

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

2 U.S. Magistrate Judge Deborah M. Fine

3 The parties shall file a joint list of proposed jury instructions. The joint list of proposed jury
4 instructions shall also be emailed to the Court in Word format the day of filing to
fine_chambers@azd.uscourts.gov. The list shall contain four sections.

5 I. Section I shall contain model instructions. If an instruction is requested by both
6 parties, the instruction shall be preceded by “ST” (stipulated). If the instruction is
7 requested by only one party, the instruction shall be preceded by either “PL”
8 (Plaintiff) or “DF” (Defendant). (If multiple Defendants, identify which Defendant
such as “DF1”, etc.)

9 **EXAMPLE OF MODEL INSTRUCTIONS:**

- 10 ST § 3.1 Duties of Jury to Find Facts and Follow Law
11 ST § 3.2 Charges Against Defendant Not Evidence – Presumption of Innocence
12 DF § 3.3 Defendant’s Decision Not to Testify
13 DF § 3.4 Defendant’s Decision to Testify
14 ST § 3.5 Reasonable Doubt – Defined
15 PL § 3.6 What is Evidence
16 DF § 3.7 What is Not Evidence
17 ST § 3.8 Direct and Circumstantial Evidence
18 ST § 3.9 Credibility of Witnesses
19 ST § 3.10 Evidence of Other Acts of Defendant or Acts and Statements of Others
20 DF § 3.11 Activities Not Charges
21 DF § 3.12 Separate Consideration of Multiple Counts

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

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

26 III. Section III shall contain any non-model instructions requested by Plaintiff (numbered
27 consecutively). Plaintiff shall include citation to authority to support the requested
28 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 the Defendant offers an alternative instruction,
such alternative instruction shall immediately follow Defendant’s objection.

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

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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 Final Pretrial Conference Order shall result in the instruction being refused or the objection being deemed waived.