

## **RULE 3:19. Verdict**

### **3:19-1. Several Defendants or Counts; Written Verdict Sheets**

- **(a)** Several Defendants or Counts. If there are 2 or more counts of an indictment or 2 or more defendants tried together, the jury may return a verdict or verdicts with respect to a defendant or defendants as to whom it has agreed, specifying the counts on which it has agreed; the defendant or defendants may be tried again on the count or counts as to which it has not agreed.
- **(b)** A written verdict sheet shall be submitted to the jury in conjunction with a general verdict to facilitate the determination of the grade of the offense under the Code of Criminal Justice or otherwise simplify the determination of a verdict. The written verdict sheet shall include the factual predicate for an enhanced sentence or the existence of a fact relevant to sentencing unless that factual predicate or fact is an element of the offense. A written verdict sheet shall be reviewed prior to summation at which time either party may raise an objection. Any objections to the verdict sheet shall be placed on the record. The verdict sheet shall be marked as a court exhibit and retained by the court pursuant to Rule 1:2-3.

Note: Source-R.R. 3:7-9(b); former rule redesignated as paragraph (a), paragraph (b) adopted and caption amended July 16, 1981 to be effective September 14, 1981; paragraph (b) amended July 10, 1998 to be effective September 1, 1998; paragraph (b) amended June 19, 2001 to be effective immediately; paragraph (b) amended July 21, 2011 to be effective September 1, 2011.

### **3:19-2. Acquittal by Reason of Insanity**

If a defendant interposes the defense of insanity and is acquitted after trial on that ground, the verdict and judgment shall so state.

The procedure for disposition of the defendant shall be as provided by N.J.S.A. 2C:4-8 and 2C:4-9 and by R. 4:74-7, except that in the case of defendants acquitted of murder by reason of insanity all hearings pursuant to R. 4:74-7(e) shall be in open court unless good cause is shown for a hearing in camera.

Note: Source-R.R. 3:7-9(e); amended August 28, 1979 to be effective September 1, 1979; amended July 14, 1992 to be effective September 1, 1992.