14-7031. [~~Death penalty sentencing~~]Life imprisonment without possibility or release or parole proceeding; jury deliberation procedure.

You shall now retire to the jury room [and select one of you to act as foreperson][2]. [You may select the foreperson from the trial portion to continue as foreperson or you may select a new foreperson [~~for the death penalty sentencing proceeding~~].] That person will preside over your deliberations and will speak for the jury here in court.

Any findings and any verdict you reach in this case must be signed by your foreperson on the forms that will be provided, and then you shall return with them to this courtroom.

USE NOTES

1. This instruction must be given in every [~~death penalty sentencing~~] life imprisonment without possibility of release or parole proceeding.

2. Use first bracketed phrase only when a new jury is hearing the [~~sentencing~~] proceeding. Use second bracketed phrase if the original jury is hearing the [~~sentencing~~] proceeding.

This instruction is given last.

[As amended, effective August 1, 2001; as amended by Supreme Court Order No. 21-8300-008, effective for all cases pending or filed on or after December 31, 2021.]

Committee commentary. — The committee amended this instruction to make it clear that the foreperson from the trial may continue or that the jury may select a new foreperson for the [~~sentencing~~] proceeding.

[As amended by Supreme Court Order No. 21-8300-008, effective for all cases pending or filed on or after December 31, 2021.]