Ch. 103 of R.S. 1846, being CL 1857, § 4400; CL 1871, § 6027; How., § 7607; CL 1897, § 10238; CL 1915, § 14594; Act 147 of 1883; Sections 3 and 4 of Ch. 165 of R.S. 1846, being CL 1857, §§ 6070 and 6071; CL 1871, §§ 7949 and 7950; How., §§ 9561 and 9562; CL 1897, §§ 11944 and 11945; and CL 1915, §§ 15817 and 15818.