

**CIVIL JURY TRIAL INSTRUCTIONS
THE HONORABLE GLORIA STURMAN
DISTRICT COURT * DEPT. 26**

MODIFIED ARIZONA METHOD [NRS 16.030(4)] is used to select the eight-member civil jury panel plus alternates. For a standard jury with two (2) alternates, Jury Services sends 35 prospects from which twenty (20) people will comprise the prospective jury panel; allowing each side 4 regular peremptory challenges and one (1) each for alternate. The Marshal will bring in a list of jurors for counsel and, upon request; the Clerk will provide a blank seating chart to counsel.

ALTERNATES are chosen pursuant to one of two methods ordered by the Nevada Supreme Court and counsel must stipulate to the method prior to trial. Either the alternate(s) will occupy seats 9/10 or the Court will randomly select two seats by a drawing after closing arguments. If counsel does not agree as to the method of selection, NSC mandates that seats 9/10 be designated for the alternates. The alternate's identity is not revealed until the Court excuses the jury for deliberation.

COURT will make opening remarks and introduce courtroom staff; clerk will then call roll and administer the oath prior to voir dire.

COUNSEL will be asked to introduce themselves and their client(s); identify other attorneys in their firm; list possible witnesses to be called; and give a **brief** statement as to the nature of the case.

COURT VOIR DIRE of jury venire begins by advising the length of trial, days and times scheduled for trial, and general questions as to whether anyone knows any of the parties or has independent knowledge of the case; has any bias as to age, gender, race, religion or national origin; has any hardship or reason they cannot serve and if they can follow the Court's instructions. Court and counsel will confer outside the jury venire's presence to confer on excusals. If prospects in seats 1-20 are released, Clerk will call the next name on the list and replacements will take the vacated chairs in order.

COURT begins individual questions of proposed jury panel asking length of Nevada residence; employment; marital status; children; prior jury experience; involvement in other lawsuits either individually or as a witness through employment and/or family members that may create a predisposition; whether they can wait to form an opinion until all evidence has been presented; and any other problem that would make their service a personal hardship. The Court will question any replacement in the same manner.

COUNSEL VOIR DIRE is to the twenty prospective jury panel members; beginning with plaintiff; defendant is to not ask questions but save them for defendant's voir dire. Plaintiff may ask follow up questions in the interests of time management. **Challenge for cause should be made immediately at the time its basis becomes evident.** Court will try the challenge, make a ruling on the record, the Court and counsel then question the replacements in the same manner.

PEREMPTORY CHALLENGES begin once the prospective jury panel has been passed for cause. Beginning with plaintiff, counsel challenge by alternate strikes on the jury list until the first four peremptory challenges are exhausted. Failure of a party to exercise a challenge in turn shall operate as a waiver of remaining regular challenges but not deprive the other party of their full number of challenges.

Regular peremptory challenges are made to seat numbers 1-20 (exclusive of pre-determined alternate seats) and the replacement is to be the person next available in order after seat 9/10.

Alternate peremptory challenges are selected from the remaining four or so remaining jurors in seats 11-20.

Exercises and waivers are done on paper without disclosure to the jury.

CIVIL JURY TRIAL DOCUMENT PREPARATION
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DISTRICT COURT - DEPT. 26

- **WORD, TIMES NEW ROMAN, SIZE 14 FONT**

JURY INSTRUCTIONS

- **Unfiled, delivered to Chambers prior to trial**
- **Blank, lined paper**
- **No caption or firm name**
- **No. _____ in upper right corner, left blank**
- **Contested set with citations to authority**
- **Agreed upon set without citations and copy on disc**
- **Captioned cover sheet; date & Judge's signature line on final page**

VOIR DIRE QUESTIONS are also unfiled, delivered prior to trial.

PRE TRIAL MEMORANDUM filed by date given by Court.

DEPOSITIONS (EDCR 2.67) are to be delivered to Chambers with the exhibits prior to start of trial. Only original, sealed certified depositions are allowed unless counsel stipulate and are to be opened, filed in open court, and published upon Court's order. Depositions are not admitted as exhibits and do not go back with the jury during deliberation. Counsel is to prepare a list designating page/line citation of any deposition testimony read in court, or objections thereto and counter-designations.

POWER POINT PRESENTATIONS used during trial shall be provided to the Court in paper format.

DEMONSTRATIVE, OVERSIZED AIDS are not marked as exhibits and do not go to the jury. If counsel wants the jury to have the exhibit during deliberation, a corresponding admitted exhibit must be in the binder and labeled i.e., Exhibit 20, Demo 20-A.

DISCS can be purchased for \$5.00 a day plus recording fee of \$40.00 per hour or \$5.00 for a thumb drive. Request transcripts from Kerry Esparza, Court Recorder, at 702.671.0880 or EsparzaK@clarkcountycourts.us. Equipment other than television, easel, and projector needs to be requested through the Court's AV department 2 days before trial at 702.671.3205. IT does not assist with outside equipment; your vendor needs to be available. Make sure your laptop is compatible with the courtroom's system.

**DEPARTMENT XXVI
EXHIBIT PREPARATION GUIDE**

EXHIBITS are to be put in three ring binders, identified on the cover with a caption sheet and on the spine with the binder number and exhibits contained within that binder.

TWO SETS are sufficient for the Judge and Clerk/Witness. You are responsible to return the Clerk’s binder each day with all exhibits intact and make sure no witness writes in the book.

JOINT EXHIBITS are preferred and encouraged and any stipulation to being offered is to be made on the record. Duplicate exhibits must be removed when submitting separate sets.

TAB DIVIDERS to separate bound exhibits—plaintiff’s exhibits with numbers and defendant’s with letters; if joint exhibits are used exclusively they can be identified by numbered tabs. A substantial number of defendant exhibits may need to be designated by numbers as well but this needs to be discussed with the Court clerk prior to preparation.

BATES STAMP each exhibit page. Affix a white “PROPOSED EXHIBIT 1, 2, etc.” label on the first page of each exhibit; not covering any printed material or picture or on the back of the first page if there is insufficient blank space.

EXHIBIT LISTS must be placed in the front of each binder set with an extra copy for the Court Clerk. The list is to consist of six columns as shown below with the first three completed by counsel:

List of Plaintiff’s (Defendant’s) Trial Exhibits

<u>NO.</u>	<u>EXHIBIT</u>	<u>BATES NO.</u>	<u>OFFERED</u>	<u>OBJECTED</u>	<u>ADMITTED</u>

PHOTOGRAPHS are limited to one (1) per page unless counsel stipulates to admitting all photos on the page.

EXPERT REPORTS are never admitted as an exhibit.

For any further information, please contact Lorna Shell, Court Clerk, at 702-671-0682 or shelll@clarkcountycourts.us.