INTRODUCTION

A. PREFACE TO IDJI2D

Upon order of the Supreme Court, a select committee of judges and lawyers met to examine and revise the IDJI pattern jury instruction manual, which was last revised in 1988. The committee has recommended that the new manual be designated “IDJI2d” to differentiate it from the earlier manual. It is a complete overhaul of the prior work. Almost all of the previous instructions have been edited or rewritten at least somewhat to eliminate “legalese,” simplify grammatical structure, and make them gender neutral. Many of the instructions have been completely revised, and in a number of instances, we have recommended that a previous IDJI instruction be abandoned. It is the intent of the committee, and our recommendation to the court, that this manual replace the earlier IDJI manual in its entirety.

B. INSTRUCTIONS FOR USE

The organization of this manual has been revised. An Index and Cross Reference Table to the former IDJI instructions is included.

It must be emphasized that the instructions presented in this manual are “pattern” instructions, intended to present general principles of law that are accurate, uniform and understandable. However, these instructions must be used with care, for each individual case may have individual features that must be taken into consideration in the preparation and presentation of the final instructions.

A number of instructions included in the first edition of IDJI have been eliminated as too specialized, too particularized, or too remote for inclusion in a set of pattern instructions. This does not mean an earlier instruction is now disapproved; it means only that the topic is such that a manuscript instruction drafted expressly to cover the particular topic is more appropriate than an attempt to offer a pattern instruction.