

1 copied, and I felt that even though possible we wouldn't
2 have written it this way had we been starting from
3 scratch, but we get the full benefit of the whole body
4 of law by adopting the United States language verbatim,
5 if it doesn't do us any harm.

6 THE CHAIRMAN: I wanted to ask Professor
7 Asper a question about Mr. Miller's question. As you
8 know, there has recently been considerable discussion
9 in the Maryland courts of discovery in criminal cases
10 with decisions of the Court of Appeals greatly limiting
11 discovery in criminal cases. If you eliminated the
12 language, in his favor, as suggested by Mr. Miller,
13 could you perhaps be laying the groundwork for discovery
14 in criminal cases?

15 PROFESSOR ASPER: I have never thought of it,
16 Mr. Eney.

17 THE CHAIRMAN: I don't want to hold up.
18 Mr. Mindel?

19 MR. MINDEL: Has the Committee given any
20 thought to the use of the word, unanimous?

21 PROFESSOR ASPER: In a criminal case?