

In the Matter of  
Rules of Criminal Procedure  
Rule 37.2 Commencement of Proceedings;  
Pleadings; Permission of Supreme Court  
Following Appeal

74-345

December 18, 1978

PER CURIAM

Criminal Procedure Rule 37.2 is hereby amended by adding the following subsection (c):

(c) A petition claiming relief under this rule must be filed in circuit court or, if prior permission to proceed is necessary as indicated in paragraph (a), in the Supreme Court within three (3) years of the date of commitment, unless the ground for relief would render the judgment of conviction absolutely void.

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Re: Arkansas Model Criminal Instructions

PER CURIAM

January 29, 1979

If Arkansas Model Criminal Instructions (AMCI) contains an instruction applicable in a criminal case, and the trial judge determines that the jury should be instructed on the subject, the AMCI instruction shall be used unless the trial judge finds that it does not accurately state the law. In that event he will state his reasons for refusing the AMCI instruction. Whenever AMCI does not contain an instruction on a subject upon which the trial judge determines that the jury should be instructed, or when an AMCI instruction cannot be modified to submit the issue, the instruction on that subject should be simple, brief, impartial, and free from argument.