# 1A.01A THE ORDER OF PRESENTATION

The plaintiff has finished examining this witness. Now it is the defendant's turn. You should evaluate a witness only after both sides have had an opportunity to question. You also should remember that the plaintiff will put on all its evidence before the defendant presents its evidence. Thus, you should not judge the case as a whole until both sides have had a chance to put on all of their evidence. Your opinion of a witness may change as the trial progresses and additional evidence is presented.

Use Note

This is an optional instruction that can be used to remind the jury about the order in which the parties put on evidence at trial. This is covered in introductory instruction 1.03.

Comment

As long as jurors understand that the plaintiff will put on all **his** evidence before the defendant puts on **his** and that the party calling a witness has the first opportunity to examine the witness, the jury should be able to suspend judgment about the merits of the case until the trial is completed and the credibility of witnesses until after cross-examination and presentation of conflicting evidence.