

NOTE-TAKING BY JURORS¹
(Instructions after Jury is Sworn)

(We have provided each of you with a pad and pencil.) During the course of this trial you will be permitted to take notes if you feel this would help you. I emphasize that you are permitted, not required, to take notes. What you do or do not write down is a strictly personal matter with each individual juror. No one else will have a right to see your notes at any time. **[The court should discuss the steps that will be taken to ensure the security and confidentiality of each juror's notes.]**

The notes of a juror are not evidence. Notes may be used to refresh your recollection, not to replace it. It is important that each of you pay attention to all of the testimony. When a witness is on the stand, do not allow yourself to be distracted by your own note-taking or that of a fellow juror. Your understanding and recollection of the evidence will be more significant than a note.

¹ See R. 1:8-8(b), which authorizes trial judges, at their discretion, to permit jurors to take notes.