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LAW LIBRARY**

SOURCES FOR JURY INSTRUCTIONS

AUTOMOBILE LITIGATION

Eades, Ronald. **Jury Instructions in Automobile Actions.** Contains instructions on Particular Classes of Operator or Vehicle, Condition of Operator, Condition of Vehicle, Condition of Road , Railroad Crossings, Highway and Road Intersections, No Fault Insurance and more. GEN3 KF8984.E23

Kelly, Patrick. **Blashfield Automobile Law and Practice.** Chapter 462 in Volume 13 ,contains Drafting Instructions for Burden of Proof, Negligence, Strict liability, Damages, Defenses, and Claims Against Insurers. GEN3 KF1290.A8B57

BANKRUPTCY

Ahern, Lawrence. **Bankruptcy Jury Manual.** Part II contains Instructions During Trial, After Close of Evidence, Instructions During Deliberations , Instructions Applicable to Bankruptcy, Contracts, Conversion, Ejectment, Fraud and Deceit, Affirmative Defenses and Damages. GEN3 KF1524.A43

BUSINESS LITIGATION/ COMMERCIAL LITIGATION

Batista, Paul. **Civil RICO Practice Manual.** Form 9 contains : Introductory Instructions, Instructions Relating to Definitions of Terms, Basic Instructions Relating to and Elements of Section 1962(a) Violation, Conspiracy, Damages, etc. GEN3 KF9375.B38

Eades, Ronald E. **Jury Instructions in Commercial Litigation.** Includes Breach of Fiduciary Relationships, Interference with Economic Relationships, Contract, Bailment, Carriers, Employment Issues, Patents, Trademarks, Copyright, Trade Secrets, Commercial Bribery, Civil RICO , Attorney and Accountant Malpractice, Businesses, Taverns, Hotels, and Inns, Vicarious Liability, and Damages. GEN3 KF8984.E15

CALIFORNIA

California Jury Instructions, Civil (BAJI). GEN3 KFC1047.A65S8

California Jury Instructions, Criminal (CALJIC). GEN3 KFC1171.A65C35

California. Judicial Council. **Judicial Council of California Civil Jury Instructions (CACI).** KFC1047 .A65J82

CJER Mandatory Jury Instructions Handbook. KFC1171 .C5

Wells, John F. **California Forms of Jury Instructions.** Volume 1 : Introduction and General Contract Instructions, Volume 2: Instructions for Specific Types of Contracts, Volume 3: Business Torts, Volume 4: Real Property Litigation. REF KFC1047.W41

CIVIL RIGHTS

Avery, Michael. **Police Misconduct Law and Litigation**. Chapter 13 includes General Instructions, for Police Misconduct Litigation, Damages, Immunity, Liability, Conspiracy and other specific violations. GEN3 KF1307.A98

Yagman, Stephen. **Section 1983 Federal Jury Practice and Instructions**. Part I includes Federal Instructions Involving Fourth Amendment Cases, Eighth and Fourteenth Amendment Prisoner Cases, Government and Supervisor Liability, Defenses, Evidence, Damages and Causation. GEN3 KF1325.C58Y34

COMMERCIAL LITIGATION

Eades, Ronald. **Jury Instructions in Commercial Litigation**. GEN3 KF8984.E15

CONSTRUCTION LITIGATION

Model Jury Instructions: Construction Litigation. GEN3 KF8984.A65L53 2001

CRIMINAL LAW

Bailey, F. Lee. **Complete Manual of Criminal Forms**. Part 11 volume 2 contains ten chapters with examples of Introductions and Motions, Presumptions and Burden of Proof, Cautionary Instructions, Witnesses and Evidence, Statements of Defendants, Elements of the Crime, Conspiracy, Federal crimes, State Crimes, Defenses, and Concluding Instructions. GEN3 KF9616.B3

Darwin, Tony. **The Citebook**. St. Petersburg, Fla. : Starlite Inc., 2008. Desk KF240 .D33

Bailey, F. Lee. **Defending Business and White Collar Crimes: Federal and State**. Look at the index (volume 2) under *Forms*, then the subheading, *Instructions to Jury*. They are scattered throughout the two volumes. GEN3 KF9350.B3

District Judges Association, Fifth Circuit. Committee on Pattern Jury Instructions. **Pattern Jury Instructions : (Criminal Cases)**. St. Paul, Minn. : Thomson Reuters, 2012. Floor 4 KF9682.A65 D57 2012

DAMAGES /TORTS

Boston, Gerald W. **Emotional Injuries**. Appendix A includes jury instructions on Pain and Suffering –New York and California, Intentional Infliction of Emotional Distress, Negligent Infliction of Emotional Distress, Outrageous Conduct Causing Severe Emotional Distress and other selected sources of jury instructions on Emotional Distress. GEN3 KF1264.B67

Model Jury Instructions for Fidelity Cases. From a work presented by the ABA's Annual Meeting in 2000. Insurance surety and fidelity. Chicago : Tort and Insurance Practice Section, American Bar Association, 2003. GEN3 KF1223.M63

Eades, Ronald W. **Instructions on Damages in Tort Actions**. Includes Jury Instructions on Punitive Damages, Joint Tortfeasors, Causation, Comparative Negligence Jurisdictions, Damages for Personal Injuries, Emotional Distress, Wrongful Death, Damages Involving Land, Torts Involving Personal Property, Wrongs Involving Intangible Property, Injuries to Interests of Personality, Torts Associated with Law Enforcement, Deprivation of Constitutional or Civil Rights, Misrepresentation, Other Bases of Liability, and Collateral Sources of Benefits. GEN3 F8984.D687

Ghiardi, James D. **Punitive Damages Law and Practice**. Volume 2, Chapter 11, contains ABA Model General Instructions for various states, Contract Breach and Punitive Damages, Punitive Damages Not Compensatory, Tort Alone No Basis for Punitive Damages, Discretion of Jury in Awarding Punitive Damages,-ABA Model, Factors for

Jury in Determining Amount of Punitive Damages-ABA Model, Aggravated Conduct Defined-ABA Model.
GEN3 KF1250.G55

Schlueter, Linda L. **Punitive Damages 3d**. Volume 1, Section 5.6 (B) includes general and model instructions and instructions taken from other states on exemplary and punitive damages involving Personal Injury, Libel/Slander, Common-Law Malice, Wanton and Malicious Injury, and Products Liability. Section 5.6(B)(5) includes Federal Jury Instructions on Trademark Infringement, Trade Secrets, Defamation, Civil Rights. GEN3 KF1249.S35

DRUNK DRIVING

Essen, Richard J. **Defense of Drunk Driving Cases: Criminal-Civil Practice Guide**. Volume 4, Chapter 51, includes instructions on Chemical Testing, Field Sobriety Testing, Combination of Drinking and Negligent Driving, Circumstantial Evidence, Defenses of Necessity or Duress, Breath Testing Instructions, Implied Consent Laws, Noncompliance with Administrative Rules and Regulations, Failure to Preserve Chemical Test Samples, Loss or Suppression of Videotape Evidence, Credibility of Witnesses, Reasonable Doubt, Jury Nullification and an appendix of Sample Jury Instruction Request Form. KF8925.T7E7

EMPLOYMENT DISCRIMINATION

Green, Jon W. **Employment Litigation Handbook**. Chapter 9, Appendix VII, includes sample forms on sexual harassment taken from the case of Baker & McKenzie. GEN3 KF3464.E46

Perritt, Henry H. **Americans with Disabilities Act Handbook**. Chapter 16, Section 16.20 on Agreed Jury Instructions includes Burden of Proof, Disability, Mental or Physical Impairment, Major Life Activity, and Substantiality Limits. Sections 16.21 – 16.27 contain Expert Witness, Parties' Contentions, Plaintiffs Prima Facie Case, Social Security Disability and Unemployment Compensation, Back Pay and Benefits, Compensatory Damage for Intangible Injury and more. GEN3 KF3469.P47

Perritt, Henry H. **Employee Dismissal Law and Practice**. Volume 3, Chapter 21, *Jury Instructions and Special Interrogatories to the Jury*, includes numerous instructions including those relating to Public Policy Exceptions to Employment at Will, Damages, Reasons for Dismissal, Emotional Distress and others. GEN3 KF3471.P47

HOUSING DISCRIMINATION

Relman, John P. **Housing Discrimination Practice Manual**. Appendix 4M includes sample jury instructions for acts of discrimination under the Fair Housing Act and Sections 1981 and 1982. GEN3 KF8925.D5R45

INSURANCE

Shernott, William M. **Insurance Bad Faith Litigation**. Chapter 23, includes forms for Jury Instructions for Third-Party Cases, and Jury Instructions for first-Party Cases. GEN3 KF1301.5I58S53

Wall, Dennis J. **Litigation and Prevention of Insurer Bad Faith**. Third Party Claims, Part II, section 3.02 contains jury instructions based on New Mexico and Texas Law on the insured's duty of good faith in accepting settlement offers. GEN3 KF8925.T67W35

MEDICAL ACTIONS & MEDICAL MALPRACTICE

Douthwaite, Graham. **Jury Instructions on Medical Issues**. Includes instructions on Expert and Opinion Evidence, General Application to the Healing Arts, Consent of Patient, Particular Types of Treatment, Particular Types of Practitioner, Miscellaneous Diseases and Injuries, Hospitals, Products Liability, Insurance Matters and more. GEN3 KF8984.A65E22

Louisell, David W. **Medical Malpractice**. Volume 4, Chapter 28, *The Court's Charge*, includes samples of plaintiff's and defendant's requests to charge in a case involving loss of eyesight of a newborn and one about negligent delivery. GEN3 KF2903.5.L68

Eades, Ronald W. **Jury Instructions on Medical Issues**. Includes instructions on Burden of Proof, Expert Testimony and Other Evidentiary Issues, Standard of Care in the Healing Arts, Diagnosis, Consent of Patient, Causation, Damages, Defenses, and more. GEN3 KF8984.A65E22

NEGLIGENCE

Comparative Negligence Manual. Volume 1, Chapter 13, includes Comparative Fault or Negligence, Contributory Negligence, Burden of Proof and Evidence, Automobile Accident Cases, Common Carriers, Malpractice, Premises and Streets, and more. GEN3 KF1286.C66

PRODUCTS LIABILITY

Baldwin, Scott. **The Preparation of a Product Liability Case**. Chapter 2, Section 2.19, Jury Instructions, contains sample wording for Defect, Manufacturing Defect, Design Defect, Marketing Defect, Subsequent Changes, Assumption of Risk, Misuse, and more. GEN3 KF8925.P7B3

Eades, Ronald. **Jury Instructions on Products Liability**. Contains instructions on Strict Products Liability, Parties, Warranty Liability and Misrepresentations, Design Defect Liability, Manufacturing, Duty to Warn, Matters of Proof, and more. GEN3 KF8984.E345

Model Jury Instructions: Product Liability. General/introductory instructions Chicago, Illinois: ABA, Section of Litigation, 2017.
Floor 4 KF8984 .M634

Swartz, Edward M. **Hazardous Products Litigation**. Chapter 8, Section 8:28, Jury Instructions, contain sample Requests for Rulings of Law,, Requests for Findings of Fact, Protective Orders, and more. GEN3 KF8925.P7S9

Travers, Timothy. **American Law of Products Liability**. The Practice Aids volume, section 391 – End, Jury Instructions, Section 483, contains samples of Damages Caused by Defective Product, Injuries Caused by Defective Product, Injuries Caused by Known and Concealed Defects, Express Warranty, Manufacturer's Liability, Aircraft Manufacturer's Liability, and liability for food, drink, boat, clothing and more. GEN3 KF1296.A6A5

REAL ESTATE

Eades, Ronald W. **Jury Instructions in Real Estate Litigation**, 2d. Instructions to juries on real property issues. GEN4 KF8984.D6752

SECURITIES LITIGATION

Model Jury Instructions: Securities Litigation. Includes sample instructions on Section 11 Claims, Section 12(2) Claims, Section 10(b) Claims, and Accountants. GEN3 KF8984.M64

SURETY

Nisley, Robert C. **Model Jury Instructions for Surety Cases**. GEN3 KF1045.A65M63
KF299.A55 E37 2011

TRADEMARKS

Witschel, Carol A. **Trade Dress Jury Instructions**. Includes instructions taken from trade dress cases involving design and configuration of a product. Product packaging and the total image of business. Other instructions are organized around other issues typically considered including infringement, inherent, distinctiveness, non-functionality, likelihood of confusion and others. ON ORDER.

INTERNET

California Civil Jury Instructions. <http://www.courts.ca.gov/partners/317.htm>

California Criminal Jury Instructions. <http://www.courts.ca.gov/partners/312.htm>

U.S. Department of Justice Federal Prosecution of Violations of Intellectual Property .Jury Instructions,:
Sample Language for Jury Instructions –

- Appendix H: Sample Language for Jury Instructions - 18 U.S.C. § 2319 ... H-1
- Appendix I: Sample Language for Jury Instructions - 18 U.S.C. § 2320 ... I-1
- Appendix J: Sample Language for Jury Instructions - 18 U.S.C. § 1831 ... J-1
- Appendix K: Sample Language for Jury Instructions - 18 U.S.C. § 1832 K-L

Jury Instructions /Jury Instructions Forms Bank

<http://secure.uslegalforms.com/cgi-bin/forms/query.pl?S-T-C-B-jury~instructions>

Ninth Circuit–Civil /Manual of Model Jury Instructions for Ninth Circuit- Civil

<http://www3.ce9.uscourts.gov/web/sdocuments.nsf/civ>

Ninth Circuit – Criminal /Manual of Model Jury Instructions for Ninth Circuit –Criminal.

<http://www3.ce9.uscourts.gov/web/sdocuments.nsf/crim>

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March 2001
Nov. 2011, Revised
July , Sept. 2013, Revised
July 2014, Revised
Research Guide 16
<http://www.oc.ca.gov/lawlib/>