

Proposed Amendments to Tex. R. Civ. P. 226a

Rule: TRCP 226a, Parts II and III

Proposed Text:

Implicit Bias Instruction

Part II

New 7. Do not let bias, prejudice, or sympathy play any part in your evaluation of the evidence admitted or testimony heard in this case. Everyone, including me, has feelings, assumptions, perceptions, fears, and stereotypes that we may not be aware of but that can affect what we see and hear, how we remember what we see and hear, and how we make decisions. Because you are making important decisions as the jurors in this case, you must evaluate the evidence carefully, and you must not jump to conclusions based on personal likes or dislikes, generalizations, gut feelings, prejudices, sympathies, stereotypes, or biases. Our system of justice is counting on you to render a just verdict based on the evidence, not on biases.

Footnotes:

1. Instructs against explicit and implicit bias.
2. Empathy and education on what implicit bias is.
3. Inform as to what is at stake.
4. Call to a higher place in the sacred space of a court of law.