**1.03 INTRODUCTORY INSTRUCTION ON PROCEDURE**

Now that you have taken your oath, you are ready to serve as jurors [and alternate jurors]. To assist you in your task, I am going to explain how a trial is conducted.

There are five parts to a trial. The first part will be opening statements. Each party will make an opening statement outlining [his] [her] [its] case. What is said in opening statements is not evidence. The purpose of opening statements is to provide you with a preview of the evidence which the party intends to present.

The second part of the trial is the longest part of the trial because it is the presentation of evidence by each party. Most of the evidence will be either testimony by witnesses or exhibits.

The third part of the trial will be closing arguments. During closing arguments, the parties will tell you what they believe the evidence has proved and urge you to draw certain conclusions from the evidence. What is said in closing arguments is not evidence.

In the fourth part of the trial, I will instruct you about the law which you must apply to reach your decision.

The fifth part of the trial will be jury deliberations. This is the time when you meet together to discuss the evidence, to decide what the facts are, to apply the law, and to make the decisions required to arrive at a verdict.

[We will now begin the first part of the trial, which is opening statements.]

Use Note

This instruction should make the jury feel more comfortable with trial procedures since the jurors will know how the trial will proceed. The bracketed paragraph at the end of the instruction should be omitted if the judge is giving additional instructions before opening statements.

Comments

This instruction is intended to explain to the jury the procedures that will unfold during the trial so that it can better follow the proceedings.