

NOTICE TO THE BAR

UPDATES TO MODEL CRIMINAL JURY CHARGES

The Supreme Court Committee on Model Criminal Jury Charges has issued the following Model Criminal Jury Charges. All Model Criminal Jury Charges, including these new or revised charges, are available for downloading from the Judiciary's Internet website at <https://www.njcourts.gov/attorneys/criminalcharges.html>. These updates to the model charges are also included on the Judiciary's "Automated Model Criminal Jury Charges System," at <https://www.judiciary.state.nj.us/criminal/apps/jurycharges/DefaultExternal.aspx>.

N.J.S.A. 2C:2-6(c)(1)(c) Liability for Another's Conduct – Accomplice -- Legal Duty (6/7/21)

This new model charge was developed in accordance with the Supreme Court's request in State v. Ramirez, 246 N.J. 61, 70 (2021), that the Supreme Court Committee on Model Criminal Jury Charges "draft a model charge in connection with accomplice liability under N.J.S.A. 2C:2-6(c)(1)(c) because the current model charge only includes instructions for accomplice liability related to N.J.S.A. 2C:2-6(c)(1)(a) and (b)." In Ramirez, the Court held that the jury "should have been clearly instructed that culpability under [N.J.S.A. 2C:2-6(c)(1)(c)] required proof beyond a reasonable doubt that the conscious object of a defendant's failure to prevent the commission of a particular crime was to promote or facilitate the crime." Id. at 65.

N.J.S.A. 2C:2-6 Liability for Another's Conduct -- Accomplice -- charge # one and # two (6/7/21)

These two charges were revised to add references to the new model charge for Liability for Another's Conduct – Accomplice -- Legal Duty pursuant to N.J.S.A. 2C:2-6(c)(1)(c). Additional language was added to conform with the statute.

N.J.S.A. 2C:41-2(d) Conspiracy to Commit Racketeering (3/22/21)

This is a new model charge.

- N.J.S.A. 4:22-17(c)(1)** **Animal Cruelty – Torment/Torture (6/7/21)**
This is a new model charge.
- N.J.S.A. 4:22-17(c)(2)** **Animal Cruelty – Necessary Care (6/7/21)**
This is a new model charge.
- N.J.S.A. 4:22-17(c)(3)** **Animal Cruelty – Cause/Procure (6/7/21)**
This is a new model charge.
- N.J.S.A. 4:22-17(c)(4)** **Animal Cruelty – Sexual Use/Contact (6/7/21)**
This is a new model charge.

Questions regarding these new and revised model criminal jury charges may be directed to Larye N. German, Staff Attorney, Criminal Practice Division, Administrative Office of the Courts, Hughes Justice Complex, P.O. Box 982, Trenton, New Jersey 08625; telephone 609-815-2900 ext. 55321.



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