

Comparison of Filed Jury Instructions Against the Michigan Model Criminal Jury Instructions

Document 1: Filed proposed jury instructions (redacted)

Document 2: Michigan Model Criminal Jury Instructions PDF used for comparison

Methodology and limitations. The Michigan model PDF was accessed and parsed successfully. The filed PDF was also parsed successfully, but several case-specific insertions are redacted or partially illegible; those are marked as [redacted/illegible] where needed. Routine use of bracketed model alternatives, case-specific fill-ins (names, dates, count numbers, counties), and purely typographic differences in quotation marks or apostrophes were not separately logged unless the filed wording went beyond the model's available alternatives or altered meaning or structure.

CJI 3.1 - Duties of Judge and Jury

Filed instruction number/title	Matching model instruction number/title	Exact filed text	Exact model text	Type of deviation	Brief explanation	Severity label
CJI 3.1 - Duties of Judge and Jury	MCrim JI 3.1 - Duties of Judge and Jury and MCrim JI	(2) "You must not let sympathy or prejudice influence your decision."	(2) "You must not let sympathy, bias, or prejudice influence your decision. You must avoid reaching conclusions that may have been unintentionally influenced by stereotypes. You must reach your own conclusions about this case individually, but you should do so only after listening to and considering the opinions of the other jurors, who may have different backgrounds and perspectives from yours."	omitted language	Filed version omits the current model's explicit anti-bias, anti-stereotype, and deliberative-listening language.	potentially substantive change
CJI 3.1 - Duties of Judge and Jury	MCrim JI 3.1 - Duties of Judge and Jury and MCrim JI	(3) "You must think about all the evidence and the testimony and then decide what each piece of evidence means ..."	(3) "You must think about all the evidence and then decide what each piece of evidence means ..."	added language	Adds "and the testimony." Likely non-substantive because testimony is evidence, but it is still a textual addition.	minor wording change

CJI 3.10 - Time and Place (Venue)

Filed instruction number/title	Matching model instruction number/title	Exact filed text	Exact model text	Type of deviation	Brief explanation	Severity label
CJI 3.10 - Time and Place (Venue)	MCrim JI 3.10 - Time and Place (Venue)	"The evidence must convince you beyond a reasonable doubt that the crime occurred on or about [redacted/illegible], within the [redacted/illegible]."	"The prosecutor must also prove beyond a reasonable doubt that the crime occurred on or about [state date alleged] within _____ County."	modified language	Filed version changes the burden phrasing from "the prosecutor must also prove" to "the evidence must convince you" and the venue phrase appears truncated/redacted.	potentially substantive change

CJI 3.11 - Deliberations and Verdict

Filed instruction number/title	Matching model instruction number/title	Exact filed text	Exact model text	Type of deviation	Brief explanation	Severity label
CJI 3.11 - Deliberations and Verdict	MCrim JI 3.11 - Deliberations and Verdict	No matching language identified in the filed set.	(7) "If you have any questions about the jury instructions before you begin deliberations, or questions about the instructions that arise during deliberations, you may submit them in writing in a sealed envelope to the bailiff."	omitted language	The current model expressly tells jurors how to submit instruction questions before and during deliberations; the filed set does not contain this sentence.	potentially substantive change

CJI 3.11 / CJI 3.16 - Deliberations and Verdict / Written or Electronically Recorded Instructions in the Jury Room

Filed instruction number/title	Matching model instruction number/title	Exact filed text	Exact model text	Type of deviation	Brief explanation	Severity label
CJI 3.11 / CJI 3.16 - Deliberations and Verdict / Written or Electronically Recorded Instructions in the Jury Room	MCrim JI 3.11 - Deliberations and Verdict	CJI 3.11(1): "When you go to the jury room, you should first choose a foreperson." CJI 3.16: "When you go to the jury room, you will be given a written copy of the instructions you have just heard."	MCrim JI 3.11(1): "When you go to the jury room, you will be provided with a written copy [copies] of the final jury instructions. [A copy of electronically recorded instructions will also be provided to you.] You should first choose a foreperson."	split instruction	The current model integrates the written-copy language into 3.11. The filed set splits that language out into CJI 3.16 and omits the optional electronic-copy sentence.	minor wording change

CJI 3.13 - Penalty

Filed instruction number/title	Matching model instruction number/title	Exact filed text	Exact model text	Type of deviation	Brief explanation	Severity label
CJI 3.13 - Penalty	MCrim JI 3.13 - Penalty	"Possible penalty should not influence your decision. It is the duty of the judge to fix the penalty within the limits provided by law."	"Possible penalty should not influence your decision. If you find the defendant guilty, it is the duty of the judge to fix the penalty within the limits provided by law."	omitted language	Filed version omits the model's conditional phrase "If you find the defendant guilty."	minor wording change

CJI 3.2 - Presumption of Innocence, Burden of Proof, and Reasonable Doubt

Filed instruction number/title	Matching model instruction number/title	Exact filed text	Exact model text	Type of deviation	Brief explanation	Severity label
CJI 3.2 - Presumption of Innocence, Burden of Proof, and Reasonable Doubt	MCrim JI 3.2 - Presumption of Innocence, Burden of Proof, and Reasonable Doubt	(3) "A reasonable doubt is just that -- a doubt that is reasonable, after a careful and considered examination of the facts and circumstances of this case."	(3) "A reasonable doubt is just that: a doubt that is reasonable after a careful and considered examination of the facts and circumstances of this case."	modified language	Older punctuation and phrasing differ from the current model.	minor wording change

CJI 3.5 - Evidence

Filed instruction number/title	Matching model instruction number/title	Exact filed text	Exact model text	Type of deviation	Brief explanation	Severity label
CJI 3.5 - Evidence	MCrim JI 3.5 - Evidence	(4) "The fact that the defendant is charged with a crime and is on trial is not evidence."	(4) "The fact that the defendant is charged with a crime and is on trial is not evidence. [Likewise, the fact that (he / she) is charged with more than one crime is not evidence.]"	omitted language	The current model contains an additional multi-charge caution. Because the filed set includes multiple charges, the omission could matter.	potentially substantive change
CJI 3.5 - Evidence	MCrim JI 3.5 - Evidence	(5) "The lawyers' statements and arguments are not evidence ... The lawyers' questions to witnesses are also not evidence."	(5) "The lawyers' statements and arguments [and any commentary] are not evidence ... The lawyers' questions to the witnesses [, your questions to the witnesses,] and my questions to the witnesses are also not evidence."	omitted language	Filed version omits the model's references to commentary and the court's questions to witnesses.	minor wording change

CJI 3.6 - Witnesses -- Credibility

Filed instruction number/title	Matching model instruction number/title	Exact filed text	Exact model text	Type of deviation	Brief explanation	Severity label
CJI 3.6 - Witnesses -- Credibility	MCrim JI 3.6 - Witnesses-Credibility	(2) "... you must set aside any bias or prejudice you may have based on the race, gender, or national origin of the witness."	(2) "... you must set aside any bias or prejudice you may have based on a witness's disability, race, national origin or ethnicity, gender, gender identity or sexual orientation, or religion, age, or socio-economic status. Again, take the time you need to test what might be automatic or instinctive judgments, and to reflect carefully about the evidence."	omitted language	Filed version omits numerous protected categories and the model's reflective anti-bias sentence.	potentially substantive change
CJI 3.6 - Witnesses -- Credibility	MCrim JI 3.6 - Witnesses-Credibility	(3)(d) "Does the witness's age and maturity affect how you judge his or her testimony?"	(3)(d) "Does the witness's age or maturity affect how you judge his or her testimony?"	modified language	The conjunctive "and" replaces the model's disjunctive "or."	minor wording change
CJI 3.6 - Witnesses -- Credibility	MCrim JI 3.6 - Witnesses-Credibility	Filed uses separate numbered paragraphs: (4) "Sometimes the testimony ..." and (5) "However, you may conclude ..."	Model combines both passages within one numbered paragraph (4).	split instruction	Older version splits what the current model presents as a single numbered paragraph. This is structural rather than substantive.	formatting only

CJI 5.10 - Expert Witnesses

Filed instruction number/title	Matching model instruction number/title	Exact filed text	Exact model text	Type of deviation	Brief explanation	Severity label
CJI 5.10 - Expert Witnesses	MCrim JI 5.10 - Expert Witness	(1) "You have heard testimony from [blank] expert in the field of [blank], who has given you his opinion as an Experts are allowed to give opinions in court about matters they are experts on."	(1) "You have heard testimony from a witness, _____, who has given you [his / her] opinion as an expert in the field of _____. Experts are allowed to give opinions in court about matters they are experts on."	modified language	Filed sentence drops "a witness," misorders the expert-field clause, and leaves "as an" unattached before the next sentence. This appears to be a drafting/formatting defect rather than an authorized model variant.	potentially substantive change

CJI 16.1 - First-degree Premeditated Murder

Filed instruction number/title	Matching model instruction number/title	Exact filed text	Exact model text	Type of deviation	Brief explanation	Severity label
CJI 16.1 - First-degree Premeditated Murder	M Crim JI 16.1 - First-degree Premeditated Murder	"First-degree Premeditated Murder"	"First-degree Premeditated Murder"	citation/reference error	The filed title misspells "Premeditated" as "Premediated."	minor wording change

CJI 16.21 - Inferring State of Mind

Filed instruction number/title	Matching model instruction number/title	Exact filed text	Exact model text	Type of deviation	Brief explanation	Severity label
CJI 16.21 - Inferring State of Mind	M Crim JI 16.21 - Inferring State of Mind	Filed goes from "(4) A gun is a dangerous weapon." directly to "(5) Premeditation and deliberation may be inferred ..."	"(5) A dangerous weapon is any instrument that is used in a way that is likely to cause serious physical injury or death."	omitted language	Filed instruction omits the model's general definition of "dangerous weapon" and renumbers the later premeditation paragraph.	potentially substantive change
CJI 16.21 - Inferring State of Mind	M Crim JI 16.21 - Inferring State of Mind	Filed marker appears as "(3}"	Model marker appears as "(3)"	formatting only	Bracket/parenthesis character differs in the paragraph marker only.	formatting only