

NOTE-TAKING BY JURORS¹
(Instructions: Post-Evidence)

You are to resolve the factual disputes in this case based upon the evidence presented, which consists of the testimony of witnesses and any exhibits which have been admitted as evidence.

You have been permitted to make notes during the course of this trial. But as I told you before we started, these notes are not evidence. You may use the notes during your deliberations to help you to recall the testimony. However, do not overemphasize the significance of a written note made by yourself or by a fellow juror. It is your recollection, not the note, which should control. If your memory differs, you should rely on your recollection.

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