

CREDIBILITY OF WITNESS - PRIOR ADJUDICATION OF DELINQUENCY

Evidence has been introduced to show that **[Name of Witness]** has been previously adjudicated a juvenile delinquent and is presently on **[CHOOSE APPROPRIATE: parole/probation/conditional discharge/other deferred disposition]**. This evidence of this witness' present status does not have any bearing on the general credibility to be given [his/her] testimony. Rather, the evidence has been admitted to allow you to determine whether [his/her] testimony has been influenced by possible bias, prejudice, interest or ulterior motive.¹ More specifically, this evidence may be relevant to the question whether testimony is influenced by a hope or expectation of favorable treatment.²

¹ Davis v. Alaska, 415 U.S. 308 (1974); Biunno, Current New Jersey Rules of Evidence, Comment 4 to N.J.R.E. 611 (2003 Edition, page 760).

² State v. Spano, 69 N.J. 231, 235 (1976); United States ex. rel. Herring v. Fenton, 531 F.Supp. 937, 941 (D.N.J. 1981); Biunno, Current New Jersey Rules of Evidence, Comment 2 to N.J.R.E. 609 (2003 Edition, page 717).