

NOTICE TO THE BAR

UPDATES TO MODEL CRIMINAL JURY CHARGES

The Supreme Court Committee on Model Criminal Jury Charges has issued the following Model Criminal Jury Charges. All Model Criminal Jury Charges, including these new or revised charges, are available for downloading from the Judiciary's Internet website at <https://www.njcourts.gov/attorneys/criminalcharges.html>. These updates to the model charges are also included on the Judiciary's "Automated Model Criminal Jury Charges System," at <https://www.njcourts.gov/criminal/apps/jurycharges/DefaultExternal.aspx>.

Non 2C Charge

Delayed Disclosure of Child Sexual Abuse (Where State Introduces Expert Testimony) (Approved 4/8/19)

This new model charge was developed in accordance with the Supreme Court's decision in *State v. J.L.G.*, 234 N.J. 265, 272 (2018), which held "that expert testimony about Child Sexual Abuse Accommodation Syndrome (CSAAS) in general, and its component behaviors other than delayed disclosure, may no longer be admitted at criminal trials." This charge replaces the CSAAS model charge issued May 16, 2011.

N.J.S.A. 2C:12-1(b)(7) and N.J.S.A. 2C:12-1(b)(12)

Aggravated Assault - Significant Bodily Injury; Aggravated Assault - Significant Bodily Injury to a Victim of Domestic Violence (Revised 3/11/19)

These two model charges were revised to include two sections in Option One to address the causal relationship between the defendant's conduct and the result.

N.J.S.A. 2C:24-4.1

Leader of a Child Pornography Network (Approved 4/8/19)

This is a new model charge.

N.J.S.A. 2C:35-30 and N.J.S.A. 2C:35-31

Overdose Prevention Act – Defendant Seeks Medical Assistance for Another; Overdose Prevention Act – Defendant Subject of Call for Assistance (Approved 3/11/19)

These two model charges are new.

N.J.S.A. 2C:39-4(a)

Possession of a Firearm with a Purpose to Use It Unlawfully Against the Person or Property of Another (Revised 10/22/18)

This model charge was updated to incorporate the language from the Possession model charge for consistency with the standard format for the model charges.

N.J.S.A. 2C:39-5(c)(1)

Unlawful Possession of a Rifle or Shotgun (Revised 10/22/18)

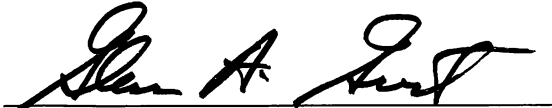
This model charge was updated to include the "mere presence" language within the "Constructive Possession" section in accordance with the Possession model charge approved on June 11, 2018.

N.J.S.A. 2C:39-5(f)

Possession of an Assault Firearm (Revised 10/22/18)

This model charge was separated into two model charges to address cases prior to June 13, 2018, and those occurring on or after that date, in accordance with the statutory amendments to the definitions of a firearm, large capacity ammunition magazine, and reduction in ammunition rounds. See L. 2018, c. 39, effective June 13, 2018. Updates were also made in the “Constructive Possession” section to incorporate the “mere presence” language from the Possession model charge. Additionally, the definition for “bump stock” was added pursuant to N.J.S.A. 2C:39-1(ee).

Questions regarding these new and revised model criminal jury charges may be directed to Maria Pogue, Assistant Chief, Criminal Practice Division, Administrative Office of the Courts, Hughes Justice Complex, P.O. Box 982, Trenton, New Jersey 08625; telephone 609-815-2900 ext. 55317.



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