

1 **14-6008. Duty to consult.**

2 Your verdict must represent the considered judgment of each juror. In order to return a
3 verdict, it is necessary that each juror agrees. Your verdict must be unanimous.

4 It is your duty to consult with one another and try to reach an agreement. However, you
5 are not required to give up your individual judgment. Each of you must decide the case for yourself,
6 but you must do so only after an impartial consideration of the evidence with your fellow jurors.

7 Take the time you need to consider whether your verdict might be influenced by
8 stereotypes and biases and reflect carefully and consciously about the evidence. In the course of
9 your deliberations, listen to your fellow jurors, who all have their own lived experiences. Listening
10 to different perspectives with an open mind may help you better identify the possible effects of
11 hidden biases. [~~do~~] Do not hesitate to re-examine your own view and change your opinion if you
12 are convinced it is erroneous. But do not surrender your honest conviction [~~as to~~] on the weight or
13 effect of evidence solely because of the opinion of your fellow jurors, or for the purpose of reaching
14 a verdict.

15 You are judges - judges of the facts. Your sole interest is to ascertain the truth from the
16 evidence in the case.

17 USE NOTES

18 This instruction must be given in every case. After the jury has retired for deliberation
19 neither this instruction nor any “shotgun” instruction shall be given.

20 [As amended by Supreme Court Order No. S-1-RCR-2023-00041, effective for all cases pending
21 or filed on or after December 31, 2025.]

22 **Committee commentary.** — The language of this instruction was derived from a
23 suggested jury instruction for federal criminal cases. *See* 27 F.R.D. 39, 97-98 (1961). The use of a

- 1 mandatory, duty to consult, instruction in every case before the jury retires, takes the place of the
- 2 so-called shotgun instruction. *See* commentary to UJI 14-6030. *See also* American Bar
- 3 Association Standards Relating to Trial by Jury, § 5.4 (approved draft 1968).