

OCT 29 1991

OCTOBER TERM, A.D. 1991

JERRILL D. CARTER, CLERK

Judy Lickco
DEPUTY

In the Matter of the Amendment)
of Rule 609(a), Wyoming Rules of Evidence)

ORDER AMENDING RULE 609(a), WYOMING RULES OF EVIDENCE

The Permanent Rules Advisory Committee having recommended to the court the amendment of Rule 609(a), Wyoming Rules of Evidence, as shown below, and the court having approved the amendment; it is therefore

ORDERED that Rule 609(a), Wyoming Rules of Evidence shall be, and it is hereby, amended to read as follows:

Rule 609, W.R.E., Impeachment by evidence of conviction of crime.

(a) General rule. -- For the purpose of attacking the credibility of a witness,

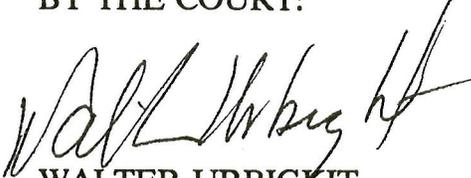
(1) evidence that ~~he~~ A WITNESS OTHER THAN AN ACCUSED has been convicted of a crime shall be admitted, if elicited from him or established by public record during cross-examination but only SUBJECT TO RULE 403, if the crime (1) was punishable by death or imprisonment in excess of one year under the law under which ~~he~~ THE WITNESS was convicted, and EVIDENCE THAT AN ACCUSED HAS BEEN CONVICTED OF SUCH A CRIME SHALL BE ADMITTED IF the court determines that the probative value of admitting this evidence outweighs its prejudicial effect to the ~~defendant~~ ACCUSED; ~~or~~ AND,

(2) EVIDENCE THAT ANY WITNESS HAS BEEN CONVICTED OF A CRIME SHALL BE ADMITTED IF IT involved dishonesty or false statement, regardless of the punishment.

IT IS FURTHER ORDERED that said amended rule shall be published in the advance sheets of the Pacific Reporter and thereafter in the Wyoming Reporter; and that said amended rule shall become effective 60 days after publication in the advance sheets of the Pacific Reporter.

Dated this 29th day of October, 1991.

BY THE COURT:


WALTER URBIGIT
CHIEF JUSTICE