

NOTICE TO THE BAR

MODEL CIVIL JURY CHARGE UPDATE

The Supreme Court Committee on Model Civil Jury Charges has approved the revision of the following Model Civil Jury Charges for use by the bar and trial courts. All approved Model Civil Jury Charges, including the following charges, are available for downloading from the Judiciary's website at <http://www.njcourts.gov/attorneys/civilcharges.html>.

7.16 Apportionment Where the Acts, or Inactions, of an Individual or Entity Substantially Contributed to the Alleged Harm (Approved 10/1991; Revised 09/2018)

This charge is renamed and revised to replace references to “party,” “parties,” and “tortfeasor” with “individual or entity subject to allocation,” where appropriate, so as to neither suggest that said individual or entity must be a party to the case nor presume the fault of said individual or entity. The charge is further revised to clarify that the alleged acts of any individual or entity subject to allocation include negligent acts as well as other types of conduct included in the charge. Additional and updated case law are also added to the Note to Judge.

7.31 Comparative Negligence/Fault: Ultimate Outcome (Approved 03/2000; Revised 09/2018)

This charge is renamed and revised to include the word “fault,” which should be used where the cause of action involves liability for non-negligent conduct. Additionally, certain references to “defendant” and “party” are replaced with “individual or entity,” because while a plaintiff may only recover from a defendant, it is not necessary that a jury’s apportionment of fault be limited to the parties to a case. Due to the number and length of the footnotes, they are converted to a Note to Judge and revised to include additional and updated case law.

Questions regarding these model civil jury charges 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) 815-2900 ext. 54900; e-mail Kristi.Robinson@njcourts.gov

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