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5 **Attorneys for Plaintiff(s),**  
[CLIENT'S NAME]  
6 [LAW FIRM NAME]  
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[Street Address]  
8 [City, State & Zip Code]  
9 Telephone: [xxx.xxx.xxxx]  
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11 **Attorneys for Defendant(s),**  
[DEFENDANT'S NAME]

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **COUNTY OF [COUNTY ], [DISTRICT]**

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15 [PLAINTIFF(S)], an individual,

16 Plaintiff,

17 vs.

18 [DEFENDANT(S)], and DOES 1 to [#],  
inclusive,

19 Defendants.

Case No. [ ]

**JOINT AND OBJECTED TO JURY  
INSTRUCTIONS**

FSC Date: [ ]  
Trial Date: [ ]

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21 **JOINT INSTRUCTIONS**

No.	Title	Given as Proposed	Given as Modified	Refused	Withdrawn
PRETRIAL					
100.	Preliminary Admonitions				
101.	Overview of Trial				
102.	Taking Notes During the Trial				
103.	Multiple Parties				

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104.	Nonperson Party				
105.	Insurance				
106.	Evidence				
107.	Witnesses				
108.	Duty to Abide by Translation Provided in Court				
109.	Removal of Claims or Parties				
110.	Service Provider for Juror with Disability				
111.	Instruction to Alternate Jurors				
112.	Questions from Jurors				
113.	Bias				
114.	Bench Conferences and Conferences in Chambers				
116.	Why Electronic Communications and Research Are Prohibited				
EVIDENCE					
200.	Obligation to Prove— More Likely True Than Not True				
202.	Direct and Indirect Evidence				
203.	Party Having Power to Produce Better Evidence				
204.	Willful Suppression of Evidence				
205.	Failure to Explain or Deny Evidence				
206.	Evidence Admitted for Limited Purpose				
207.	Evidence Applicable to One Party				
208.	Deposition as Substantive Evidence				
209.	Use of Interrogatories of a Party				
210.	Requests for Admissions				

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211.	Prior Conviction of a Felony				
212.	Statements of a Party Opponent				
213.	Adoptive Admissions				
215.	Exercise of a Communication Privilege				
216.	Exercise of Right Not to Incriminate Oneself (Evid. Code § 913)				
217.	Evidence of Settlement				
218.	Statements Made to Physical (Previously Existing Condition)				
219.	Expert Witness Testimony				
220.	Experts—Questions Containing Assumed Facts				
221.	Conflicting Expert Testimony				
223.	Opinion Testimony of Lay Witness				
NEGLIGENCE					
400.	Essential Factual Elements				
401.	Basic Standard of Care				
402.	Standard of Care for Minors				
403.	Standard of Care for Physically Disabled Person				
404.	Intoxication				
406.	Apportionment of Responsibility				
411.	Reliance on Good Conduct of Others				
417.	Special Doctrines: Res ipsa loquitur				
418.	Presumption of Negligence per se				
419.	Presumption of Negligence per se (Causation Only at Issue)				

1	424.	Negligence Not Contested—Essential Factual Elements				
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3	430.	Causation: Substantial Factor				
4	431.	Causation: Multiple Causes				
5	MOTOR VEHICLES AND HIGHWAY SAFETY					
6	700.	Basic Standard of Care				
7	701.	Definition of Right-of-Way				
8	702.	Waiver of Right-of-Way				
9	704.	Left Turns (Veh. Code, § 21801)				
10	705.	Turning (Veh. Code, § 22107)				
11	706.	Basic Speed Law (Veh. Code, § 22350)				
12	707.	Speed Limit (Veh. Code, § 22352)				
13	708.	Maximum Speed Limit (Veh. Code, §§ 22349, 22356)				
14	709.	Driving Under the Influence (Veh. Code, §§ 23152, 23153)				
15	710.	Duties of Care for Pedestrians and Drivers				
16	720.	Motor Vehicle Owner Liability—Permissive Use of Vehicle				
17	722.	Adult’s Liability for Minor’s Permissive Use of Motor Vehicle				
18	724.	Negligent Entrustment of Motor Vehicle				
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23	DAMAGES					
24	3900.	Introduction to Tort Damages—Liability Contested				
25	3901.	Introduction to Tort Damages—Liability Established				
26	3902.	Economic and Noneconomic Damages				
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3903.	Items of Economic Damage				
3903A.	Medical Expenses – Past and Future (Economic Damages)				
3903C.	Past and Future Lost Earnings (Economic Damages)				
3903D.	Lost Earning Capacity (Economic Damage)				
3903E.	Loss of Ability to Provide Household Services (Economic Damage)				
3904A.	Present Cash Value				
3904B.	Use of Present-Table Values				
3905.	Items of Noneconomic Damage				
3905A.	Physical Pain, Mental Suffering, and Emotional Distress				
3920.	Loss of Consortium (Noneconomic Damage)				
3921.	Wrongful Death (Death of an Adult)				
3922.	Wrongful Death (Parents’ Recovery for Death of Minor Child)				
3925.	Arguments of Counsel Not Evidence of Damages				
3926.	Settlement Deduction				
3927.	Aggravation of Preexisting Condition or Disability				
3928.	Unusually Susceptible Plaintiff				
3929.	Subsequent Medical Treatment				
3930.	Mitigation of Damages (Personal Injury)				
3932.	Life Expectancy				
3933.	Damages From Multiple Defendants				
3934.	Damages on Multiple Legal Theories				

1	3935.	Prejudgment Interest (Civ. Code, § 3288)				
2	3940.	Punitive Damages— Individual Defendant— Trial Not Bifurcated				
3	CONCLUDING INSTRUCTIONS					
4	5000.	Duties of the Judge and Jury				
5	5001.	Insurance				
6	5002.	Evidence				
7	5003.	Witnesses				
8	5005.	Multiple Parties				
9	5006.	Non-Person Party				
10	5007.	Removal of Claims or Parties and Remaining Claims and Parties				
11	5008.	Duty to Abide by Translation Provided in Court				
12	5009.	Predeliberation Instructions				
13	5010.	Taking Notes during the Trial				
14	5011.	Reading back Trial testimony in Jury Room				
15	5012.	Introduction to Special Verdict Form				
16	5013.	Deadlocked Jury Admonition				
17	5014.	Substitution of Alternate Juror				
18	5015.	Instruction to Alternate Jurors on Submission of Case to Jury				
19	5016.	Judge's Commenting on Evidence				
20	5017.	Polling the Jury				
21	5018.	Audio or Video Recording and Transcript				
22	5019.	Questions for Jurors				
23	5020.	Demonstrative Evidence				

1	5090.	Final Instruction on Discharge of Jury				
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3 **PLAINTIFF’S REQUESTED INSTRUCTIONS; DEFENDANT OBJECTS**

4	No.	Title	Given as Proposed	Given as Modified	Refused	Withdrawn
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10 **DEFENDANT’S REQUESTED INSTRUCTIONS; PLAINTIFF OBJECTS**

11	No.	Title	Given as Proposed	Given as Modified	Refused	Withdrawn
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17 DATED: May 24, 2020

**SELARZ LAW CORP.**

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19 By: \_\_\_\_\_

20 Daniel E. Selarz, Esq.

21 **Attorneys for Plaintiff(s),**

22 [Client’s Name(s)]

23 DATED: May 24, 2020

**[FIRM NAME]**

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25 By: \_\_\_\_\_

26 [Attorney’s Name], Esq.

27 **Attorneys for Defendant(s),**

28 [Defendant’s Name(s)]

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