IN THE SUPREME COURT FOR THE STATE OF ALASKA

ORDER NO. 920

Amending Civil Rule 51(a) concerning instructing the jury.

IT IS ORDERED:

Civil Rule 51(a) is amended to provide:

(a) Requested Instructions – Objections. At the close of the evidence or at such earlier time as the court reasonably directs, any party may file written requests that the court give the jury specific instructions. The court shall inform counsel of the final form of jury instructions prior to their arguments to the jury. Following the close of the evidence, before or after the arguments of counsel, the court shall instruct the jury. Additionally, the court may give the jury such instructions as it deems necessary at any stage of the trial. No party may assign as error the giving or the failure to give an instruction unless the party objects thereto before the jury retires to consider its verdict, stating distinctly the matter to which the party objects and the grounds of the objection. Opportunity must be given to make the objection out of the hearing of the jury, by excusing the jury or hearing objections in chambers.

DATED: <u>August 18, 1988</u>

EFFECTIVE DATE: January 15, 1989

Chief Justice Matthews **Justice Burke** Justice Compton

Justice Moore