

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

768.13 Peremptory challenge; offense punishable by death or life imprisonment; number.

Sec. 13. (1) A person who is being tried alone for an offense punishable by death or imprisonment for life, shall be allowed to challenge peremptorily 12 of the persons drawn to serve as jurors. In a case punishable by death or imprisonment for life that involves 2 or more defendants, a defendant shall be allowed the following number of peremptory challenges:

- (a) Two defendants – 10 each.
- (b) Three defendants – 9 each.
- (c) Four defendants – 8 each.
- (d) Five or more defendants – 7 each.

(2) In a case punishable by death or imprisonment for life, the prosecuting officers on behalf of the people shall be allowed to challenge peremptorily 12 jurors 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.

(3) 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, 17306;—CL 1948, 768.13;—Am. 2006, Act 655, Imd. Eff. Jan. 9, 2007.

Former law: See section 5 of Ch. 165 of R.S. 1846, being CL 1857, § 6072; CL 1871, § 7951; How., § 9563; CL 1897, § 11946; CL 1915, § 15819; Act 72 of 1861; and Act 139 of 1883.