

1.10 INSTRUCTIONS TO JURORS BEFORE VOIR DIRE
(Approved 11/98; Revised 09/2022)

[The following suggested jury instructions are offered as assistance to judges in organizing their communications with juries. The Committee recommends that the judge tailor these instructions to the particular case being tried. Suggested instructions related to the factual basis of the matter should be tailored as appropriate. Suggested instructions related to implicit bias should be retained in such form as appears below. In addition, the format or the order in which these instructions are given to the jury should be the subject of the judge's option or discretion in each individual case.]

A. Welcome and Explanation of Nature of Case

Good Morning (or Good Afternoon), members of the jury. My name is Judge _____). We are about to select a jury for the trial of a civil case. This process is important because both the plaintiff and the defendant are entitled to jurors who are impartial and agree to keep their minds open until a verdict is reached. Jurors must be as free as humanly possible from bias, prejudice, or sympathy and must not be influenced by preconceived ideas.

Every one of us makes implicit or unconscious associations and assumptions, and has biases of which we are not consciously aware. Implicit or unconscious thinking, including implicit bias, affects what we see and hear, how we remember what we see and hear, and how we make decisions. Jurors have an obligation to judge

the facts and apply the law as instructed without bias, prejudice, or partiality. To do so, jurors need to acknowledge their own implicit or unconscious biases so as to not be affected by them during the trial and jury deliberations.

[Explain the nature of the case. For example:

It arises out of an automobile accident that occurred on Route #1, here in Middlesex County, on (____ date ____). The plaintiff brings this suit contending that the accident was caused by the negligence or fault of the driver of the other vehicle and sues to recover money damages for the injuries the plaintiff says the plaintiff sustained in the accident. The plaintiff's spouse is also a plaintiff and a party. The plaintiff's spouse sues for money damages as compensation for losses the spouse alleges sustaining. The defendant in the case denies causing this accident. The jury will be asked to decide fault for the accident and, if the plaintiffs are entitled to an award of damages. The jury will also be asked to decide on the appropriate amount.]