

GUIDELINES FOR JURY INSTRUCTIONS IN CIVIL CASES

Judge Susan M. Brnovich

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

Section I shall contain Ninth Circuit Model Civil Jury Instructions used by all Arizona Judges as found at www.azd.uscourts.gov under Judicial Officer Information. 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). 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
- DF § 3.12 Two or More Parties - Different Legal Rights Impeachment Evidence
- Witness

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

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

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.

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.

The parties shall also submit a clean copy of the proposed final jury instructions, electronically, in Word, with all case citations, or Model Jury Instruction references removed from the draft. These can be emailed to [Yvonne Gano@azd.uscourts.gov](mailto:Yvonne_Gano@azd.uscourts.gov)