2014

Jury Instructions

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Introduction

Attorneys often must submit proposed jury instructions to the court for approval before trial. Jury instructions are also a good source for finding the elements of a civil action or a criminal offense. Sources for jury instructions include:

- Pattern jury instructions written by the court or a state judicial conference. Sometimes courts put these on their web site.
- Jury instructions written or gathered by publishers, sometimes taken from case opinions.
- Jury instructions actually filed with the court. Lexis and Westlaw have databases of these filings. They can also be found via court dockets, see the Court, Dockets, Rules Guide. Another source is attorney document sharing sites.
- Appellate court opinions sometimes quote a jury instruction, and rule upon whether it is proper or not.

Many jury instructions can be found in the library at call number KF8984.

Lexis and Westlaw Path

LexisAdvance - from the All Content Types Pulldown Menu, select Jury Instructions.
WestlawNext - Jury Instructions - search all of them or select a particular jurisdiction
Path on Classic Lexis:

Lexis:
Legal > Area of Law - by Topic > Litigation Practice & Procedure > Find Jury Instructions.
OR
Total Litigator Tab - under Early Case Assessment, Research or Trial Prep. Template to select by practice area or jurisdiction.
OR
Jury Instruction Filings on Lexis: Legal > Court Records, Briefs and Filings > Jury Instructions

Need Help?

Contact a Law Librarian:
research.services@law.csuohio.edu
Phone (Voice): 216-687-6877
Text messages only: 216-539-3331
Federal

Major Sets

- Federal Jury Practice and Instructions
  by Kevin F. O'Malley, et al.
  WestlawNext
  KF8984 .D4
  http://scholar.csuohio.edu/record=b1642448~S0
- Modern Federal Jury Instructions
  by Leonard B. Sand, et al.
  Lexis Advance - Civil
  Lexis Advance - Criminal
  https://advance.lexis.com
  KF8984.A65 M6
  http://scholar.csuohio.edu/record=b1351631~S0
  KF8984 .D483
  http://scholar.csuohio.edu/record=b2360009~S0
  KF8984 .D42
  http://scholar.csuohio.edu/record=b2300116~S0

Online Pattern Jury Instructions

- Sixth Circuit Criminal Jury Instructions

- Pattern Jury Instructions for All Circuits
  http://www.tb5.uscourts.gov/juryinstructions/
  On the Fifth Circuit's page.

- WestlawNext - Federal Jury Practice and Instructions
  https://1.next.westlaw.com/Browse/Home/SecondarySources/TextsTreatises/LitigationTextsTreatises/FederalJuryPracticeInstructions?transitionType=Default&contextData=%28sc.Default%29

- Lexis Advance
  http://www.lexisnexis.com/lawschool
  See Forms for Modern Federal Jury Instructions - Civil or Forms for Modern Federal Jury Instructions - Criminal
Pattern Jury Instructions by Circuit

Note that not all circuits have pattern jury instructions, and not all have both civil and criminal.

- Third Circuit model civil jury instructions
  Call Number: KF8984.A65 M643 2011 (REF)
  http://scholar.csuohio.edu/record=b1886684~S0

- Fifth Circuit pattern jury instructions, civil
  Call Number: KF8984.A65 P38 2009 (REF)
  http://scholar.csuohio.edu/record=b1358323~S0

- Fifth Circuit pattern jury instructions, criminal
  Call Number: KF9681.A65 D585 2001 (REF)
  http://scholar.csuohio.edu/record=b1767817~S0

- Sixth Circuit pattern criminal jury instructions
  Call Number: KF8984.A65 P36 (REF & OH)
  http://scholar.csuohio.edu/record=b2619526~S0

- Seventh Circuit federal civil jury instructions
  Call Number: KF8984.A65_F44 2010 (REF)
  https://scholar.csuohio.edu/record=b2619572~S0

- Seventh Circuit federal criminal jury instructions
  Call Number: KF8984.A65 F43 2012 (REF)
  http://scholar.csuohio.edu/record=b2739957~S0

- Eighth Circuit manual of model civil jury instructions
  Call Number: KF8984.A65 M33 (REF)
  http://scholar.csuohio.edu/record=b1469810~S0

- Eighth Circuit manual of model of jury instructions, criminal
  Call Number: KF8984.A65 M34 (REF)
  http://scholar.csuohio.edu/record=b1478081~S0

- Manual of model civil jury instructions for the ninth circuit
  Call Number: KF8984.A65 M35 (REF)
  http://scholar.csuohio.edu/record=b1649065~S0

- Manual of model criminal jury instructions for the ninth circuit
  Call Number: KF8984.A65 M36 (REF)
  http://scholar.csuohio.edu/record=b1350752~S0

- Tenth Circuit pattern jury instructions, criminal
  Call Number: KF9682.A65 C74 (REF & Electronic resource)
  http://scholar.csuohio.edu/record=b2619553~S0

- Pattern jury instructions, civil cases (Eleventh Circuit)
  Call Number: KF9684.A65 D57 (REF)
  http://scholar.csuohio.edu/record=b1649007~S0

- Eleventh Circuit pattern jury instructions, criminal
  Call Number: KF8984.A65 P272 (REF)
  http://scholar.csuohio.edu/record=b1589652~S0

Ohio & Other States

Standard Ohio Jury Instructions

Ohio Judicial Conference,
Authors of the Standard Ohio Jury Instructions

- Ohio Jury Instructions Links
  In Our Collection
  http://scholar.csuohio.edu/record=b1383723~S0
  KFO542.A65 O36 (REF & OH)

- WestlawNext

- Lexis Advance
  http://www.lexisnexis.com/lawschool
  Ohio Jury Instructions - Civil, Ohio Jury Instructions - Criminal

- Casemaker
  http://ohiobar.org/
  Available on the public access workstations across from the information services desk. Otherwise, password only. Students may Join the OSBA for free and get access. Also contains special OSBA Jury Instructions in addition to the Standard Jury Instructions.
Ohio Jury Instruction Filings

- Ohio Trial Court Documents - WestlawNext
  https://1.next.westlaw.com/Browse/Home/TrialCourtDocuments/OhioTrialCourtDocuments?transitionType=Default&contextData=%28sc.Default%29
  Actual filings, including jury instructions submitted and filed with the state courts in Ohio

- Ohio State Jury Instruction Filings Lexis Advance
  http://www.lexisnexis.com/lawschool
  Actual jury instructions submitted and filed with the state courts in Ohio

Other States

- LexisNexis
  https://advance.lexis.com/
  from the All Content Types Pulldown Menu, select Jury Instructions. Select Jurisdiction.

- Westlaw
  https://a.next.westlaw.com/Browse/Home/TrialCourtDocuments/TrialCourtDocumentsJuryInstructionFilings?originationContext=AutoComplete&contextData=%28sc.Default%29&transitionType=CategoryPageItem
  Westlaw Classic: Directory Location > All Databases > Litigation > Jury Instructions > Jury Instruction Filings
  WestlawNext: Home > Trial Court Documents > Trial Court Documents - Jury Instruction Filings
  WestlawNext- Jury Instructions
  https://1.next.westlaw.com/Browse/Home/SecondarySources/JuryInstructions?transitionType=Default&contextData=%28sc.Default%29
  Select a particular state jury instruction database. Or from the beginning, select a particular state from the browse widget and then select jury instructions.

- LLRX
  Reference from Coast to Coast Jury Instructions Update

- In Print
  Scholar
  http://scholar.csuohio.edu/
  Try doing a keyword search of the catalog for the state plus instructions to juries, eg. kentucky instructions to juries

How to Write Jury Instructions

Articles

- Communicating with Juries: How to Draft More Understandable Jury Instructions
  Citation: Tiersma, Peter M., Communicating with Juries: How to Draft More Understandable Jury Instructions (November 16, 2009). Loyola-LA Legal Studies Paper No. 2009-44.

Sources in Our Collection

- Beyond the basics : a text for advanced legal writing by Mary Barnard Ray & Barbara J. Cox
  Call Number: KF250 .R38 2003
  ISBN: 0314242635
  Publication Date: 2003
  http://scholar.csuohio.edu/record=b1853090~S0

- Writing for Litigation by Kamela Bridges; Wayne Schiess
  Call Number: KF250 .B75 2011
  ISBN: 9781454802730
  https://scholar.csuohio.edu/record=b2582344~S0

Specific Topics: Sources

Model Jury Instructions from the ABA

- Business Torts Litigation by American Bar Association Staff
  Call Number: KF884.A65 M64 2005
  Publication Date: 2005
  http://guides.law.csuohio.edu/print_content.php?pid=324307&sid=2654...
Jury Instructions - Research Guides at C|M|LAW Library

http://guides.law.csuohio.edu/print_content.php?pid=324307&sid=2654...