

CHARTER OF THE NORTH DAKOTA PATTERN JURY INSTRUCTION
COMMISSION

Section 1. Policy and Purpose.

(a) Under the authority of the supreme court and chief justice in N.D. Const. art. VI, §§ 2 and 3, it is the policy of the North Dakota judicial system to provide information and assistance to judges and lawyers to enhance the efficiency of trial court services by establishing a continuing mechanism to maintain currency of pattern jury instructions in North Dakota.

(b) The goal of the North Dakota judicial system is the development of pattern jury instructions to improve:

- (1) accuracy in the statement of the law;
- (2) juror comprehension of instructions;
- (3) impartiality of the instructions;
- (4) uniformity in the treatment of similar cases;
- (5) time savings in the trial court; and
- (6) reduction in appellate court workload.

(c) The supreme court recognizes that the assurance of the availability of current pattern jury instructions is the ultimate responsibility of the North Dakota judicial system.

Section 2. Membership.

(a) The pattern jury instruction commission is composed of 12 members: six judges and six lawyers. The board of governors of the state bar association of North Dakota appoints the six lawyer members to the commission. The chairman of the judicial

conference, after consultation with the executive committee, appoints the six judge members to the commission. The commission will annually elect a chair from among its members.

(b) Members of the commission serve without compensation for their services, but members who are not state employees are entitled to reimbursement for their actual expenses incurred in the performance of their duties from available funds. Members who are state employees will be reimbursed through the agency of employment.

Section 3. Duties.

The commission will:

(a) Review and study the statutory provisions and case law affecting jury instructions in civil and criminal cases in North Dakota;

(b) Draft and publish a current set of pattern jury instructions to be used in civil and criminal jury cases in North Dakota;

(c) Provide rules and procedures for review and comment by attorneys, judges, and the general lay public on the pattern jury instructions prepared by the commission;

(d) Provide rules and procedures for the direct distribution of the pattern jury instructions adopted by the commission to the judges and attorneys of the North Dakota judicial system;

(e) Prepare a recommended biennial budget for the commission for submission to the state court administrator for submission to the legislative assembly within the judicial branch budget;

44 (f) Prepare and submit to the chair of the judicial conference and the president of
45 the state bar association of North Dakota an annual report on or before March 1 of each
46 year; and

47 (g) Adopt rules and procedures for the operation of the commission which are not
48 inconsistent with this rule.

49 Section 4. Staffing.

50 (a) Staff services will be provided for the commission by contracting with any
51 appropriate agency. The contract for staff services will be negotiated by the commission
52 in consultation with the state court administrator.

53 (b) All reasonable and necessary expenses of the commission, including the travel,
54 food and lodging expenses for members and the cost of providing staff services, will be
55 paid by the state court administrator within available legislative appropriations.

56 Section 5. Limitation.

57 All published pattern jury instructions shall show that they are published only for
58 the benefit of the bench and bar and that publication does not imply either approval or
59 authoritative construction by the supreme court.