

1 **GUIDELINES FOR JURY INSTRUCTIONS IN CIVIL CASES**

2 U.S. Magistrate Judge Deborah M. Fine

3 The parties shall file a joint list of proposed jury instructions. On the same day of filing,
4 a Word version shall be emailed to chambers at fine_chambers@azd.uscourts.gov. The
5 list shall contain four sections.

- 6 I. Section I shall contain Ninth Circuit Model Civil Jury Instructions Used by All
7 Arizona Judges as found at www.azd.uscourts.gov under Judges' Information. If
8 a model instruction is requested by both parties, the instruction shall be preceded
9 by "ST" (stipulated to). If the instruction is requested by only one party, the
10 instruction shall be preceded by either "PL" (Plaintiff) or "DF" (Defendant). If
11 multiple Defendants, identify which Defendant as "DF1," etc.

12 **EXAMPLE OF MODEL INSTRUCTIONS:**

- 13 ST § 3.1 Duties of Jury to Find Facts and Follow Law
14 ST § 3.2 What is Evidence
15 DF § 3.3 What is Not Evidence
16 DF § 3.4 Jury to be Guided by Official English Interpretation
17 ST § 3.5 Direct and Circumstantial Evidence
18 PL § 3.6 Credibility of Witnesses
19 DF § 3.7 Direct and Circumstantial Evidence
20 ST § 3.8 Causation
21 ST § 3.9 Charts and Summaries Not Received in Evidence
22 ST § 3.10 Charts and Summaries in Evidence
23 DF § 3.11 Two or More Parties – Different Legal Rights
24 DF § 3.12 Impeachment Evidence - Witness

25 The parties shall include the full text of all model instructions in the joint pleading and on
26 the Word version emailed to chambers.

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

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

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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.