

If you find the accused guilty of any specification under a charge, the finding as to that charge must be guilty. The junior member will collect and count the votes. The count will then be checked by the president, who will immediately announce the result of the ballot to the members.

The concurrence of at least two-thirds of the members present when the vote is taken is required for any finding of guilty. Since we have ___ members, that means ___ members must concur in any finding of guilty.

Table 2-1
Votes Needed for a Finding of Guilty

No. of Members	Two-thirds
3	2
4	3
5	4
6	4
7	5
8	6
9	6
10	7
11	8
12	8

NOTE: Modify the above instruction in the event of a charge under Article 106, UCMJ.

If you have at least ___ votes of guilty of any offense then that will result in a finding of guilty for that offense. If fewer than ___ members vote for a finding of guilty, then your ballot resulted in a finding of not guilty (bearing in mind the instructions I just gave you about voting on the lesser included offense(s)).

MJ: You may reconsider any finding prior to its being announced in open court. However, after you vote, if any member expresses a desire to reconsider any finding, open the court and the president should announce only that reconsideration of a finding has been proposed. Do not state:

- (1) whether the finding proposed to be reconsidered is a finding of guilty or not guilty, or
- (2) which specification (and charge) is involved. I will then give you specific further instructions on the procedure for reconsideration.

NOTE: See 2-7-14, RECONSIDERATION INSTRUCTION (FINDINGS).