



MODEL CRIMINAL JURY INSTRUCTIONS COMMITTEE
Meeting Minutes of:
Thursday, February 21, 2013
3:00 – 5:00 p.m.
Held at the Supreme Court – 4th floor conference room #4242

Attendees:

Justice Coats (Chair), Judge Dailey (Vice Chair), Judge Lichtenstein (Vice Chair), Judge Samour, and Judge Tuttle.

Telephone participants:

Judge Burback, Judge Egelhoff, Judge Greenacre, Judge Lammons, Judge Lemon, Judge Phillips, Judge Robison, Judge K. Romeo, and Judge Warner.

Staff:

Andrew Field (Reporter), and Penny Wagner (Court Services Analyst).

I. Approval of Minutes

The Committee approved the minutes for the January 17, 2013, meeting.

II. Reporter's Update

The Reporter reviewed the chapters of proposed draft materials he has completed and posted on the Committee's secure web site since the last meeting: Chapter 9-2 (Cruelty to Animals), and a portion of Chapter 9-3 (Wiretapping and Eavesdropping).

III. Review of Materials Submitted by the Plain Language Subcommittee (PLS)

The Committee completed its review of the PLS's proposed revisions to the generally applicable instructions in Chapters B-E of COLJI-Crim. (2008). The Committee directed the Reporter to make several revisions and agreed that it may be necessary to reconsider certain evidentiary instructions as the Committee proceeds with its work on the chapters of elemental instructions.

IV. Subcommittees

The Chair discussed the progress of the first two subcommittees that have begun work on the elemental instructions: Chapter 3-1, Murder, Manslaughter, and Homicide (Primary review by Judges Egelhoff and Robison; secondary review by Justice Coats);

Chapter 3-2, Assaults and Similar Offenses (Primary review by Judges Burback and Samour; secondary review by Judge Dailey).

The Chair proposed, and the Committee agreed, that it will be necessary to adopt a set of uniform rules for all of the subcommittees to apply when addressing issues related to drafting, format, and organization. Once the Committee has agreed on a set of rules and applied them to Chapters 3-1 and 3-2, the subcommittees will be able to use those two chapters as drafting templates.

V. Next Meeting

The next meeting will be held on Thursday, March 21, 2013, 3-5 p.m., in supreme court conference room #4244.

The Chair will set an agenda and have the Reporter distribute relevant written materials in advance of the meeting.

The Chair adjourned the meeting at 4:45 p.m.

Respectfully submitted,

Andrew Field, Reporter.