

148 OBJECTIONS OF COUNSEL; EVIDENCE RECEIVED OVER OBJECTION

Attorneys for each side have the right and the duty to object to what they consider are improper questions asked of witnesses and to the admission of other evidence which they believe is not properly admissible. You should not draw any conclusions from the fact an objection was made.

By allowing testimony or other evidence to be received over the objection of counsel, the court is not indicating any opinion about the evidence. You jurors are the judges of the credibility of the witnesses and the weight of the evidence.

COMMENT

This instruction was originally published as Wis JI-Criminal 215 in 1962 and revised in 1983 and 1991. This revision renumbered it as Wis JI-Criminal 148 and was approved by the Committee in May 1999.

The weight of the evidence and the credibility of witnesses is for the jury. Haley v. State, 207 Wis. 193, 196, 240 N.W. 829 (1932); State v. John, 11 Wis.2d 1, 11, 103 N.W.2d 304 (1960); State v. Lunz, 86 Wis.2d 695, 705, 273 N.W.2d 767 (1979).