

### **13-2005. Jury sole judges of the facts.**

You are the sole judges of all disputed questions of fact in this case. It is your duty to determine the true facts from the evidence produced here in open court. Your verdict should not be based on speculation, guess, or conjecture.

At the start of the trial, I instructed you about implicit or unconscious bias and the need to ensure that unconscious bias does not affect the way you view the parties, the witnesses, or the evidence. Now that you are about to begin your final deliberations, that caution bears repeating. You must not let bias influence your decision. You must not be biased in favor of or against any party or witness because of their gender, gender identity, race, religion, ethnicity, sexual orientation, age, education, national origin, social or economic status, disability, [\_\_\_\_\_ (*insert other form of bias*),] or any other impermissible form of bias. In forming your views about the parties, witnesses, and evidence, focus on individual facts, avoid jumping to conclusions based on stereotypes, and think about the reasons for your views to make sure they are not based on feelings you may have about people of a particular type, class, or background.

Your verdict must be based on the evidence presented. You are to apply the law, as stated in these instructions, to the facts as you find them and, in this way, decide the case. Neither sympathy nor prejudice should influence your verdict.

#### **USE NOTES**

This instruction shall be given in all cases and is intended to preclude other instructions of similar import. If the parties agree, the bracketed blank space at the end of the second paragraph may be used to name a particular bias of concern or at issue in the case.

[As amended by Supreme Court Order No. S-1-RCR-2023-00041, effective for all cases pending or filed on or after December 31, 2025.]