**[COMPULSION VERDICT]**

MONTANA \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ JUDICIAL DISTRICT COURT

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY

|  |  |
| --- | --- |
| STATE OF MONTANA Plaintiff, -vs-\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,  Defendant. |  Cause No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ HON. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **V E R D I C T** |

 WE THE JURY, duly empaneled and sworn to try the issues in the above-entitled cause, enter the following unanimous verdict as to each of the following questions:

 1. Did the State prove each element of **[charged offense]** beyond a reasonable doubt?

 YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is No, the verdict on the offense of **[charged offense]** should be not guilty.

If the answer is Yes, proceed to questions 2 and 3.

 2. **[if applicable]** As proven beyond a reasonable doubt, did the Defendant cause pecuniary loss to public property in excess of $1,500.00?

 YES \_\_\_\_\_ NO \_\_\_\_\_

 3. Did the Defense prove by a preponderance of the evidence that the Defendant committed **[the charged offense]** under Compulsion?

 YES \_\_\_\_\_ NO \_\_\_\_\_

If the answer is No, the verdict on the offense of **[charged offense]** should be guilty.

If the answer is Yes, the verdict on the offense of **[charged offense]** should be not guilty.

 WE THE JURY, duly empaneled and sworn to try the issues in the above-entitled cause, enter the following unanimous verdict as to:

 **[charged offense]:**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(write on the above line “guilty” or “not guilty”)

 DATED this day of \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 FOREPERSON

COMMENT: This Verdict Form is an alternative to a separate lesser included offense instruction but is only possible here because the distinction between the felony and misdemeanor offense is the $1,500.00 threshold.