

**100 OPENING INSTRUCTIONS**

Members of the jury:

The court will now instruct you upon the principles of law which you are to follow in considering the evidence and in reaching your verdict.

It is your duty to follow all of these instructions. Regardless of any opinion you may have about what the law is or ought to be, you must base your verdict on the law I give you in these instructions. Apply that law to the facts in the case which have been properly proven by the evidence. Consider only the evidence received during this trial and the law as given to you by these instructions and from these alone, guided by your soundest reason and best judgment, reach your verdict.

If any member of the jury has an impression of my opinion as to whether the defendant is guilty or not guilty, disregard that impression entirely and decide the issues of fact solely as you view the evidence. You, the jury, are the sole judges of the facts, and the court is the judge of the law only.

**COMMENT**

Wis JI-Criminal 100 was originally published in 1962, revised in 1983 and republished without change in 1991. This revision was approved by the Committee in May 1999.

This instruction may be given either before the taking of evidence, at the close of the evidence, or at both times.

The second paragraph of the instruction was adapted from a revision of a standard California instruction discussed in Charrow and Charrow, "Making Legal Language Understandable: A Psycholinguistic Study of Jury Instructions," 79 Columbia L. Rev. 1306, 1342 (1979).