

## FUNCTION OF COUNSEL

**It was the duty of both lawyers in this case to object when the other side offered evidence which that lawyer believed was not admissible under our rules of evidence. They also had an obligation to ask to speak to me at the judge's bench about questions of law, which the law requires me to rule on out of your hearing.**

**The purpose of such objections and rulings is not to keep relevant information from you. Just the opposite: they are to make sure that what you hear is relevant to this case, and that the evidence is presented in a way that gives you a fair opportunity to evaluate its worth.**

**You should not draw any inference, favorable or unfavorable, to either attorney or his (her) client for objecting to proposed evidence or asking me to make such rulings. That is the function and responsibility of the attorneys here.**

*The model instruction is adapted in part from L.B. Sand, J.S. Siffert, W.P. Loughlin and S.A. Reiss, Modern Federal Jury Instructions §§ 2-10 and 2-9 (1985).*