

SUPREME COURT OF NEW JERSEY

It is ORDERED that the attached amendments to Rule 1:8-7 of the Rules Governing the Courts of the State of New Jersey are adopted to be effective immediately.

For the Court,

/s/ Stuart Rabner

Chief Justice

Dated: March 4, 2014

Rule 1:8-7. Requests to Charge the Jury; Charge Conference; Objections

(a) [Generally.] In Civil Cases. Either within the time provided by *R. 4:25-7* or thereafter but before the close of the evidence, as to issues not anticipated prior to trial, any party may submit written requests that the court instruct the jury on the law as set forth in the requests. The requests shall make specific reference to the Model Civil Jury Charges, if applicable, or to applicable law. Copies of the requests shall be [furnished] provided to all parties at the time they are submitted to the court. The court shall, on the record, rule on the requests prior to closing arguments to the jury. A verbatim record shall be made of any charge conference the court holds. Objections to the instructions to the jury shall be in accordance with *R. 1:7-2*.

(b) In Criminal Cases. Prior to closing arguments, the court shall hold a charge conference on the record in all criminal cases. The parties shall, if directed by the court, make requests to charge in a format suitable for ready preparation and submission to the jury at a time directed by the court. Copies of the requests shall be provided to all parties at the time they are submitted to the court. Whenever practicable, the court in advance of the charge conference shall provide counsel with a copy of its proposed jury charge for review, which copy shall be marked as a court exhibit. At the conference the court shall advise counsel of the offenses, defenses and other legal issues to be charged and shall rule on requests made by counsel. Objections to the instructions to the jury shall be in accordance with R. 1:7-2. Nothing in this subsection shall prohibit any party, at or before commencement of trial, from submitting written requests that the court instruct the jury on the law as set forth in the requests.

Note: Source-R.R. 3:7-7(a), 4:52-1 (first and second sentences); amended July 21, 1980 to be effective September 8, 1980; paragraph (a) caption and new paragraph (b) added July 13, 1994 to be effective September 1, 1994; paragraph (a) amended July 10, 1998 to be effective September 1, 1998; paragraph (a) amended July 5, 2000 to be effective September 5, 2000; paragraph (b) amended July 9, 2013 to be effective January 1, 2014; rule caption amended, paragraph (a) caption amended, and paragraphs (a) and (b) amended March 4, 2014 to be effective immediately.