

## ***General Comments***

The Model Civil Jury Charge Committee is a standing committee of the New Jersey Supreme Court. The New Jersey Supreme Court does not sanction or approve the Model Civil Jury Charges before publication by the Model Civil Jury Charge Committee, although the Supreme Court may, and frequently does, comment on the sufficiency of a charge in the context of a particular case.

The Model Civil Jury Charge Committee prepares and updates model civil jury charges to be useful to trial judges and litigants to accomplish the important function of adequately and understandably instructing civil juries. The Model Civil Jury Charges provide model instructions and related clarifying judges' notes. The Model Civil Jury Charges endeavor to enhance comprehension by jurors, while retaining a balanced and accurate statement of the law.

The Model Civil Jury Charges are a framework for building a set of jury instructions. Each case turns on unique facts and trial courts and litigants must tailor the Model Civil Jury Charges to conform to the facts and circumstances of the case being tried. The Committee attempts to keep the Model Civil Jury Charges current with the state of the law. Where applicable, trial judges and litigants must tailor the Model Civil Jury Charges to reflect changes in the law since the Committee published any particular model jury charge. Accordingly, the Model Civil Jury Charge Committee reminds trial judges and litigants that the Model Civil Jury Charges are merely the starting point of the process of constructing an appropriate charge that adequately explains the law to the jury in the context of the material facts of the case being tried.

## ***Charge Dating***

The date in parentheses after the title of a charge states when the Committee on Model Civil Jury Charges approved the adoption or a substantive revision of a charge. [For example: 2.11 Wrongful Discharge (3/91) means that the Committee approved the adoption or substantive revision of this charge in March 1991.]

However, when the Committee has made minor stylistic changes, modernized the charge's language, updated footnotes, or added a new subsection heading, but has left the body of the charge substantively unchanged, the date of these minor revisions is inserted in the parentheses after the date the Committee approved the charge's adoption or substantive revision. [For example: 6.11C Duty to Mitigate Damages by Medical and Surgical Treatment (Adopted 12/96; revised 10/00) means that the Committee originally approved the adoption of the charge in December 1996 and subsequently made minor revisions to the charge in October 2000.]

New or substantively revised subsections will have their date of adoption or substantive revision in parentheses after the individual subsection heading. When a charge was approved prior to the 1984 edition of the Charge book, but the exact date of approval is unknown, the date in the parentheses after the charge's title is: (pre-1984).

***Citation to New Jersey Model Jury Charges***

New Jersey model jury charges, promulgated by the Model Civil Jury Charge Committee, are cited as follows:

Model Jury Charge (Civil) followed by the civil jury charge number and subparagraph, if applicable, the Charge or subparagraph title header in quotes and the Committee's approval or revision date in parentheses.

For example:

Model Jury Charge (Civil) 5.12 "Gross Negligence" (February 2004)

Model Jury Charge (Civil) 8.11E "Disability, Impairment and Loss of the Enjoyment of Life, Pain and Suffering" (December 1996)