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1/7/69

Memorandum 69-22

Subject: Study 12 - Jury Instructions

Resolution Chapter 207 of the Statutes of 1955 authorized the Commission to make a study to determine whether the trial courts should be authorized or required to give the jury a copy of the court's instructions to take into the jury room. The Commission submitted the attached recommendation and study to the 1957 session.

The recommended legislation was withdrawn by the Commission because questions were raised as to how the court could provide the jury with a copy of the instructions. Was the court to provide a copy of instructions provided by the parties with the court's revisions indicated in handwriting? Was the jury to delay going into the jury room until a clean copy of the instructions could be prepared? Or was some other procedural change needed?

You should read the attached 1956 recommendation and study so that you can determine whether this topic should be continued on our agenda and, if so, what action should be taken with respect to the topic.

Respectfully submitted,

John H. DeMouilly
Executive Secretary