02.17 CLOSING INSTRUCTIONS — EXHIBITS

During the trial, exhibits were admitted as evidence. In deciding how much weight, if any, to give an exhibit, you should examine its contents and consider how it relates to other evidence in the case. Keep in mind that exhibits are not necessarily better evidence than testimony from witnesses. You will have the exhibits with you in the jury room when you deliberate. The fact that an exhibit is available to you for your examination does not mean that it is entitled to more weight than testimony from witnesses.

# Use Note

Several of the Alaska Rules of Evidence imply that unless care is taken, exhibits may carry undue weight with a jury. See, e.g., Rules 106, 803(5), 803(18). This instruction is intended to make clear that exhibits are not necessarily better evidence than oral testimony. This is important since the exhibits will go to the jury room when the jury retires to deliberate.

If no exhibits were offered, this instruction can be deleted.