

## Civil Jury Instructions Committee

State Bar of Arizona

4201 N. 24<sup>th</sup> Street, Suite 100

Phoenix, Arizona 85016

October 4, 2023

3:00 pm

Virtual Meeting

### Minutes

#### MEMBER ATTENDANCE:

**P = present virtually; A= absent.**

Justin Ackerman	A	Judge Melissa Julian	P
Judge Bradley Astrowsky	P	Jack Klecan	P
Arcangelo Cella	A	Steven Kramer	P
Lincoln Combs	A	Richard Langerman	P
Ben Cooper	A	Greg Larson	P
Alicia Funkhouser	P	PJ Lopez - Chair	P
Dominic Gomez	P	Jesse Ritchey	P
Darlene Gonzalez (late)	P	Joel Robbins	A
Robert Greer	P	James Smith	A
Douglas Imperi	A	Daniel Torrens	A
Jesse Egbert	P	Jayme Weber	P

Call to Order – P.J. Lopez called the meeting to order at 3:09 p.m.

The Minutes of 9/6/23 meeting were approved (as amended).

**Premises Liability Subcommittee:** Subcommittee chair, Steve Kramer, reported on the work of the subcommittee. There was a discussion of the proposed revisions to instruction 1. Richard Langerman suggested that the instruction be revised to identify the primary issue as the unreasonably dangerous condition of the premises with notice being a secondary issue. There was a discussion of the proposed revisions to instruction 1A. Richard Langerman questioned whether the word “notice” was necessary or whether it would be sufficient to just include the three ways in which “notice” could be shown. Judge Astrowsky noted that it might be advisable to include the word “notice” in the instruction because lawyers frequently use the term in their arguments. It was agreed that the subcommittee would continue its work on the proposed revisions to instructions 1 and 1A.

**Proposed New Instructions:** Chair Lopez discussed suggestions for areas of law for which new instructions might be helpful. It was agreed that instructions would be helpful in cases arising out of the Adult Protective Services Act. Chair Lopez appointed the following people to the APSA Subcommittee: Astrowsky (chair), Julian, Lopez, Ritchey, and Larson. It was agreed that it would be helpful to update the fault instructions. Chair Lopez appointed the following people to the Fault Subcommittee: Kramer (chair), Funkhouser, Greer, and Egbert. There was a discussion about whether to draft instructions for cases involving interference with contracts or business expectancies. Jayme Weber agreed to review the existing instructions and report back on whether additional (or revised) instructions would be helpful.

**Guidelines Subcommittee:** There was no report regarding the work of the Guidelines Subcommittee.

Call to the public: Chair Lopez made a call to the public.

The meeting was adjourned at 4:08.