

UNLAWFULLY CONCEALING A WILL
Penal Law § 190.30
(Committed on or after Sept. 1, 1967)

The (specify) count is Unlawfully Concealing A Will.

Under our law, a person is guilty of Unlawfully Concealing A Will when, with intent to defraud, he or she conceals, secretes, suppresses, mutilates or destroys a will, codicil, or other testamentary instrument.

The following term used in that definition has a special meaning:

INTENT means conscious objective or purpose.¹ Thus, a person acts with intent to defraud another when that person's conscious objective or purpose is to do so.

In order for you to find the defendant guilty of this crime, the People are required to prove, from all the evidence in the case, beyond a reasonable doubt, each of the following two elements:

1. That on or about (date), in the county of (county), the defendant (defendant's name), concealed, secreted, suppressed, mutilated or destroyed a will, codicil, or other testamentary instrument; and
2. That the defendant did so with intent to defraud.

If you find the People have proven beyond a reasonable doubt both of those elements, you must find the defendant guilty of this crime.

If you find the People have not proven beyond a reasonable doubt either one or both of those elements, you must find the defendant not guilty of this crime.

¹ See Penal Law § 15.05 (1)