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DISTRICT OF MAINE

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NOTICE

TO: Lawyers Conducting Jury Trials Before Judge D. Brock Hornby

FROM: William S. Brownell, Clerk

RE: Judge Hornby's Standard Jury Instructions

Following these directions should greatly simplify your task in preparing jury instructions and save substantial amounts of paper. It will also ease Judge Hornby's task in preparing final jury instructions. Draft criminal and civil jury instructions are available on-line at the District of Maine Web Site, www.med.uscourts.gov.

Criminal Cases

In criminal cases, Judge Hornby generally relies upon the Pattern Criminal Jury Instructions for the District Courts of the First Circuit (1998) and his own update that is available on-line at the District of Maine Web Site, www.med.uscourts.gov. Obviously, if you believe that the pattern instruction is incorrect or that an instruction is needed that is not covered by the pattern instructions, then you should prepare appropriate language citing supporting authorities. If so, you should consult pattern instructions for other Circuits, for they tend to be written in simpler language and therefore easier for a lay juror to understand than words from an appellate decision. You may also consult the standard academic sources for jury instructions such as O'Malley, Grenig, et al., *Federal Jury Practice and Instructions*, 5th ed., and Sand, Siffert, et al., *Modern Federal Jury Instructions and Pattern Instructions*.

Civil Cases

Please pay particular attention to the instructions on pages 5-6 of the draft civil jury instructions.