

Good news about the ALI revised model penal code

written by Sandy | October 21, 2022

From Professor Ira Ellman: At the May meeting the members adopted a number of amendments, including three that I offered, which improved the drafts. The Reporter revised the text of the Model Penal Code accordingly, and this revised text has now been approved by the ALI Council. There are now no further steps remaining with respect to the text. That battle is over.

The Reporter has not yet made the necessary revisions to the commentary that accompanies the text of the code (known in ALI parlance as the "Blackletter"). When he does, he will submit the revised commentary to the council, which must approve that also. The commentary is important, so that's one remaining item I'll keep monitoring. Of course, the commentary must be consistent with the Blackletter, but it's important because it explains and provides the arguments and basis for the rules set forth in the Blackletter.