

AGREEMENT FOR VERDICT

Members of the jury, in order to reach a verdict in a civil case, you need to have the agreement of 5/6 of the jury. That means that at least (five of six jurors) (six of seven jurors) (majority of ____ jurors as agreed by the parties) is required to reach a verdict. Unlike criminal cases, where the jury must be unanimous in its verdict, as a civil jury you do *not* need to be unanimous or all in agreement. Instead, you will have reached a verdict when you have agreement of (five of six jurors) (six of seven jurors) (majority of ____ jurors as agreed by the parties).

G. L. c. 234A, § 68B provides, "In any civil action the jury shall be instructed that the agreement of five sixths of its members shall be sufficient to render any special or general verdict." Mass. R. Civ. P. 48 provides in part that "[t]he parties may stipulate that the jury shall consist of any number ... less than six in the District Court, or that a verdict or a finding of a stated majority of the jurors shall be taken as the verdict or finding of the jury."

If special questions are to be decided by the jury.

The verdict form in this case has been broken down into various questions, with instructions on which question to answer depending on what you have answered. In order to answer these questions, you will need agreement of (five of six jurors) (six of seven jurors) (majority of ____ jurors as

agreed by the parties). It does not have to be the same jurors in agreement on each of the questions; you may have different combinations of jurors agreeing to answers to different questions. But you have reached a verdict so long as some combination of (five) (six) (the majority of ____ jurors) agree to each applicable question.