

DISCHARGING THE JURY.<sup>1</sup>

Members of the Jury, this concludes your work (in this case) and you are now discharged as jurors (in this case).<sup>2</sup>

As a juror you are now permitted to discuss the evidence and all aspects of [this case] [the case(s) in which you were involved]<sup>3</sup> including your verdict(s) and your deliberations with other persons, but you are not required to do so.

It is in the public interest that there be the utmost freedom of debate in the jury room and that each juror be permitted to express his or her views without fear of incurring public scorn or the anger of any of the parties. In any event, you should be careful what you say. You should make no statement or answer any question unless you are sure that your statement or answer is complete and correct. It is only fair that you should make no statement that you would not be willing to make, under oath, in the presence of the Court, your fellow jurors, the witnesses, the parties and their counsel.

(In any event, you are directed not to discuss any aspect of this case including your verdict and your deliberations with anyone until you have completed your work for the entire week and I have discharged you at the end

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<sup>1</sup>Based upon The Art of Instructing the Jury by McBride, Sections 3.69, 3.70 and 3.71, this instruction may be given after the verdict has been returned and accepted. It may also be given after a mistrial has been declared with modifications to reflect that a verdict was not reached.

<sup>2</sup>Use the two phrases in parentheses when the jurors being discharged may be required to serve on other juries in other cases during the session.

<sup>3</sup>Use the first phrase in brackets when the jurors being discharged may be required to serve on other juries in other cases during the session. Use the second phrase in brackets when jurors being discharged will not be required to serve on any further juries during the session.

DISCHARGING THE JURY. (Continued.)

of the week. At that time, each of you must determine for yourself whether or not you will discuss these matters.)<sup>4</sup>

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<sup>4</sup>This paragraph should be used only when the jurors being discharged may be required to serve on other juries in other cases during the session.