

# Table of Contents

## CHAPTER 1. LAWYERS

- § 1:1 Need for counsel to be admitted to practice law
- § 1:2 Conduct of a lawyer
- § 1:3 Sanctions
- § 1:4 Substitution and withdrawal
- § 1:5 Retaining and charging liens
- § 1:6 Right to counsel—Civil
- § 1:7 —Criminal
- § 1:8 Right to appear in propria persona

## CHAPTER 2. JUDGES

- § 2:1 Conduct of the judge
- § 2:2 Judges pro tem and masters
- § 2:3 Judge's questioning of witnesses
- § 2:4 Judge's appointment of an expert
- § 2:5 Change of judge by right—Civil
- § 2:6 Change of judge for cause—Civil
- § 2:7 Change of judge by right—Criminal
- § 2:8 Change of judge for cause—Criminal
- § 2:9 Order of proof—Civil
- § 2:10 —Criminal
- § 2:11 —Court's discretion
- § 2:12 Presence of the judge—Civil
- § 2:13 —Criminal
- § 2:14 Presence of counsel
- § 2:15 Presence of the parties—Civil
- § 2:16 —Criminal
- § 2:17 Control of the examination of witnesses
- § 2:18 Limiting the number of witnesses
- § 2:19 Control of length of trial
- § 2:20 Public access to judicial proceedings
- § 2:21 Publicizing judicial proceedings
- § 2:22 Trial publicity
- § 2:23 Setting matters for oral argument
- § 2:24 Time for decision by the judge
- § 2:25 Findings of fact by the judge
- § 2:26 Courtroom security

## CHAPTER 3. SETTING MATTERS FOR TRIAL; CONTINUANCES

- § 3:1 Setting matters for trial

- § 3:2 Dismissal calendar
- § 3:3 Relief from dismissal for lack of prosecution
- § 3:4 Trial continuances—Civil
- § 3:5 —Continuance due to lack of testimony or witness
- § 3:6 —Criminal
- § 3:7 Joinder and severance—Criminal

## **CHAPTER 4. PRETRIAL MOTIONS**

- § 4:1 Motions—Generally
- § 4:2 Motions in limine
- § 4:3 Voluntary dismissal
- § 4:4 Involuntary dismissal
- § 4:5 Consolidation, separation and bifurcation

## **CHAPTER 5. CONTEMPT OF COURT**

- § 5:1 Contempt—Generally
- § 5:2 Civil and criminal contempt—Distinguished
- § 5:3 —Criminal contempt
- § 5:4 Direct and indirect contempt—Distinguished
- § 5:5 Contempt procedures—Generally
- § 5:6 —Summary proceedings
- § 5:7 —Proceedings after notice
- § 5:8 —Right to jury trial
- § 5:9 Statutes defining specific acts as contempt
- § 5:10 Punishment for contempt
- § 5:11 Review of contempt proceedings and punishment

## **CHAPTER 6. PRETRIAL AND SETTLEMENT CONFERENCES; PRETRIAL STATEMENTS AND SUBMISSIONS**

- § 6:1 Pretrial conferences and statements—Generally
- § 6:2 Scheduling conference
- § 6:3 Trial-setting conference
- § 6:4 Trial management conference
- § 6:5 Joint report and proposed scheduling order
- § 6:6 Joint pretrial statement
- § 6:7 Other trial submissions
- § 6:8 Sanctions
- § 6:9 Settlement conferences
- § 6:10 Pretrial conferences in criminal cases

## **CHAPTER 7. SELECTING A JURY**

- § 7:1 Qualifications of jurors

## TABLE OF CONTENTS

§ 7:2	Selecting persons to serve as jurors
§ 7:3	Right to a jury trial—Civil
§ 7:4	—Criminal
§ 7:5	Demand for a jury trial
§ 7:6	Waiver of a jury trial—Civil
§ 7:7	Relief from waiver of a civil jury trial
§ 7:8	Waiver of a jury trial—Criminal
§ 7:9	Relief from waiver of a criminal jury trial
§ 7:10	Number of jurors
§ 7:11	Alternate jurors—Civil
§ 7:12	—Criminal
§ 7:13	Challenge of juror for cause—Civil
§ 7:14	—Criminal
§ 7:15	Challenge to the panel
§ 7:16	Peremptory challenges—Civil
§ 7:17	Selection of the jury
§ 7:18	Peremptory challenges—Criminal
§ 7:19	Batson challenges
§ 7:20	Death qualifying a jury
§ 7:21	Voir dire and case-specific written questionnaires— Civil
§ 7:22	—Criminal
§ 7:23	Dual juries

## CHAPTER 8. OPENING STATEMENTS

§ 8:1	Opening statements—Generally
§ 8:2	Order of presentation of opening statements
§ 8:3	Content and scope
§ 8:4	Improper conduct and prejudice
§ 8:5	Exclusion of witnesses during opening statements
§ 8:6	Objection and waiver
§ 8:7	Dismissal or directed verdict based on opening statement

## CHAPTER 9. ORDER OF PROOF

§ 9:1	Order of proof—Generally
§ 9:2	Rebuttal evidence
§ 9:3	Admitting rebuttal evidence into case-in-chief
§ 9:4	Reopening evidence
§ 9:5	Admitting evidence during jury deliberations

## CHAPTER 10. PROVING FACTS BEFORE TRIAL

§ 10:1	Generally
--------	-----------

- § 10:2 Proving matters through pleadings
- § 10:3 Proving matters through written discovery
- § 10:4 Using stipulations to prove matters
- § 10:5 Establishing facts through summary judgment
- § 10:6 Use of depositions

## **CHAPTER 11. JUDICIAL NOTICE**

- § 11:1 Judicial notice—Generally
- § 11:2 Procedural aspects of judicial notice
- § 11:3 Judicial notice of laws
- § 11:4 Judicial notice of public officials, agencies, records and decisions
- § 11:5 Judicial notice of proceedings—Superior Court’s judicial notice of proceedings
- § 11:6 —Court of Appeals’ judicial notice of proceedings
- § 11:7 —Supreme Court’s judicial notice of proceedings
- § 11:8 —Judicial notice of federal proceedings
- § 11:9 —Judicial notice of administrative agency proceedings
- § 11:10 —Specific examples of judicial notice of criminal laws and proceedings
- § 11:11 Judicial notice of facts about government and political subdivisions and election matters
- § 11:12 Examples of other facts judicially noticed—Civil proceedings
- § 11:13 —Criminal proceedings
- § 11:14 Examples of facts refused judicial notice—Civil proceedings
- § 11:15 —Criminal proceedings

## **CHAPTER 12. PRESUMPTIONS**

- § 12:1 Presumptions—Generally
- § 12:2 Presumptions distinguished from inferences
- § 12:3 Conflicting presumptions
- § 12:4 Presumptions relating to knowledge of law
- § 12:5 Presumptions relating to foreign law
- § 12:6 Presumptions relating to knowledge of facts
- § 12:7 Presumptions relating to life and death
- § 12:8 Presumptions relating to conduct
- § 12:9 Presumptions relating to marriage
- § 12:10 Presumption of continuation of condition
- § 12:11 Miscellaneous presumptions
- § 12:12 Presumptions in criminal cases, generally
- § 12:13 Instructions relating to presumptions

## TABLE OF CONTENTS

### **CHAPTER 13. RELEVANCE**

- § 13:1     Relevance—Generally
- § 13:2     Relevance distinguished from materiality and competency
- § 13:3     Exclusion of relevant evidence as prejudicial, confusing or wasting time
- § 13:4     Prior accidents
- § 13:5     Subsequent remedial measures
- § 13:6     Negotiations during settlement and compromise
- § 13:7     Payment of medical expenses
- § 13:8     Guilty pleas and pleas of nolo contendere
- § 13:9     Liability insurance
- § 13:10    Third party culpability

### **CHAPTER 14. CIRCUMSTANTIAL EVIDENCE**

- § 14:1     Circumstantial evidence—Generally
- § 14:2     Circumstantial evidence versus direct evidence
- § 14:3     Satisfying burden of proof with circumstantial evidence
- § 14:4     Proof of state of mind by circumstantial evidence
- § 14:5     Use of character evidence—Generally
- § 14:6     —Character of accused, victim, or witness
- § 14:7     —Inferences from proof of other bad acts
- § 14:8     Use of bad act evidence—Civil
- § 14:9     —Criminal
- § 14:10    Use of character evidence—Sexual misconduct cases
- § 14:11    —Rule 403 balancing
- § 14:12    Proof of character through specific instances
- § 14:13    Jury instructions
- § 14:14    Evidence of habit or routine practice
- § 14:15    Res ipsa loquitur
- § 14:16    Parol evidence rule
- § 14:17    Inferences

### **CHAPTER 15. OPINION EVIDENCE**

- § 15:1     Generally
- § 15:2     Opinions by lay witnesses
- § 15:3     Expert opinion testimony—Generally
- § 15:4     Qualification of the expert
- § 15:5     Proper subjects of expert testimony
- § 15:6     The Daubert test
- § 15:7     Probative value versus prejudicial effect of expert testimony

§ 15:8 Bases of expert opinion testimony

§ 15:9 Opinions on the “ultimate issue”

## CHAPTER 16. HEARSAY

§ 16:1 Hearsay—Generally

§ 16:2 Non-hearsay uses

§ 16:3 Present sense impression

§ 16:4 Excited utterances

§ 16:5 Then-existing mental, emotional, or physical condition

§ 16:6 Medical diagnosis or treatment

§ 16:7 Recorded recollection

§ 16:8 Records of a regularly conducted activity; business records

§ 16:9 Public records and reports

§ 16:10 Public records of vital statistics

§ 16:11 Absence of a public record

§ 16:12 Records of religious organizations

§ 16:13 Marriage, baptismal and similar certificates

§ 16:14 Family records

§ 16:15 Records of documents affecting an interest in property

§ 16:16 Statements in documents affecting an interest in property

§ 16:17 Ancient documents

§ 16:18 Market reports—Commercial publications

§ 16:19 Learned treatises and other publications

§ 16:20 Reputation concerning personal or family history

§ 16:21 Reputation concerning boundaries or general history

§ 16:22 Reputation as to character

§ 16:23 Judgment of a previous conviction

§ 16:24 Judgment as to personal, family or general history or boundaries

§ 16:25 Residual exception

§ 16:26 Unavailability of the declarant

§ 16:27 —Former testimony from criminal actions or proceedings

§ 16:28 —Dying declarations

§ 16:29 —Statements against interest

§ 16:30 —Statement of personal or family history

§ 16:31 —Residual exception

§ 16:32 Multiple levels of hearsay

§ 16:33 Impeachment of declarants

§ 16:34 Confrontation clause and hearsay

## TABLE OF CONTENTS

### **CHAPTER 17. DOCUMENTARY EVIDENCE**

- § 17:1 Documentary evidence—Generally
- § 17:2 Authentication—Generally
- § 17:3 Methods of authentication—Direct
- § 17:4 Authentication by comparisons of author's handwriting
- § 17:5 Authentication by circumstantial evidence: Distinguishing characteristics
- § 17:6 Authentication of voice identifications
- § 17:7 Authentication of telephone conversations and text messages
- § 17:8 Authentication of public records and reports
- § 17:9 Authentication of ancient documents
- § 17:10 Authentication of evidence about a process or system
- § 17:11 Authentication provided by statute or rule
- § 17:12 Self-authenticating documents
- § 17:13 Avoiding the need for proof of authenticity
- § 17:14 Best evidence rule—Generally
- § 17:15 —Admissibility of duplicates
- § 17:16 —Best evidence rule and use of summaries
- § 17:17 —Avoiding the best evidence rule
- § 17:18 Admissibility of secondary evidence
- § 17:19 Secondary evidence of public records
- § 17:20 Secondary evidence when document relates to collateral issue
- § 17:21 Functions of court and jury
- § 17:22 Procedure for offering documents into evidence
- § 17:23 Rule of completeness

### **CHAPTER 18. ADMISSIONS**

- § 18:1 Admissions—Generally
- § 18:2 Judicial admissions
- § 18:3 Evidentiary admissions—Generally
- § 18:4 Admission by opposing party
- § 18:5 Adopted admission
- § 18:6 Admissions by authorized persons
- § 18:7 Co-conspirator's statements
- § 18:8 Admissions by conduct

### **CHAPTER 19. REAL AND DEMONSTRATIVE EVIDENCE**

- § 19:1 Real and demonstrative evidence—Generally
- § 19:2 Laying foundation for demonstrative evidence
- § 19:3 Admissibility of objects and articles

- § 19:4 Admissibility of maps, drawings, diagrams and displays
- § 19:5 Admissibility of demonstrations and experiments
- § 19:6 Admissibility of photographs, films
- § 19:7 Laying foundation for photographic evidence
- § 19:8 Use of photographic evidence
- § 19:9 Admissibility of motion pictures and videotapes—  
Generally
- § 19:10 Use of videotape
- § 19:11 Admissibility of sound recordings

## **CHAPTER 20. JURY VIEW**

- § 20:1 Jury view—Generally
- § 20:2 Right to view
- § 20:3 Types of cases
- § 20:4 Presence of defendant/parties

## **CHAPTER 21. COMPETENCY OF WITNESSES**

- § 21:1 Competency—Generally
- § 21:2 Trial court's discretion to determine competency
- § 21:3 Objecting to competency
- § 21:4 Persons of unsound mind
- § 21:5 Children under age ten
- § 21:6 Persons under the influence of drugs
- § 21:7 Persons who have undergone hypnosis
- § 21:8 Persons lacking religious beliefs
- § 21:9 Persons without first-hand knowledge of events
- § 21:10 Judges
- § 21:11 Attorneys
- § 21:12 Jurors

## **CHAPTER 22. DEAD MAN'S STATUTE**

- § 22:1 Dead Man's Statute—Generally
- § 22:2 Exceptions to the Dead Man's Statute

## **CHAPTER 23. TESTIMONIAL PRIVILEGES**

- § 23:1 Privileges—Generally
- § 23:2 Attorney-client privilege
- § 23:3 —Waiver
- § 23:4 Doctor-patient privilege—Generally
- § 23:5 —Civil
- § 23:6 —Waiver—Civil



## TABLE OF CONTENTS

§ 23:7	—Criminal
§ 23:8	—Waiver—Criminal
§ 23:9	Peer review privilege
§ 23:10	Psychologist-patient privilege
§ 23:11	—Waiver
§ 23:12	Nurse-patient privilege
§ 23:13	Behavioral health professional-client privilege
§ 23:14	Medical records privilege
§ 23:15	Accountant-client privilege
§ 23:16	Clergy-penitent privilege
§ 23:17	—Waiver
§ 23:18	Marital privileges
§ 23:19	—Anti-marital fact privilege
§ 23:20	—Confidential communications privilege
§ 23:21	—Exceptions
§ 23:22	Reporter's privilege
§ 23:23	Informant's privilege
§ 23:24	Legislative privilege
§ 23:25	Mediation process privilege
§ 23:26	Miscellaneous privileges

## CHAPTER 24. SELF-INCRIMINATION

§ 24:1	The privilege against self-incrimination
§ 24:2	Scope of privilege
§ 24:3	Invoking the privilege in civil actions
§ 24:4	Adverse inferences from the privilege—Criminal
§ 24:5	Waiver of the privilege
§ 24:6	—Voluntary statement
§ 24:7	—Guilty plea
§ 24:8	—Taking the stand
§ 24:9	Corporations and the Fifth Amendment
§ 24:10	Compelling incriminating testimony—Immunity

## CHAPTER 25. CREDIBILITY AND IMPEACHMENT

§ 25:1	Credibility and impeachment—Generally
§ 25:2	Impeachment of own witness
§ 25:3	Collateral matters
§ 25:4	Proof of bias, prejudice and motive
§ 25:5	Sexual history evidence
§ 25:6	Prior statements
§ 25:7	—Prior inconsistent statements
§ 25:8	—Prior consistent statements
§ 25:9	—Statement of identification

- § 25:10 Procedure for admitting prior statements
- § 25:11 Impeachment using illegally obtained evidence
- § 25:12 Use of convictions to impeach
- § 25:13 —Procedure for admitting prior convictions
- § 25:14 Reputation for truthfulness or untruthfulness
- § 25:15 Religious references
- § 25:16 Use of impeaching statements as substantive evidence
- § 25:17 Failure to call witness or to present evidence as impeachment
- § 25:18 Witness's mental condition

## **CHAPTER 26. DIRECT EXAMINATION**

- § 26:1 Direct examination—Generally
- § 26:2 Scope of direct examination
- § 26:3 Witness competency and credibility
- § 26:4 Leading questions on direct examination
- § 26:5 Examining adverse parties and witnesses identified with them
- § 26:6 Exclusion of prospective witnesses prior to direct examination
- § 26:7 Direct examination of witnesses by the court
- § 26:8 Direct examination by the jury
- § 26:9 Direct examination of expert witnesses
- § 26:10 Accomplice testimony

## **CHAPTER 27. CROSS-EXAMINATION**

- § 27:1 Cross-examination—Generally
- § 27:2 Constitutional rights of accused regarding cross-examination of witnesses
- § 27:3 Form of questions on cross-examination
- § 27:4 Scope of cross-examination—Generally
- § 27:5 Cross-examination to show motive, bias or partiality
- § 27:6 Restrictions on scope of cross-examination—Religion
- § 27:7 —Insurance
- § 27:8 Restrictions on the scope of cross-examination—Privilege
- § 27:9 Use of depositions in cross-examination
- § 27:10 Use of prior inconsistent statements, testimony or conduct to impeach witness
- § 27:11 Remedy for abuses on cross-examination
- § 27:12 Failure to appear for cross-examination and waiver of right to appeal arbitration

TABLE OF CONTENTS

**CHAPTER 28. REDIRECT AND RECROSS-EXAMINATION**

- § 28:1 Redirect examination—Generally
- § 28:2 Scope of redirect examination
- § 28:3 Redirect examination—Character evidence
- § 28:4 Recross-examination

**CHAPTER 29. OBJECTIONS TO EVIDENCE**

- § 29:1 Objections to evidence—Generally
- § 29:2 Form of objections
- § 29:3 Timing of objections
- § 29:4 Effect of failure to object
- § 29:5 Motion to strike inadmissible evidence
- § 29:6 Offer of proof
- § 29:7 Invited error and opening the door
- § 29:8 Fundamental error

**CHAPTER 30. SEARCH AND SEIZURE;  
EXCLUSIONARY RULE**

- § 30:1 Search and seizure—Generally
- § 30:2 What constitutes a search
- § 30:3 What constitutes a seizure
- § 30:4 Exclusionary rule
- § 30:5 Standing to invoke exclusionary rule
- § 30:6 Search and seizure with a warrant—Generally
- § 30:7 —Execution of a search warrant
- § 30:8 —Showing of probable cause
- § 30:9 —Use of informants to obtain a search warrant
- § 30:10 Exceptions to the exclusionary rule—Generally
- § 30:11 —Inevitable discovery
- § 30:12 —Independent source
- § 30:13 —Good faith exception
- § 30:14 —Exigent circumstances
- § 30:15 —Plain view, smell, or feel doctrines
- § 30:16 —Search and seizure incident to arrest
- § 30:17 —Search of automobile
- § 30:18 —Inventory search
- § 30:19 —Investigatory stops
- § 30:20 —Community caretaking
- § 30:21 Search and seizure exceptions to the exclusionary rule: abandoned property
- § 30:22 Parolee and probationer searches
- § 30:23 Search with consent—Generally

- § 30:24 —Factors affecting voluntariness of consent
- § 30:25 —Implied consent
- § 30:26 —Consent by third parties
- § 30:27 —Scope of consent
- § 30:28 Motion to suppress
- § 30:29 Challenging the affidavit supporting a warrant
- § 30:30 School searches
- § 30:31 Random suspicionless drug and alcohol testing
- § 30:32 Random automobile checkpoints
- § 30:33 Blood draws and body cavity searches

## **CHAPTER 31. CONFESSIONS**

- § 31:1 Confessions—Generally
- § 31:2 The Corpus Delicti Rule
- § 31:3 Voluntariness of confession
- § 31:4 Voluntariness—Juvenile confessions
- § 31:5 Hearing on voluntariness
- § 31:6 Custodial confessions—Generally
- § 31:7 Functional equivalent of interrogation
- § 31:8 Whether a person is “in custody”
- § 31:9 Invocation of Miranda rights
- § 31:10 Waiver of Miranda rights
- § 31:11 Inducements and promises
- § 31:12 Threats and fear
- § 31:13 Use of fraud or trickery
- § 31:14 Effect of prior illegality on admissibility of confession
- § 31:15 Jury instructions

## **CHAPTER 32. MISTRIAL**

- § 32:1 Grounds for mistrial—Generally
- § 32:2 Trial court’s sua sponte declaration of mistrial
- § 32:3 Timing of motion
- § 32:4 Specific grounds for mistrial
- § 32:5 Result of granting of mistrial
- § 32:6 Mitigating prejudice to avoid mistrial
- § 32:7 Discharge of jury for inability to arrive at verdict

## **CHAPTER 33. MOTIONS AFTER TRIAL IN CIVIL CASES**

- § 33:1 Motions after trial—Generally
- § 33:2 Motions for judgment as a matter of law—Generally
- § 33:3 —Determining the right to judgment as a matter of law

## TABLE OF CONTENTS

§ 33:4	—Procedure in moving for judgment as a matter of law—Generally
§ 33:5	—Judgment as a matter of law before verdict
§ 33:6	—Judgment as a matter of law after verdict (renewal)
§ 33:7	—Alternative motions for judgment as a matter of law and new trial
§ 33:8	—Judgment as a matter of law in bench trials
§ 33:9	—Appeals after motions for judgment as a matter of law
§ 33:10	Motions for new trial—Generally
§ 33:11	—Determining the right to a new trial
§ 33:12	— —Irregularity in the proceedings
§ 33:13	— —Misconduct of the jury or prevailing party
§ 33:14	— —Accident or surprise
§ 33:15	— —Newly discovered evidence
§ 33:16	— —Excessive or insufficient damages
§ 33:17	— —Errors in evidentiary rulings or instructions, or other errors of law
§ 33:18	— —Passion or prejudice
§ 33:19	— —Verdict contrary to evidence or law
§ 33:20	—Procedure in moving for a new trial
§ 33:21	—New trials and reopening the evidence in bench trials
§ 33:22	—Specificity of order granting new trial
§ 33:23	—New trial as to damages; remittitur and additur
§ 33:24	—Appeals of new trial, remittitur, and additur
§ 33:25	Motions to alter or amend a judgment
§ 33:26	Motions for relief from judgment or order—Generally
§ 33:27	—Time for moving for relief
§ 33:28	—Determining the right to relief from judgment or order
§ 33:29	— —Mistake, inadvertence, or surprise
§ 33:30	— —Excusable neglect
§ 33:31	— —Newly discovered evidence
§ 33:32	— —Fraud or other misconduct of an adverse party
§ 33:33	— —Voidness of the judgment
§ 33:34	— —Satisfaction, release, discharge, or reversal of underlying judgment; equity
§ 33:35	— —“Other grounds” catch-all provision
§ 33:36	—Effect of motion for relief
§ 33:37	Motions to correct clerical mistakes, miscalculations, and misrecitals

## CHAPTER 34. MOTIONS AFTER TRIAL IN CRIMINAL CASES

§ 34:1	Motions after trial—Generally
--------	-------------------------------

- § 34:2 Motion for acquittal
- § 34:3 Post-verdict motions for acquittal
- § 34:4 Motion for new trial
- § 34:5 Motion to vacate judgment
- § 34:6 Correction of clerical mistakes
- § 34:7 Entry of judgment

## **CHAPTER 35. CLOSING ARGUMENT**

- § 35:1 Right to make closing argument
- § 35:2 Scope of closing argument
- § 35:3 Inferences from evidence
- § 35:4 Appeals to prejudice and sympathy
- § 35:5 Use of charts and videotapes
- § 35:6 Comment on matters not in evidence
- § 35:7 Arguing damages
- § 35:8 Attacks on parties, witnesses and opposing counsel
- § 35:9 Objecting to improper arguments
- § 35:10 Cumulative effect versus cumulative error
- § 35:11 Curing improper arguments
- § 35:12 Closing arguments by prosecutors
- § 35:13 Comments on failure of party or witness to testify
- § 35:14 Addressing individual jurors

## **CHAPTER 36. JURY INSTRUCTIONS**

- § 36:1 Purpose of jury instructions
- § 36:2 Preliminary instructions
- § 36:3 Requesting and timing of jury instructions
- § 36:4 Form and content of instructions
- § 36:5 Revised Arizona Jury Instructions
- § 36:6 Objecting to instructions
- § 36:7 Curative instructions; instructions to jury during trial
- § 36:8 Instructions to jury during deliberations
- § 36:9 Rules applicable to criminal cases

## **CHAPTER 37. JURY CONDUCT AND VERDICT**

- § 37:1 Functioning and seating of juries
- § 37:2 Communications with jurors
- § 37:3 Sequestration of jurors
- § 37:4 Improper conduct by jurors
- § 37:5 Note taking by jurors
- § 37:6 Questions by jurors
- § 37:7 Deliberations

## TABLE OF CONTENTS

§ 37:8	Jury impasse
§ 37:9	Discharge of jury
§ 37:10	Verdicts—Generally
§ 37:11	General verdicts and special verdicts distinguished
§ 37:12	Form of verdict
§ 37:13	Non-responsive or inconsistent verdicts
§ 37:14	Impeaching the verdict
§ 37:15	Quotient verdicts

## CHAPTER 38. JUDGMENTS

§ 38:1	Judgments—Generally
§ 38:2	Judgment interest—Generally
§ 38:3	Judgment by default—Generally
§ 38:4	—Application and entry of default
§ 38:5	Entry of judgment by default—Procedure
§ 38:6	Setting aside the entry of default or default judgment
§ 38:7	Judgment by default—Miscellaneous
§ 38:8	Entry of judgment—Generally
§ 38:9	Judgment involving multiple parties or multiple claims
§ 38:10	Costs—Generally
§ 38:11	Procedure for taxation of costs
§ 38:12	Items of costs and disbursements—Generally
§ 38:13	Costs of complying with a subpoena
§ 38:14	Attorney’s fees—Generally
§ 38:15	—Procedure for obtaining

## APPENDIX

Appendix A    Arizona Rules of Evidence

**Index**