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Answer: 3

Although O.C.G.A § 24-7-704 (a): abolishes, at least nominally, the ultimate issue rule, opinions still must be helpful to the trier of fact.

This “helpfulness” standard is drawn from the text of both Rules 701 (a)(2) (lay opinions) and 702(b) (expert opinions).

Opinions are not “helpful” to the jury when they:

- Invade the province of the jury or

- Are phrased in legal terms on which the court will instruct the jury

See, *Haney v. Mizell Mem. Hosp.*, 744 F.2d 1467 (11th Cir. 1984); *Garner v. Salter*, 168 Ga. App. 520 (1983).