

Introduction to the 2025 Edition

The law changes on almost a daily basis, and it is critical for the practitioner to keep abreast of important changes, and to have ready access to them. Each year we make every effort to update the Deskbook with significant new decisions, statutory changes, and court rule amendments or additions. Among the many highlights in the new material in various sections this edition are:

- § 2:14: A person was seized when the police parked behind him in a parking lot in a manner so that the individual could not have backed out without turning the wheel.
- § 3:29: That an individual is not free to leave the presence of the police for reasons other than police restraint is not determinative of the custody question, the question then being whether a reasonable person would feel free to end the encounter.
- § 5:121: The MMMA is inapplicable to the recreational use of marijuana, and a trial court may still impose probation conditions related to the recreational use of marijuana and revoke probation for such recreational use, as well as for marijuana use in violation of the MMMA.
- § 5:339: Parents have been found responsible on a theory of gross negligence manslaughter for homicides committed by a child, where the parents knowledge of their child's mental instability, their failure to get him help even though he had asked for it, their purchase of a gun for him, their failure to check if he was armed after he made violent drawings on the day of the shooting, and similar evidence was sufficient.
- § 5:649: A person convicted of a misdemeanor involving domestic violence may not possess, use, transport, sell, purchase, carry, ship, receive, or distribute a firearm or ammunition in the state until the expiration of 8 years after the person has paid all fines imposed, served all terms of imprisonment imposed for the violation, and has successfully completed all conditions of probation imposed.

Numerous other recent developments are discussed throughout this text.

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