

8.09 | JURY INSTRUCTIONS

As noted above, trials can be conducted before a jury and a judge, or before a judge alone in a bench trial. In a jury trial, after closing statements, the judge will instruct the jury as to the relevant law, explain how such law must be applied to the facts of the case, and give the jury the specific questions which the jury must decide. Jury instructions may also include applicable burdens of proof which must be met, and any other relevant information. Before trial, each party generally prepares suggested jury instructions for the judge's consideration. Many reference books are available which provide sample jury instructions, including Modern Federal Jury Instructions, Civil, published by Matthew Bender.

After the judge instructs the jury, the jury then "deliberates" (decides the case). The jury must evaluate the evidence and draw conclusions in reaching a verdict (decision). The jury verdict is announced in a decision announced by the Judge in open court. In a bench trial, the decision of the Judge may be announced in a written decision rather than in open court.

After either a jury or a bench trial, if a party believes the verdict is incorrect, he/she may appeal the decision or file a motion for new trial pursuant to Federal Rule of Civil Procedure 59.

*(US District Court, New York, Western District // Buffalo, NY 14202
Pro Se Litigation Guidelines)*

