

LOCAL CIVIL RULE 51

PROPOSED JURY INSTRUCTIONS AND VOIR DIRE

Except as provided otherwise in a pretrial or scheduling order, in all cases tried to a jury the parties shall ~~submit~~ file proposed instructions and voir dire questions ~~to the Court in duplicate, with a copy to opposing counsel,~~ at least ~~five~~ seven (57) ~~business~~ days before the scheduled trial date. Each instruction shall be set forth on a separate page and shall be numbered and identified appropriately by the party submitting it. ~~The original shall bear at its foot a citation of the authority in support of the instruction. Instructions shall be filed as a group together with a cover sheet in pleading form and a certificate of service.~~ The parties shall file two versions of the proposed jury instructions with one set containing at its foot a citation of the authority in support of the instruction and the second set without the citation of authority. Each set of instructions shall be filed as a group together with a cover sheet in pleading form. Instructions filed with the Court must be proffered to the Court during the instruction conference and ruled upon by the judge to become a part of the official record for appeal.

JUSTIFICATION FOR THE AMENDMENTS TO LOCAL CIVIL RULE 51

The suggested changes to the Local Rule concerning proposed jury instructions and voir dire questions are intended to clarify that the parties are to file their proposed jury instructions and voir dire questions instead of “submit” them to the Court. The requirement of providing one set of proposed instructions with citations and one set of instructions without citations remains. Given the recent emphasis in the Federal Rules on using calendar days instead of “business” days and using time periods of seven days or a multiple of seven, it is suggested that the time period for filing proposed jury instructions and voir dire questions be changed from five business days to seven days.

As indicated in the beginning of this Rule, it applies only when these issues are not addressed in a pretrial or scheduling order.

LOCAL CIVIL RULE 51

PROPOSED JURY INSTRUCTIONS AND VOIR DIRE

Except as provided otherwise in a pretrial or scheduling order, in all cases tried to a jury the parties shall file proposed instructions and voir dire questions at least seven (7) days before the scheduled trial date. Each instruction shall be set forth on a separate page and shall be numbered and identified appropriately by the party submitting it. The parties shall file two versions of the proposed jury instructions with one set containing at its foot a citation of the authority in support of the instruction and the second set without the citation of authority. Each set of instructions shall be filed as a group together with a cover sheet in pleading form. Instructions filed with the Court must be proffered to the Court during the instruction conference and ruled upon by the judge to become a part of the official record for appeal.