



CHAPTER 15A

ARTICLE 73 - CRIMINAL JURY TRIAL IN SUPERIOR COURT

N.C.G.S. § 15A-1235.

Length of deliberations; deadlocked jury.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 711, s. 1 — first act in the lineage	21 September 2026, 03:01 UTC	6fea5bde1c1e09ac8f57f305 - d128467d11147573ab0abcf1 - 2e12a0169a271206

§ 15A-1235(a) Before the jury retires for deliberation, the judge must give an instruction which informs the jury that in order to return a verdict, all 12 jurors must agree to a verdict of guilty or not guilty.

§ 15A-1235(b) Before the jury retires for deliberation, the judge may give an instruction which informs the jury that:

- (1) Jurors have a duty to consult with one another and to deliberate with a view to reaching an agreement, if it can be done without violence to individual judgment;
- (2) Each juror must decide the case for himself, but only after an impartial consideration of the evidence with his fellow jurors;
- (3) In the course of deliberations, a juror should not hesitate to reexamine his own views and change his opinion if convinced it is erroneous; and
- (4) No juror should surrender his honest conviction as to the weight or effect of the evidence solely because of the opinion of his fellow jurors, or for the mere purpose of returning a verdict.

§ 15A-1235(c) If it appears to the judge that the jury has been unable to agree, the judge may require the jury to continue its deliberations and may give or repeat the instructions provided in subsections (a) and (b). The judge may not require or threaten to require the jury to deliberate for an unreasonable length of time or for unreasonable intervals.

§ 15A-1235(d)

If it appears that there is no reasonable possibility of agreement, the judge may declare a mistrial and discharge the jury.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
1 ACT

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1 1977 TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT				1978
Nº	YEAR	ACT	CHARACTER	
01	1977	c. 711, s. 1	ENACTED	

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-1235 (1977).

PINPOINT

N.C. Gen. Stat. § 15A-1235(a) (1977).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE
(1977, c. 711, s. 1.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

