

**JUDGE'S INSTRUCTIONS ON THE FORM FOR TAKING A VERDICT
AND POLLING JURY**

Ms./Mr. Foreperson, please rise.

Ms./Mr. Foreperson, has this jury agreed upon a verdict?

Ms./Mr. Foreperson, is that verdict unanimous?

**[THE VERDICT IS THEN RECEIVED AS TO EACH COUNT
AND EACH DEFENDANT]**

Members of this jury, you have heard the verdict as reported by your foreperson, the Court has ordered that each of you now be polled as to your verdict. As your juror number is called, please answer "yes" if the verdict(s) reported by your foreperson is your verdict(s); please answer "no" if the verdict(s) reported by your foreperson is not your verdict(s).¹

**[AT THE CONCLUSION OF THE POLLING PROCESS, THE CLERK
RECORDS THAT THIS VERDICT [IS/IS NOT] UNANIMOUS.]²**

¹ See State v. Milton, 178 N.J. 421 (2004). Poll is intended to determine the vote of each juror and whether each juror still assents to the verdict. The Court in Milton found that "Because the primary purpose of the poll is to reveal coerced decisions, a trial court faced with an uncertain or hesitant juror must elicit a clear response by using measures that afford the juror an opportunity to express freely his or her present state of mind about the verdict." Id. at 438.

² If the poll discloses that there is not unanimous concurrence, the jury may be directed to retire for further deliberations or be discharged. Rule 1:8-10.