

Advisory Committee on Civil Jury Instructions
Annual Agenda¹—2024–2025
Approved by Rules Committee: October 22, 2024

I. COMMITTEE INFORMATION

Chair:	Hon. Adrienne M. Grover, Associate Justice of the Court of Appeal, Sixth Appellate District
Lead Staff:	Eric Long, Attorney, Legal Services
Committee’s Charge/Membership: <p>Rule 10.58 of the California Rules of Court states the charge of the Advisory Committee on Civil Jury Instructions, which is to make recommendations to the Judicial Council for updating, amending, and adding topics to the <i>Judicial Council of California Civil Jury Instructions</i> (CACI).</p> <p>Rule 10.58 sets forth the membership position of the committee. The Advisory Committee on Civil Jury Instructions currently has 23 members (a majority of which must be judges). Under rule 10.58, the Committee must include at least 1 member from each of the following categories: (1) appellate court justice; (2) trial court judge; (3) lawyer whose primary area of practice is civil law; and (4) law professor whose primary area of expertise is civil law. The current committee roster is available on the committee’s web page.</p>	
Subgroups of the Advisory Committee²: <p>The advisory committee has three subcommittees (referred to internally as working groups). Each working group is made up exclusively of committee members. Each working group reviews approximately one third of the proposed meeting agenda before the full committee meeting and makes recommendations to the committee regarding each proposal. The three working groups are (and are so numbered because the committee’s original six working groups were consolidated into three):</p> <ol style="list-style-type: none">1. Working Group 122. Working Group 343. Working Group 56	

¹ The annual agenda outlines the work a committee will focus on in the coming year or cycle and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

²For the definition of “subcommittee” see Cal. Rules of Court, rule 10.30(c); “working group” see rule 10.70, “workstream,” see rule 10.53(c); and “education curriculum committee,” see rule 10.50(c)(6).

Meetings Planned for 2024–2025³ (Advisory body and all subgroups listed above.)

Three working group meetings: during the first two weeks of December 2024, 10:00 a.m.–2:00 p.m., videoconference

Advisory committee meeting: on or about January 23, 2025, 10:00 a.m.–4:00 p.m., San Francisco with hybrid videoconference option

Three working group meetings: during the first two weeks of June 2025, 10:00 a.m.–2:00 p.m., videoconference

Advisory committee meeting: on or about July 24, 2025, 10:00 a.m.–4:00 p.m., San Francisco with hybrid videoconference option

Due to the nature of the advisory committee’s work and the detailed drafting that is required to write civil jury instructions that are legally accurate and understandable to the average juror, two in-person meetings have been authorized. To fulfill its charge to maintain CACI, to add instructions in new areas of the law, and to augment existing subject matter areas, the advisory committee will have two in-person meetings with a hybrid videoconference option for members who are unable to attend in person.

Check here if in-person meeting is approved by the internal committee oversight chair.

³ Refer to section IV. 2. of the [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

Note: Because of the current budget and staffing constraints, advisory body chairs and staff must first consider meeting remotely. The chair of the Executive and Planning Committee is suspending advisory body in-person meetings for the 2024–2025 annual agenda cycle. If an in-person meeting is needed, the responsible Judicial Council office head must seek final approval from the advisory body’s internal oversight committee chair. Please see the prioritization memo dated July 1, 2024, for additional details.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ⁴	
1.	None	<i>Priority n/a⁵</i>
		<i>Strategic Plan Goal n/a⁶</i>
<p><i>Project Summary:</i> n/a</p> <p><i>Status/Timeline:</i> n/a</p> <p><i>Fiscal Impact/Staff Resources:</i> n/a</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><i>Internal/External Stakeholders:</i> n/a</p> <p><i>AC Collaboration:</i> n/a</p>		

⁴ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁵ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to or accurately reflect the law; 1(b) Council has directed the committee to consider new or amended rules and forms; 1(c) Change is urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; or 1(d) Proposal is otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk. *For each priority level 1 proposal, the advisory body must provide a specific reason why it should be done this year and how it fits within the identified category.* 2(a) Useful, but not necessary, to implement changes in law; 2(b) Responsive to identified concerns or problems; or 2(c) Helpful in otherwise advancing Judicial Council goals and objectives. *If an advisory committee is interested in pursuing any Priority Level 2 proposals, please include justification as to why the proposal should be approved at this time.*

⁶ Indicate which goal number of The Strategic Plan for California's Judicial Branch the project most closely aligns.

#	Ongoing Projects and Activities	
1.	Maintenance—Case Law	Priority 1
Strategic Plan Goal IV		
<p>Project Summary: Review new case law affecting jury instructions to determine whether changes to any civil jury instructions are required. Draft and present proposed changes for council approval.</p> <p>Status/Timeline: Ongoing, with delivery of any changes requiring Judicial Council approval to the council at its July and December meetings; delivery of any changes requiring only Rules Committee approval to Rules Committee as needed.</p> <p>Fiscal Impact/Staff Resources: None.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>		
2.	Maintenance—Legislation	Priority 1
Strategic Plan Goal IV		
<p>Project Summary: Review new legislation affecting jury instructions to determine whether changes to any civil jury instructions are required. Draft and present proposed changes for council approval. Make any necessary citation revisions to statutes cited under Sources and Authority.</p> <p>Status/Timeline: Ongoing, with delivery of any changes requiring Judicial Council approval to the council at its July and December meetings; delivery of any changes requiring only Rules Committee approval to Rules Committee as needed.</p> <p>Fiscal Impact/Staff Resources: None.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>		

#	Ongoing Projects and Activities	
3.	<i>New Instructions and Expansion into New Subject Matter Areas</i>	<i>Priority 1</i>
		<i>Strategic Plan Goal IV</i>
<p><i>Project Summary:</i> Review new legislation, case law, and suggestions received from jury instruction users; draft and propose new civil jury instructions, including new series of instructions in an entirely new subject area, as appropriate.</p> <p><i>Status/Timeline:</i> Ongoing, with delivery of any changes requiring Judicial Council approval to the council at its July and December meetings.</p> <p><i>Fiscal Impact/Resources:</i> None.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><i>Internal/External Stakeholders:</i> None.</p> <p><i>AC Collaboration:</i> Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>		
4.	<i>Maintenance—Comments from Users</i>	<i>Priority 1</i>
		<i>Strategic Plan Goal IV</i>
<p><i>Project Summary:</i> Review suggestions received from jury instruction users, including the bench and bar; draft and propose changes and refinements, as appropriate, based on user suggestions.</p> <p><i>Status/Timeline:</i> Ongoing, with delivery of any changes requiring Judicial Council approval to the council at its July and December meetings; delivery of any changes requiring only Rules Committee approval to Rules Committee as needed.</p> <p><i>Fiscal Impact/Resources:</i> None.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><i>Internal/External Stakeholders:</i> None.</p> <p><i>AC Collaboration:</i> Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>		

#	Ongoing Projects and Activities	
5.	<i>Maintenance—Sources and Authority</i>	<i>Priority 1</i> <i>Strategic Plan Goal IV</i>
<p><i>Project Summary:</i> Update Sources and Authority citations and case quotations as appropriate.</p> <p><i>Status/Timeline:</i> Ongoing, with delivery to the Judicial Council at its July and December meetings; ongoing, with delivery of any changes that the Judicial Council has given the Rules Committee final authority to approve through a delegation of authority—for example, adding cases and statutes to and removing them from the Sources and Authority and editing the Sources and Authority—as needed.</p> <p><i>Fiscal Impact/Resources:</i> None. <input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><i>Internal/External Stakeholders:</i> None.</p> <p><i>AC Collaboration:</i> Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>		
6.	<i>Maintenance—Secondary Sources</i>	<i>Priority 1</i> <i>Strategic Plan Goal IV</i>
<p><i>Project Summary:</i> Update Secondary Source citations to ensure that the secondary sources included in CACI are up to date.</p> <p><i>Status/Timeline:</i> Ongoing, with delivery to the Judicial Council at its July and December meetings; ongoing, with delivery of any changes that the Judicial Council has given the Rules Committee final authority to approve through a delegation of authority—for example, adding, removing, and editing Secondary Sources—as needed.</p> <p><i>Fiscal Impact/Resources:</i> None. <input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><i>Internal/External Stakeholders:</i> None.</p> <p><i>AC Collaboration:</i> Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>		

#	Ongoing Projects and Activities	
7.	Technical Corrections	Priority 1
Strategic Plan Goal IV		
<p>Project Summary: Make any necessary corrections or editing changes to the jury instructions.</p> <p>Status/Timeline: Ongoing, with delivery of any changes requiring Judicial Council approval to the council at its July and December meetings; ongoing, with delivery of any changes that the Judicial Council has given the Rules Committee final authority to approve through a delegation of authority—nonsubstantive grammatical and typographical corrections to the jury instructions, as well as minor substantive changes unlikely to create controversy—as needed.</p> <p>Fiscal Impact/Resources: None.</p> <p><input type="checkbox"/> This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</p> <p>Internal/External Stakeholders: None.</p> <p>AC Collaboration: Each Working Group reviews, considers, and makes recommendations to the AC regarding each proposal.</p>		

III. LIST OF 2023–2024 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements <i>[Provide brief, broad outcome(s) and completed date.]</i>
1.	Maintenance—Case Law, Legislation, and Comments from Users: Reviewed case law, new legislation affecting jury instructions, and comments from users to determine whether changes to the civil jury instructions are required. Releases presented to Judicial Council for approval on May 17, 2024, and to be presented to the Judicial Council on or about November 15, 2024. Release 44 (approved by the council in November 2023) included revisions to 14 instructions and verdict forms to bring them up to date as well as to the user guide, and release 45 (approved by the council in May 2024) included revisions to 27 instructions and revocation of 1 instruction to bring them up to date.
2.	New Instructions and Expansion into New Subject Matter Areas: Reviewed new legislation, case law, and suggestions received from jury instruction users and proposed new civil jury instructions as appropriate. Releases presented to Judicial Council for approval on May 17, 2024, and to be presented to the Judicial Council on or about November 15, 2024. Release 44 (approved by the council in November 2023) included 2 new instructions in the Fair Employment and Housing Act series concerning pregnancy discrimination and in 1 new instruction in the Concluding Instructions series concerning bias.
3.	Maintenance—Sources and Authority: Reviewed case law and new legislation and proposed inclusion of excerpts and citations from new sources and authority. Updates to the Sources and Authority presented to Judicial Council for approval on May 17, 2024, and to be presented to the Judicial Council on or about November 15, 2024, and through a delegation of authority to the council’s Rules Committee in October 2023 and April 2024.
4.	Maintenance—Secondary Sources: Updated citations in CACI’s Secondary Sources. Releases presented to Judicial Council for approval on May 17, 2024, and to be presented to Judicial Council on or about November 15, 2024, and other secondary sources updated through a delegation of authority to the council’s Rules Committee in October 2023 and April 2024.
5.	Technical Corrections: Made necessary corrections or editing changes to the jury instruction publication. Releases presented to Judicial Council for approval on May 17, 2024, and to be presented to Judicial Council on or about November 15, 2024, and other technical corrections made through a delegation of authority to the council’s Rules Committee in October 2023 and April 2024.