

1.12 GENERAL PROVISIONS FOR STANDARD CHARGE
(Approved 11/98)

M. False in One - False in All¹

[A trial judge has the discretion to give this charge in any situation in which the judge reasonably believes a jury may find a basis for its application. *See State v. Ernst*, 32 N.J. 567 (1960). When given, this charge usually will follow the section on credibility.]

(Sample 1)

If you believe that any witness deliberately lied to you, on any fact significant to your decision in this case, you have the right to reject all of that witness's testimony. However in your discretion you may believe some of the testimony and not believe other parts of the testimony.

(Sample 2)

If you believe that any witness or party willfully or knowingly testified falsely to any facts significant to your decision in the case, with intent to deceive you, you may give such weight to his or her testimony as you may deem it is entitled. You may believe some of it, or you may, in your discretion, disregard all of it.

¹ Note: Do not use the words "false in one, false in all."