

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1436

Amending Civil Rule 51(b) concerning
the elimination of mandatory jury
instructions.

IT IS ORDERED:

Civil Rule 51(b) is amended to read as follows:

(b) **Instructions to Be Given.** The court shall instruct the jury that they are the exclusive judges of all questions of fact and of the effect and value of evidence presented in the action. The court shall instruct the jury on all matters of law which that it considers necessary for their information in giving their verdict. ~~On all proper occasions they shall also be instructed:~~

~~(1) That they are not bound to find in conformity with the declarations of any number of witnesses which do not produce conviction in their minds against a less number, or against a presumption or other evidence satisfying their minds.~~

~~(2) That a witness wilfully false in one part of the witness' testimony may be distrusted in other parts.~~

~~(3) That the oral admissions of a party ought to be viewed with caution.~~

~~(4) That evidence is to be estimated not only by its own intrinsic weight, but also according to the evidence which it is in the power of one party to produce and of the other party to contradict; and if weaker and less satisfactory~~

~~evidence is offered, when it appears that stronger and more satisfactory evidence was within the power of one party to produce, that the evidence offered should be viewed with distrust.~~

DATED: March 15, 2001

EFFECTIVE DATE: October 15, 2001

/s/ Chief Justice Fabe

/s/ Justice Matthews

/s/ Justice Eastaugh

/s/ Justice Bryner

/s/ Justice Carpeneti