

## **1.01A Preliminary Cautionary Instructions Before Opening Statements**

[1] Members of the jury, the trial is about to commence, and I now will instruct you as to the law regarding some of your duties during trial and deliberations.

[2] You should not do any independent investigation or research on any subject or person relating to the case. What you may have seen or heard outside the courtroom is not evidence. This includes any press, radio, or television programs and it also includes any information available on the Internet. Such programs, reports, and information are not evidence and your verdict must not be influenced in any way by such material.

[3] For example, you must not use the Internet or any other sources to search for any information about the case, or the law which applies to the case.

[4] During the course of the trial, do not communicate with, provide information personally, in writing, or electronically to anyone about this case — not even your own families or friends, courtroom personnel, and also not even among yourselves until instructed otherwise.

[5] Lawyers, parties, and witnesses are not permitted to speak with you about any subject, even if unrelated to this case, until after the case is over and you are discharged from your duties as jurors.

*Instruction and Committee Note approved July 13, 2012.*

### **Committee Note**

Read this Instruction prior to opening statements. Submit this Instruction in writing along with the other instructions at the end of the trial.

A jury or juror may not conduct experiments or view extraneous information not offered into evidence that will have the effect of putting them in possession of evidence not offered at trial. *People v. Holmes*, 69 Ill.3d 507 (1978); *People v. White*, 365 Ill. 499, 514, 6 N.E.2d 1015 (1937).

“[P]rivate communications, possibly prejudicial, between jurors and third persons, or witnesses, or the officer in charge, are absolutely forbidden, and invalidate the verdict, at least unless their harmlessness is made to appear.” *People v. Hopley*, 182 Ill.2d 404, 459 (1998) quoting *Mattox v. United States*, 146 U.S. 140, 150 (1898).