

STATEMENT OF THE SUPREME JUDICIAL COURT
MODEL JURY INSTRUCTIONS ON HOMICIDE
MARCH 21, 2013

The Supreme Judicial Court approves and recommends the use of these Model Jury Instructions on Homicide, which are intended to reflect the state of the law as of the date above. Whenever a trial judge determines that the jury should be instructed on a subject covered by these Model Instructions, it is recommended that the judge use the Model Instruction unless a different instruction would more accurately reflect new developments in the law or better describe the law in light of the particular facts in a case. The Court has established a Standing Committee that will regularly update the Model Instructions. The Model Instructions are not intended to be a comprehensive statement of the law but rather to provide guidance on those instructions that are frequently given in trials of homicide cases, except vehicular homicide cases.

The Supreme Judicial Court additionally recommends that judges also provide jurors with a chalk reflecting the requirements of proof for each homicide offense as well as a recording of the judge's charge and a written copy of the charge where one is available. A chalk titled Requirements of Proof for Homicide summarizes the requirements of proof in cases of first degree murder, second degree murder, and manslaughter, and is included as an appendix to the Model Jury Instructions.