

Verdict Sheet

(Specify) Court of the State of New York
 County of (Specify)

_____x

The People of the State of New York

Date:

No:

against

Judge:

Lawyers:

Defendant.

_____x

		Not Guilty	Guilty	Not Responsible by Reason of Mental Disease or Defect
Count 1	Murder in the Second Degree			

As to count 1, Murder in the Second Degree, you may find the defendant:

- Not Guilty, *or*
- Guilty, *or*
- Not Responsible by Reason of Mental Disease or Defect

To make that determination, you must consider this count as follows:

- First, consider whether the People have proven the elements of count 1 (Murder in the Second Degree).
- If you find that the People *have not* proven the elements of count 1 (Murder in the Second Degree) then you must find the defendant “Not Guilty” of that crime; and you must proceed to consider and render a verdict on count 2 (Manslaughter in the First Degree).
- If you find that the People *have* proven the elements of count 1 (Murder in the Second Degree) then you must consider the affirmative defense that the defendant lacked criminal responsibility by reason of mental disease or defect.
 - If you find that the defendant *has* proven the affirmative defense, then you must find the defendant “Not Responsible by Reason of Mental Disease or Defect” of count 1 (Murder in the Second Degree); and then you must stop deliberating, do not consider count 2 (Manslaughter in the First Degree) and report to the Court that you have reached a verdict.
 - If you find that the defendant *has not* proven his affirmative defense, then you must find the defendant “Guilty” of count 1 (Murder in the Second Degree), and then you must stop deliberating, do not consider count 2 (Manslaughter in the First Degree) and report to the Court that you have a verdict.

		Not Guilty	Guilty	Not Responsible by Reason of Mental Disease or Defect
Count 2	Manslaughter in the First Degree			

If pursuant to the above instructions, you are to consider count 2 (Manslaughter in the First Degree), you may, as to count 2, find the defendant:

- Not Guilty, *or*
- Guilty, *or*
- Not Responsible by Reason of Mental Disease or Defect

To make that determination, you must consider this count as follows:

- First, consider whether the People have proven the elements of count 2 (Manslaughter in the First Degree).
- If you find that the People *have not* proven the elements of count 2 (Manslaughter in the First Degree): you must find the defendant “Not Guilty” of that crime; and you must report to the Court that you have reached a verdict.
- If you find that the People *have* proven the elements of count 2 (Manslaughter in the First Degree), then you must consider the affirmative defense that the defendant lacked criminal responsibility by reason of mental disease or defect.
 - If you find that the defendant *has* proven his affirmative defense, then, you must find the defendant “Not Responsible by Reason of Mental Disease or Defect” of count 2, (Manslaughter in the First Degree); and you must report to the Court that you have reached a verdict.
 - If you find that the defendant *has not* proven his affirmative defense, then, you must find the defendant “Guilty” of count 2 (Manslaughter in the First Degree); and report to the Court that you have reached a verdict.

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