

NOTICE TO THE BAR

UPDATES TO MODEL CRIMINAL JURY CHARGES AND CRIMINAL SAMPLE VERDICT SHEETS

The Supreme Court Committee on Model Criminal Jury Charges has issued the following Model Criminal Jury Charges. All Model Criminal Jury Charges, including these new or revised charges, are available for downloading from the Judiciary's Internet website at <http://www.judiciary.state.nj.us/criminal/juryindx.pdf>. These updates to the model charges are also included on the Judiciary's "Automated Model Criminal Jury Charges System," at <http://www.judiciary.state.nj.us/criminal/amcjcs/index.html>.

The Committee has also issued two new criminal sample verdict sheets for Felony Murder/Robbery and Felony Murder/Burglary. These sample verdict sheets can be downloaded at http://www.judiciary.state.nj.us/criminal/sample_verdict_indx.pdf.

Non-2C Charges

Instructions Regarding Juror Research – First Recess (10/24/16)

The Instructions Regarding Juror Research – First Recess charge was revised to add additional instructions to jurors not to research the case or disclose any details about the case on social media. Language was also added to clarify that jurors can advise their family, supervisor and co-worker as to the length and schedule of the trial.

Proof of other Crimes, Wrongs or Acts- N.J.R.E. 404(b) (9/12/16)

This charge was revised in accordance with State v. J.M., Jr., 225 N.J. 146 (2016), to include the limited circumstances where the jury can be informed about defendant's prior conduct resulting in an acquittal.

2C:3-4c

Justification Use of Force Upon an Intruder (9/12/16)

This charge was revised to include the definition of "intruder" pursuant to State v. Bass, 224 N.J. 285, 322 (2016). The definition for a dwelling was updated pursuant to State v. Bilek, 308 N.J. Super. 1, 12 (App. Div. 1998). In addition, the citations to court opinions and statutes have been updated, where appropriate.

2C:12-3a

Terroristic Threats (9/12/16)

This charge was revised to include the elements of the alleged violent crime. In addition, the charge advises that the jury should be instructed if appropriate, the difference between a crime and an offense and that the State must prove beyond a reasonable doubt that the defendant threatened to commit a crime of violence, not a disorderly persons offense or a petty disorderly persons offense. See State v. MacIlwraith, 344 N.J. Super. 544, 548 (App. Div. 2001).

2C:33-31a(1)

Dogfighting – (Keeper/User/Manager) (10/24/16)

2C:33-31a(2)

Dogfighting – (Owner/Trainer) (10/24/16)

2C:33-31a(3)

Dogfighting – (Amusement/Gain) (10/24/16)

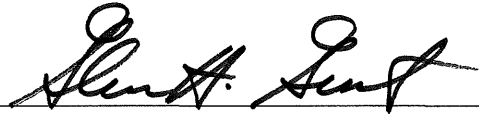
2C:33-31a(4)

Dogfighting – (Place Owned or Controlled) (10/24/16)

2C:33-31a(5) **Dogfighting – (Spectator/Assists) (10/24/16)**
2C:33-31a(6) **Dogfighting – (Gambling) (10/24/16)**
These are new charges.

2C:33-32a **Leader of Dog Fighting Network (10/24/16)**
This is a new charge.

Questions regarding these new and revised model criminal jury charges and criminal sample verdict sheets may be directed to Maria Pogue, Esq., Criminal Practice Division, Administrative Office of the Courts, Hughes Justice Complex, P.O. Box 982, Trenton, New Jersey 08625; telephone 609-633-2119.



Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: March 7, 2017