

Supreme Court of Florida

AOSC07-13

IN RE: SUPREME COURT COMMITTEE ON STANDARD JURY
INSTRUCTION—CONTRACT AND BUSINESS CASES

ADMINISTRATIVE ORDER

A critical element in the resolution of all jury trials in Florida is the instruction of the jury by a judge as to the law and processes to be applied in connection with the decisions to be made in the case. Judges work diligently to draft jury instructions and also consider instructions proposed by the parties in each case. Although each case may present unique facts, fundamental principles of law and fundamental elements of the jury process have broad general and uniform application. Standardization in the jury instruction process to the extent proper and possible enhances the effective, efficient, and just resolution of cases.

Florida has a long history with the standardization of jury instructions in certain types of cases and the Committee on Standard Jury Instructions—Civil Cases is a long-standing group that addresses jury instructions on a continuing basis. The genesis of the present jury instruction group is traced to primarily

negligence and product liability type litigation, and attempts to expand the work of the current group into contract and business dispute type litigation have had little success. There is a need for an additional standing committee to address standard jury instructions in contract and business litigation and, therefore, the Committee on Standard Jury Instructions–Contract and Business Cases is hereby created.

During the next two years, the committee shall perform the following tasks:


1. Organize a committee structure for perpetual operation to include leadership, rotation of membership, selection of members, an operational plan for submission of proposed instructions to the Florida Supreme Court for approval, and any other item necessary for the just and proper operations of the Committee.
2. Study and examine Florida law with regard to principles of contract law and principles of law involved in business litigation that could properly be placed in uniform standardized jury instruction form. Based on this study and examination, develop, prepare, and propose to the Florida Supreme Court for approval uniform standard jury instructions for use in contract and business litigation in Florida. The Committee shall develop, prepare, and propose uniform standard jury instructions to include both the jury process and the law to be applied in the decision process.

3. The Committee is authorized to coordinate and liaison with any other group, jury instruction or otherwise, as may be necessary and proper to accomplish the work required. The Committee is also authorized to seek expanded authority from the Florida Supreme Court as may be necessary to accomplish its mission.
4. The Committee shall have perpetual existence and shall meet at regular intervals to continue its review of the law and any existing standard jury instructions and supervise the proper maintenance and amendments of the jury instructions approved for use in Florida to conform with current applicable law.
5. Coordinate and participate, as necessary, in the process of printing and publication of the approved standard jury instructions.
6. The Committee shall have the goal of submitting a preliminary complete set of standard jury instructions for approval by September 1, 2007, or earlier as the work proceeds, and thereafter continue work to expand upon and refine Florida standard jury instructions in contract and business litigation.

The following individual is assigned as a member of the Committee for a term to expire on June 30, 2008:

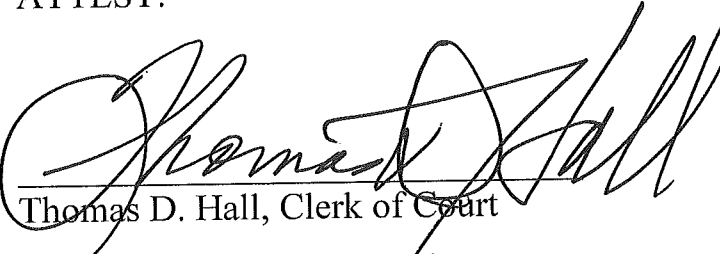
The Honorable Jonathan D. Gerber
Circuit Court Judge, Fifteenth Judicial Circuit

DONE AND ORDERED at Tallahassee, Florida, on April 5, 2007.



Chief Justice R. Fred Lewis

ATTEST:



Thomas D. Hall, Clerk of Court

