I.R.C.P. 51.b. Rulings on Objections - Final Instructions and Arguments.

Idaho Rules of Civil Procedure Rule 51(b). Rulings on Objections - Final Instructions and Arguments.

The court may give instructions to the jury at any time, and at various times, during the trial, all of which shall be made written instructions and constitute part of the record. Prior to giving any opening or final instructions, the court shall furnish copies of them to all parties and allow counsel a reasonable time to examine them and make objections outside the presence of the jury. No party may assign as error the giving of or failure to give an instruction unless the party objects thereto before the jury retires to consider its verdict, stating distinctly the instruction to which that party objects and the grounds of the objection. After the court makes all rulings on requested instructions and objections, and advises the parties of the final instructions to be given, the court shall read to the jury the written instructions before the final arguments of the parties are given. All final arguments shall be reported verbatim unless otherwise stipulated in the record by all of the parties to the action. The written instructions, and a minimum of two copies thereof, shall be given to the jury to take when the jury retires for deliberation. Any request by the jury to be further informed of any point concerning the action shall be communicated to the court in writing, at which time the attorneys for the parties shall be given the opportunity to be present, if the attorney is available and can be present within a reasonable period of time, and the court in its discretion may further instruct the jury in writing or explain the instructions in open court which shall be made part of the record.

(Amended January 8, 1976, effective March 1, 1976; amended March 28, 1986, effective July 1, 1986; amended May 4, 2001, effective July 1, 2001; amended March 22, 2002, effective July 1, 2002; amended April 22, 2004, effective July 1, 2004.)

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