**1.10 RELATIONSHIP OF EXHIBITS TO TESTIMONY**

You may have exhibits, such as documents, pictures, or objects, to consider as evidence. In deciding how much to rely on an exhibit in reaching a verdict, you should examine its contents and consider how it relates to other evidence in the case. Keep in mind that exhibits are not necessarily better evidence than testimony from witnesses.

Use Note

Several of the Alaska Rules of Evidence imply that unless care is taken, exhibits may carry undue weight with a jury. See, e.g., Rules 106, 803(5), 803(18). This instruction is intended to make clear that exhibits are not necessarily better evidence than oral testimony. The substance of this instruction is repeated in Closing Instruction 2.17.

If no exhibits are to be offered, this instruction can be deleted.

Comment

It is not necessary for the jury to be familiar with the legal terminology to deal with testimonial and real evidence. But it may be important for the jury to know that evidence is not necessarily more valuable because it takes the form of an exhibit that may be given to the jury for its inspection.