

Civil Jury Instructions Committee
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016

September 5, 2018
4:00 to 5:00 pm
Location: State Bar of Arizona

Minutes (Approved (date))

MEMBER ATTENDANCE:

P = present in person; T = present telephonically; A= absent.

Steve Kramer (Chair)	P	Kevin Myer	A
Alicia Funkhouser (Secretary)	P	Benjamin Naylor	T
Lincoln Combs	P	Rodney Ott	P
Ben Cooper	A	Sara Regan	T
Hon. David Gass	A	Carrie Ryerson	A
Dominic Gomez	T	Daniel Torrens	T
Ivan Hannel	T	Carrie Ryerson	A
Hon. Kenton Jones			
Richard Langerman	P		
Patrick Lopez	A		
Hon Karen Mullins	A		

OTHER ATTENDEES:

Judge Kenton Jones (will be a new member)

State Bar Staff: Ilona Kukan

Minutes taken by: Alicia Funkhouser

I. CALL TO ORDER

Called to Order by: Steve Kramer

Time: 4:02 p.m.

- II. Review and approval of meeting minutes of August 8, 2018:** Correction – Steve and Alicia will present to the committee. Rodney moved to approve, Alicia seconded. Motion carried.

III. Agenda Items

1. Fault not at issue instructions – (Steve). These instructions needed to be retitled. Discussion held and determined to change it to a “damages only trial.” Rodney Moved, Lincoln seconded. Motion carried (unanimously). Steve will provide a revised version.
2. Medical Negligence – (Alicia) The subcommittee met and will present a new emergency room instruction at the next meeting. After that, the committee will review the remaining instructions
3. Spoliation – (Richard) Comments regarding the proposed bad faith instructions are discussed, according to his memo. Discussion held regarding the language of the instruction regarding the rebuttable presumption comment. Discussion held regarding the judge’s determinations vs. what the jury should have discretion on. Discussion held regarding the comment on the absence of Willits language.

Agenda Items Not Reached:

Review and discuss Traffic Citations Instruction – Judge Gass
Spoliation Instruction – not resolved

CALL TO THE PUBLIC Steve Kramer

Individuals addressing the (Board/Committee). None present.

Meeting adjourned by: Steve Kramer (Lincoln moves, Rodney seconds. Motion carried) at (5:00 P.M. time)