

Reviewed by committee: 11/5/99

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FUNCTION OF THE COURT AND JURY¹

DRAFT

The evidence and arguments in this case have been completed. I will now instruct you as to the law that applies in this case. You will then retire to decide a verdict in this case.

In order to reach a fair and just verdict, you must understand and follow the law as I explain it to you. For example, you have to understand the definition of the crime that the defendant is charged with. You have to understand how convinced one way or the other you should be before you reach a verdict. You have to understand what to consider in deciding whether to believe a particular witness. These instructions will explain the law as to these and other matters so that you can reach a fair and just verdict.

It is your duty as jurors to follow all of the instructions I am about to give you. Regardless of any opinion you may have as to what the law ought to be, the law as I explain it to you is the law you must follow in reaching your verdict.

It is up to you to decide the facts in this case. You must decide the facts solely from the evidence in this trial. You must apply the law given to you in these instructions to the facts and in this way reach a fair and just verdict.

You should decide the facts in this case without prejudice, without fear, and without sympathy. You should decide this case based solely on the evidence presented and the law as I explain it to you.

¹ NH CRIMINAL JURY INSTRUCTIONS §1.01 (1985)