**1A.01 The Significance of Objections**

This is the first time that an objection has been made to evidence. I want to (remind) (tell) you objections are not to be held against a party. An objection is a way of asking the court to determine whether the law allows certain evidence to come before you. Unless parties object, I may not know that there is a possible problem with evidence. So when an objection is made, you should keep in mind that it is a normal part of a trial and that it signifies that one party wants me to decide whether the law allows you to hear certain evidence. If I decide that it does, the evidence will come before you, and you will decide how much weight, if any, to give it. If I decide that it does not, the evidence will be excluded. (Remember that questions are not evidence. If I direct a witness not to answer a question, the question should be completely disregarded.)

From time to time the parties and I may have a conversation out of your presence or we may excuse you from the courtroom. I will try to avoid unnecessary interruptions in the flow of the trial. Sometimes, however, it is necessary for complex legal matters to be resolved before I can decide whether to admit or to exclude evidence as the law requires. All parties have a right to have the law properly applied to them. This requires that all legal questions be carefully considered so that you can hear all the relevant evidence.

# Use Note

In any case in which objections may be made, it can be helpful to instruct the jury after the first objection that objecting is a proper thing to do and that more objections may be forthcoming. In short trials, this instruction may not be needed. This instruction assumes in the second sentence that the preliminary instructions have been given. If they have not, then the word "tell" should be used in lieu of the word "remind." The last sentence in the first paragraph should be used only if the objection is to a question.

Comment

It is easy for jurors to think that parties who object have something to hide. The idea of this instruction is to let the jury know that parties have a right to object in order to preserve their legal points. Alaska R. Evid. 103(a) requires a timely objection if a party is to preserve a point for appeal.