

March 20, 2007

S 1117. TRIAL EXHIBITS. Filed 3/20/07. *TO PROVIDE THAT THE PRESIDING TRIAL JUDGE IN BOTH CIVIL AND CRIMINAL CASES HAS THE SOLE DISCRETION TO DETERMINE WHETHER JURORS MAY TAKE EXHIBITS INTRODUCED INTO EVIDENCE IN THE JURY ROOM AND THAT THE CONSENT OF ALL PARTIES IS NOT NECESSARY.*

To be summarized in tomorrow's *Daily Bulletin*.

Intro. by Hagan.

GS 1, 15A

March 21, 2007

S 1117. TRIAL EXHIBITS. Filed 3/20/07. *TO PROVIDE THAT THE PRESIDING TRIAL JUDGE IN BOTH CIVIL AND CRIMINAL CASES HAS THE SOLE DISCRETION TO DETERMINE WHETHER JURORS MAY TAKE EXHIBITS INTRODUCED INTO EVIDENCE IN THE JURY ROOM AND THAT THE CONSENT OF ALL PARTIES IS NOT NECESSARY.*

Amends GS 15A-1233 and enacts new GS 1-181.2, as title indicates. Effective October 1, 2007.

Intro. by Hagan.

GS 1, 15A

May 15, 2007

S 1117. CIVIL TRIAL EXHIBITS (NEW). Filed 3/20. Senate committee substitute makes the following changes to 1st edition. Deletes the proposed amendments to GS 15A-1233. Limits proposed GS 1-181.2 to civil actions. Deletes examples of circumstances under which a court may refrain from sending material to the jury room. Changes the title to: *AN ACT TO PROVIDE THAT THE PRESIDING TRIAL JUDGE IN CIVIL CASES HAS THE SOLE DISCRETION TO DETERMINE WHETHER JURORS MAY TAKE EXHIBITS INTRODUCED INTO EVIDENCE IN THE JURY ROOM AND THAT THE CONSENT OF ALL PARTIES IS NOT NECESSARY, AND TO PROVIDE THAT DEPOSITIONS MAY ONLY BE TAKEN INTO THE JURY ROOM WITH CONSENT OF THE PARTIES.*

July 24, 2007

S 1117. CIVIL TRIAL EXHIBITS. Filed 3/20/07. House committee substitute makes the following changes to 2nd edition. Modifies proposed new GS 1-181.2 to provide that the court must also give the parties an opportunity to be heard before directing requested parts of the testimony to be read to the jury and permitting the jury to reexamine the required materials in open court. Also requires the parties to be given an opportunity to be heard before permitting the jury to take admitted exhibits that have been passed to the jury (was, exhibits that have been received in evidence) into the jury room. Expands the types of evidence and exhibits that the court may allow the jury to take into the jury room. Prohibits summaries of testimony prepared by and lists made by any party in the courtroom from being sent to the jury room. Allows the court, at the jury's request, to allow the jury to take into the jury room any exhibit that all parties stipulate and agree may be taken into the jury room. Changes the title.

August 27, 2007

SL 2007-407 (S 1117). CIVIL TRIAL EXHIBITS. *AN ACT TO PROVIDE THAT THE PRESIDING TRIAL JUDGE IN CIVIL CASES HAS THE SOLE DISCRETION TO DETERMINE WHETHER JURORS MAY TAKE INTO THE JURY ROOM EXHIBITS INTRODUCED INTO EVIDENCE AND PASSED TO THE JURY IN THE COURSE OF THE TRIAL, PHOTOGRAPHS ADMITTED INTO EVIDENCE, SHOWN TO THE JURY AND USED BY ANY WITNESSES IN THEIR TESTIMONY, AND ANY ILLUSTRATIVE EXHIBIT ADMITTED INTO EVIDENCE AND USED BY ANY WITNESSES IN THEIR TESTIMONY EXCEPT SUMMARIES OF TESTIMONY, LISTS MADE IN THE COURTROOM AND SUCH SIMILAR DOCUMENTS AND THAT THE CONSENT OF ALL PARTIES IS NOT NECESSARY, AND TO PROVIDE THAT DEPOSITIONS MAY ONLY BE TAKEN INTO THE JURY ROOM WITH CONSENT OF THE PARTIES.*

Summarized in *Daily Bulletin* 3/21/07, 5/15/07, and 7/24/07. Enacted August 21, 2007. Effective for trials commencing on or after October 1, 2007.

