

Rule 511 Comment upon or inference from claim of privilege -- Instruction

- (a) Comment or inference not permitted. The claim of a privilege, whether in the present proceeding or upon a prior occasion, is not a proper subject of comment by judge or counsel. No inference may be drawn therefrom.
- (b) Claiming privilege without knowledge of jury. In jury cases, proceedings shall be conducted, to the extent practicable, so as to facilitate the assertion of claims of privilege without the knowledge of the jury.
- (c) Jury instruction. Upon request, any party against whom the jury might draw an adverse inference from a claim of privilege is entitled to an instruction that no inference may be drawn therefrom.

Effective: July 1, 1992

History: Enacted 1990 Ky. Acts ch. 88, sec. 33; renumbered (7/1/92) pursuant to 1992 Ky. Acts ch. 324, sec. 34.