

NOTICE TO THE BAR

MODEL CIVIL JURY CHARGE UPDATE

The Supreme Court Committee on Model Civil Jury Charges has approved the following Model Civil Jury Charge for use by the bar and trial courts. All approved Model Civil Jury Charges, including this amended charge, are available for downloading from the Judiciary's web site at <http://www.judiciary.state.nj.us/civil/civindx.htm>.

1.13 EXPERT TESTIMONY (Approved 12/2009; Revised 10/2015)

E. Optional Charge Concerning Experts Relying on Hearsay Statements of Non-Testifying Experts.

This charge is amended in light of the Appellate Division's decision in *James v. Ruiz*, 440 N.J. Super. 45 (App. Div. 2015), in which the court discussed the admissibility of the opinions of non-testifying treating physicians contained in the plaintiff's medical records. The amended charge includes an explanatory Note to Judge, as well as revisions to the charge itself.

Questions regarding this revised model civil jury charge may be directed to Kristi Jasberg Robinson, Esq., Chief, Civil Practice Liaison, Administrative Office of the Courts, Hughes Justice Complex, P.O. Box 981, Trenton, New Jersey 08625-0981; phone (609) 292-8470; e-mail Kristi.Robinson@judiciary.state.nj.us.

/s/ Glenn A. Grant

Glenn A. Grant, J.A.D.
Acting Administrative Director of the Court

Dated: October 27, 2015