

**Civil Jury Instructions Committee**  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016

March 6, 2019  
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	Patrick Lopez	A
Alicia Funkhouser (Secretary)	P	Hon Karen Mullins	P
Lincoln Combs	T	Benjamin Naylor	A
Ben Cooper	A	Rodney Ott	A
Hon. David Gass, (RESIGNED)	A	Sara Regan	T
Dominic Gomez	A	Carrie Ryerson	A
Ivan Hannel	A	Daniel Torrens	A
Richard Langerman	P	Hon. Kenton Jones	T
Judge Brodman	A	Jack Klecan	T

**OTHER ATTENDEES:**

None

**State Bar Staff: Ilona Kukan**

**Minutes taken by: Alicia Funkhouser**

**I. CALL TO ORDER**

**Called to Order by: Steve Kramer**

**Time: 4:04 p.m.**

**II. Review and approval of meeting minutes of February 6, 2018:** Richard makes a change and moves to approve. Judge Mullins seconded. Motion carried.

**III. Agenda Items**

1. Welcome new member Judge Pam Gates. She joins the Standard Instructions subcommittee.

2. New Revised Misc and Other instructions. The subcommittee agrees Judge Mullins will chair the subcommittee. The subcommittee would like to meet to review these instructions again.
3. Review and discuss new revisions to Medical Malpractice – Emergency Room Instructions – Alicia Funkhouser  
Discussion held regarding the creation of a 2a instruction when there is also a non-emergency Defendant.  
Discussion also held regarding clarifications and changes were made.
4. Product Liability Instructions – Richard Langerman – The subcommittee reviewed the instructions to see if they need updating. They do not believe there is anything wrong requiring that the instructions need to be changed. Several cases have been identified in which “who is a seller” is discussed. These could be added. Apportionment of fault was discussed in a 2017 case.

Richard also recommends a historical note in the introduction.

The committee decides to allow the subcommittee to make the changes, even if they are just to the Use notes

5. Update on Subcommittee Status/New Business – Steve Kramer
  - A. Employment – The new subcommittee has been set. Ilona has the membership list.
  - B. Construction – They use the ABA model jury instructions. Discussion held as to whether the instructions would be beneficial or would overburden the committee. There are also frequently arbitration clauses, and may not go to trial very often. Discussion held that perhaps we could reference or adopt the model instructions and committee decides we would need an Arizona case or statute adopting them.

**Agenda Items Not Reached:**

N/A

**CALL TO THE PUBLIC Steve Kramer**

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

**Meeting adjourned by: Steve Kramer** (Richard moves, Judge Mullins seconds. Motion carried) at (4:50 P.M. time).

**Next Meeting April 3, 2019 at 4:00 p.m.**