

# MODEL CIVIL JURY INSTRUCTIONS

## for the District Courts of the Eighth Circuit

### *Summary of Changes for the 2022 Edition*

1.08 Explanatory: Conduct of The Jury	Updated
2.01 Explanatory: Duties of Jury; Recesses	Updated
3.01 Explanatory: Additional Instructions	Updated
9.00 Overview	Updated
15.00 Overview	Updated
15.20 Definition: “Negligent” Or “Negligence”	Updated
15.21 Definition: “Ordinary Care”	Updated
15.22 Definitions: “Negligent” Or “Negligence” And “Ordinary Care” Combined	Updated
15.40 Elements of Claim: General Fela Negligence	Updated
15.41 Elements of Claim: Locomotive Inspection Act Violation	Updated
15.42 Elements of Claim: Safety Appliance Act Violation	Updated
15.43 Elements of Claim: Violation Of Regulation Enacted For The Safety Of Railroad Employees	Updated
15.60 Defense Theory Instructions—Three Options Overview	Updated
15.61 Elements of Defense: Failure Of Proof On Any Element Of The Plaintiff’s Case Listed In The Elements	Updated
15.62 Elements of Defense: Failure to Prove Any Fact Essential To The Plaintiff’s Right To Recover	Updated
15.63 Elements of Defense: Affirmative Defenses	Updated
15.64 Elements of Defense: Contributory Negligence	Updated
15.70 Damages: Injury to Employee	Updated
15.71 Damages: Death of Employee	Updated
15.72 Damages: Present Value of Future Loss	Updated
15.73 Damages: Income Tax Effects of Award	Updated
15.80 General Verdict Form: Contributory Negligence Submitted	Updated
18.00 Overview	Updated
18.20 Definitions: “Greater Weight of The Evidence” And “Clear and Convincing Evidence”	Updated
18.40 Elements of Claim: Discrimination Due, In Whole or In Part, To Engagement In Protected Activity	Updated
18.41 Elements of Claim: Medical Attention (Denial, Delay or Interference)	Updated

18.42 Elements of Claim: Medical Attention (Discipline for Requesting or Following Medical Treatment)	Updated
18.50 Affirmative Defense Instruction Applicable to Verdict Directors 18.40 And 18.42	Updated
18.70 Damages: Actual	Updated
18.72 Damages: Punitive	Updated
18.80 General Verdict Form Applicable to Verdict Director 18.41	Updated
Chapter 21 – Trademark Cases	New chapter

## MODEL CRIMINAL JURY INSTRUCTIONS

### for the District Courts of the Eighth Circuit

*Summary of Changes for the 2022 Edition*

6.18.113(1)-(2) Assault With Intent To Commit Murder, Aggravated Sexual Abuse, Sexual Abuse, Or Any Other Felony (18 U.S.C. § 113(A)(1)-(2))	Updated
6.18.113(3) Assault With A Dangerous Weapon (18 U.S.C. § 113(A)(3))	Updated
6.18.113(4) Assault by Striking, Beating, Or Wounding (18 U.S.C. § 113(A)(4))	Updated
6.18.113(5) Simple Assault (18 U.S.C. § 113(A)(5))	Updated
6.18.113(6) Assault Resulting In Serious Bodily Injury (18 U.S.C. § 113(A)(6))	Updated
6.18.113(7) Assault Resulting in Substantial Bodily Injury To Person Under 16 (18 U.S.C. § 113(A)(7))	Updated
6.18.113(8) Assault by Strangulation Or Suffocation (18 U.S.C. § 113(A)(8))	Updated
6.18.152A Bankruptcy Fraud— Concealment of Assets (18 U.S.C. § 152(1))	Updated
6.18.666B Solicitation or Acceptance Of A Bribe By An Agent Of An Organization Receiving Federal Funds (18 U.S.C. § 666(A)(1)(B))	Updated
6.18.922B Drug User in Possession Of Firearm (18 U.S.C. § 922(G)(3))	Updated
6.18.922C Domestic Violence Misdemeanant in Possession of Firearm (18 U.S.C. § 922(G)(9))	Updated
6.18.1591 Sex Trafficking Of Children Or By Force, Fraud, Or Coercion (18 U.S.C. § 1591(A)(1))	Updated
6.18.2250 Failure To Register (18 U.S.C. § 2250(A))	Updated
6.18.2261A Stalking (18 U.S.C. § 2261a)	New
6.21.841A Controlled Substances—Possession with Intent to Distribute (21 U.S.C. § 841(A)(1))	Updated
6.21.843 Controlled Substances—Use of A Communications Facility (21 U.S.C. § 843(B))	Replaced/Deleted
6.21.843A Controlled Substances—Acquiring Or Obtaining A Controlled Substance By Misrepresentation, Fraud, Forgery, Deception, Or Subterfuge (21 U.S.C. § 843(A)(3))	New (Replaced 6.21.843)
6.21.843B Controlled Substances—Use of A Communications Facility (21 U.S.C. § 843(B))	New (Replaced 6.21.843)
6.21.846A.1 Conspiracy (21 U.S.C. § 846) ( <i>Apprendi</i> -Affected Conspiracy)	Updated