

PREFACE

This seventh annual supplement to the Third Edition was prepared in July, 2018. For the most part, the comments are of the usual type—simply noting that an instruction in the Main Volume was given by the trial court and approved by the appellate court. Or perhaps in some instances, something very close to the instruction in the Main Volume was given and approved, thus giving the trial courts and trial lawyers an alternative wording to express a particular concept if they wish to do so.

Readers are reminded that several years ago now, the Supreme Court of Louisiana adopted the proposal of its Committee to Consider Plain Jury Instructions containing standard opening and closing instructions in civil cases, as well as some interim instructions on selected topics. These standard instructions appear as Rule 44 of the Supreme Court Rules and according to the rule “should be used in all civil jury trials in the State.” As a result, this 2018-2019 supplement continues to contain notations of those types of instructions that have been superseded by the new Rule 44.

The adopted standard instructions were the product of almost four years of work by the appointed committee, chaired by the author and including Judges Guy Holdridge, Rosemary Ledet and James Stewart, and practitioner Julie Baxter, with the assistance of Supreme Court legal staff members Tereze Matta and Kristina Kent.

As always, the author is open to suggestions for additions or improvements.

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