

RULE CR 49
VERDICTS

(-) General Verdict. A general verdict is that by which the jury pronounces generally upon all or any of the issues in favor of either the plaintiff or defendant.

(a) Special Verdict. The court may require a jury to return only a special verdict in the form of a special written finding upon each issue of fact. In that event the court may submit to the jury written questions susceptible of categorical or other brief answer or may submit written forms of the several special findings which might properly be made under the pleadings and evidence; or it may use such other method of submitting the issues and requiring the written findings thereon as it deems most appropriate. The court shall give to the jury such explanation and instruction concerning the matter thus submitted as may be necessary to enable the jury to make its findings upon each issue. If in so doing the court omits any issue of fact raised by the pleadings or by the evidence, each party waives his rights to a trial by jury of the issue so omitted unless before the jury retires he demands its submission to the jury. As to an issue omitted without such demand the court may make a finding; or, if it fails to do so, it shall be deemed to have made a finding in accord with the judgment on the special verdict.

(b) General Verdict Accompanied by Answer to Interrogatories. The court may submit to the jury, together with appropriate forms for a general verdict, written interrogatories upon one or more issues of fact the decision of which is necessary to a verdict. The court shall give such explanation or instruction as may be necessary to enable the jury both to make answers to the interrogatories and to render a general verdict, and the court shall direct the jury both to make written answers and to render a general verdict. When the general verdict and the answers are harmonious, the appropriate judgment upon the verdict and answers shall be entered pursuant to rule 58. When the answers are consistent with each other but one or more is inconsistent with the general verdict, judgment may be entered pursuant to rule 58 in accordance with the answers, notwithstanding the general verdict, or the court may return the jury for further consideration of its answers and verdict or may order a new trial. When the answers are inconsistent with each other and one or more is likewise inconsistent with the general verdict, judgment shall not be entered, but the court shall return the jury for further consideration of its answers and verdict or shall order a new trial.

(c) Discharge of Jury.

(1) Without Verdict. (Reserved. See RCW 4.44.330.)

(2) Effect of Discharge. (Reserved. See RCW 4.44.340.)

(d) Court Recess During Deliberation. (Reserved. See RCW 4.44.350.)

(e) Proceedings When Jurors Have Agreed. (Reserved. See RCW 4.44.360.)

(f) Manner of Giving Verdict. (Reserved. See RCW 4.44.370.)

(g) Ten Jurors in Civil Cases. (Reserved. See RCW 4.44.380.)

(h) Jury May Be Polled. (Reserved. See RCW 4.44.390.)

(i) Correction of Informal Verdict. (Reserved. See RCW 4.44.400.)

(j) Jury To Assess Amount of Recovery. (Reserved. See RCW 4.44.450.)

(k) Receiving Verdict and Discharging Jury. (Reserved. See RCW 4.44.460.)

(l) Any Juror Verdict. When a jury decides a verdict, any juror may vote on any of the questions posed. It is not necessary that the same ten jurors agree on every answer, as long as each answer is agreed to by any ten or more jurors.

[Adopted July 1, 1967; amended effective September 1, 2001.]
