

14-7012. Life imprisonment without possibility of release or parole proceeding; consideration of evidence.¹

LADIES AND GENTLEMEN:

You have heard all of the evidence that is to be presented for this proceeding. In reaching your verdict you shall consider all of the evidence admitted during the trial² [and all of the evidence admitted during this proceeding].³

Now the lawyers will address you. What the lawyers say is not evidence. It is an opportunity for the lawyers to discuss the evidence and the law as I have instructed you. The state has the right to speak first; the defense may then speak; the state may then reply.

USE NOTES

1. This instruction must be given in every life imprisonment without possibility of release or parole proceeding after all the evidence has been completed.
2. Upon request of a party, the court may modify this instruction when evidence has been admitted for a limited purpose during the trial. A separate additional instruction may be necessary to explain how this evidence is to be considered during the proceeding.
3. Use bracketed phrase if additional evidence was admitted during the proceeding.

[As amended, effective August 1, 2001; as amended by Supreme Court Order No. 21-8300-008, effective for all cases filed or pending on or after December 31, 2021.]