

GUIDELINES FOR JURY INSTRUCTIONS IN CIVIL CASES
Magistrate Judge Michelle H. Burns

The parties shall submit a joint list of proposed jury instructions. The list shall contain four sections.

I. Section I shall contain Ninth Circuit Model Civil Jury Instructions Used by All Arizona Judges as found at www.azd.uscourts.gov under Judges and Courtrooms and Orders, Forms and Procedures. If a model instruction is requested by both parties, the instruction shall be preceded by “ST” (stipulated-to). If the instruction is requested by only one party, the instruction shall be preceded by either “PL” (Plaintiff) or “DF” (Defendant).¹ For example:

ST	§ 3.1	Duties of Jury to Find Facts and Follow Law
ST	§ 3.2	What is Evidence
DF	§ 3.3	What is Not Evidence
DF	§ 3.4	Jury to be Guided by Official English Interpretation
ST	§ 3.5	Direct and Circumstantial Evidence
PL	§ 3.6	Credibility of Witnesses
DF	§ 3.7	Opinion Evidence Expert Witnesses
ST	§ 3.8	Causation
ST	§ 3.9	Charts and Summaries Not Received in Evidence
ST	§ 3.10	Charts and Summaries in Evidence
DF	§ 3.11	Two or More Parties - Different Legal Rights
DF	§ 3.12	Impeachment Evidence - Witness

The parties shall include the full text of all model instructions both on the disk and in the joint pleading.

II. Section II shall contain any non-model instructions to which the parties have stipulated.

III. Section III shall contain any non-model instructions requested by Plaintiff (numbered consecutively). Plaintiff shall include citation to authority to support the requested instruction. Defendant shall state all objections to such instruction immediately following the instruction and Plaintiff’s authority. Defendant shall support any objection with citation to authority. If Defendant offers an alternative instruction, such alternative instruction shall immediately follow Defendant’s objection.

¹ If multiple Defendants, identify which Defendant.

IV. Section IV shall contain any non-model instructions requested by Defendant (numbered consecutively). Defendant shall include citation to authority to support the requested instruction. Plaintiff shall state all objections to such instruction immediately following the instruction and Defendant's authority. Plaintiff shall support any objection with citation to authority. If Plaintiff offers an alternative instruction, such alternative instruction shall immediately follow Plaintiff's objection.

Each proposed instruction shall begin on a new page.

The parties should note that absent a showing of good cause, the failure to submit a proposed instruction or make an objection in the joint pleading by the deadline set forth in the Order Setting Final Pretrial Conference shall result in the instruction being refused or the objection being deemed waived.