

1 right to jury trial in all civil cases involving \$20 or
2 more, probably should not be incorporated.

3 In addition, care should be taken, in flexible
4 language and non-meticulous idiom such as found in and
5 under the Federal Constitution, to take account of other
6 personal and civil rights, such as the right against
7 wiretapping, that are not yet contemplated by the
8 Federal Constitution.

9 The Maryland Branch of the American Civil
10 Liberties Union further takes the position that formu-
11 lation of the new Declaration of Rights should avoid
12 prolix detail, be cast in flexible language and contem-
13 plate an important role for judicial implementation and
14 interpretation. Thank you.

15 THE CHAIRMAN: Professor Rosen, as to the
16 provision on double jeopardy, would you suggest that the
17 Bill of Rights embody the Federal standards of double
18 jeopardy as it exists now? Do you feel generally there
19 should be a specific provision involving double jeopardy?

20 PROFESSOR ROSEN: I think the thrust of the
21 ACLU's position is that initially the Bill of Rights, or