

60 NOTETAKING NOT ALLOWED

Do not take notes during the trial. You may not take notes because:

COMMENT

This instruction and comment were approved by the Committee in 1984. The instruction was revised in 2010. The comment was reviewed without change in 1989.

If notetaking is not allowed, the court must state the reasons for the determination on the record. See Wis. Stat. § 805.13(2), quoted in full in the Comment, Wis JI-Civil 61.

The stating of reasons need not be done in the presence of the jury, but it is probably a good practice to tell the jurors why they are not being allowed to take notes.

See supreme court rationale in Fischer v. Fischer, 31 Wis.2d 293, 304, 142 N.W.2d 857 (1965).