

N.C.P.I.—MOTOR VEHICLE 101.00
ADMONITION TO THE TRIAL JUDGE ON STATING THE EVIDENCE AND
RELATING THE LAW TO THE EVIDENCE.
MOTOR VEHICLE VOLUME
REPLACEMENT OCTOBER 1985
N.C. Gen. Stat. § 1A-1, Rule 51

101.00 ADMONITION TO THE TRIAL JUDGE ON STATING THE EVIDENCE
AND RELATING THE LAW TO THE EVIDENCE.

N.C.G.S. § 1A-1, Rule 51(a) was amended effective July 1, 1985 to
read as follows:

“In charging the jury in any action governed by these rules, a
judge shall not give an opinion as to whether or not a fact is fully
or sufficiently proved and shall not be required to state,
summarize, or recapitulate the evidence, or to explain the
application of the law to the evidence. If the judge undertakes to
state the contentions of the parties, he shall give equal stress to
the contentions of each party.”

No future pattern charge or replacement will direct the trial judge to
state, summarize or recapitulate the evidence. Nor will any future pattern
charge or replacement direct the trial judge to explain the application of the
law to the evidence. It is the opinion of the Civil Subcommittee that, in view
of the recent amendment to Rule 51(a), the mandate should be limited to a
summary of the elements of the applicable law. Of course, there may be
occasions when the evidence should be stated or the application of the law
to the evidence should be explained. These instances are left to the
reasoned judgment of the trial judge.