

Civil Pattern Jury Instructions and Non-Delegable Duties

Complete conversation transcript

Gary Wolfstone and ChatGPT

Transcript note: This document reproduces the three research questions and the full text of the assistant's replies, including research progress messages, in chronological order. Citation badges have been converted to numbered source references. Tables have been reformatted for print. The earlier answers are preserved as written, including their qualifications; this transcript is not a new or revised legal opinion.



Question 1 - Gary Wolfstone

How many states, and please name said states, publish on the World Wide Web pattern Jury Instructions for lawsuits which are decided by juries in their courts.

ChatGPT - progress updates

I'll check the states' public civil jury instruction resources and distinguish complete collections from states that publish only selected instructions.

The main distinction is access: some states provide the civil instructions free, while others sell access or post only amendments. I'm counting civil instructions for lawsuits, and checking those categories separately so the total is meaningful.

ChatGPT - full reply

Gary, I can confirm at least 26 states that make civil pattern or model jury instructions available free on the Web, although the scope and currency of the collections vary. I interpret "lawsuits" as civil cases, rather than criminal prosecutions.

The states are:

State		State	
1	Alaska	14	Michigan
2	Arizona	15	Mississippi
3	Arkansas	16	Nevada
4	California	17	New Jersey
5	Colorado	18	New Mexico
6	Connecticut	19	North Carolina
7	Delaware	20	North Dakota
8	Florida	21	Oklahoma
9	Hawaii	22	Utah
10	Idaho	23	Virginia
11	Illinois	24	Washington
12	Louisiana	25	Wisconsin
13	Massachusetts	26	Wyoming

These identifications draw on the Cook County Law Library's state directory, the Third Circuit's state civil instruction directory, and current state resources. [1-7]

Some qualifications matter:

- **Louisiana** publishes general opening, interim, and closing civil instructions; that is more limited than a comprehensive collection covering substantive causes of action. **Massachusetts** publishes District Court civil model instructions and Superior Court civil templates and selected instructions. [4, 8-9]

- **Mississippi's** posted model instructions expressly have **not been adopted or approved by its Supreme Court**. [2]

- **North Dakota and Wyoming** provide public access through research platforms; Wyoming supplies a public guest login. [6, 10]

- **Colorado** currently posts its 2026 collection in Word and PDF. **North Carolina** posts its civil collection through UNC's School of Government. **Wisconsin** provides downloadable civil instructions through its State Law Library. [3, 5, 7]

The number is larger if you include paid Web access, such as subscriptions, bar membership access, or commercial databases. Georgia, Kansas, Indiana, Iowa, Ohio, Oregon, and Pennsylvania are examples of states with such arrangements. [1-2]

Thus, **26 is a confirmed minimum for free public access, including limited collections-not an established exhaustive total for every form of online publication**.

The [Cook County directory](#) is a useful starting point, but some of its access descriptions and links are outdated.



Question 2 - Gary Wolfstone

Among the 26 states you have listed, which states also publish with each pattern jury instruction citations to state law case decisions supporting or confirming the said jury instruction.

ChatGPT - progress updates

I'll check which collections include case citations in the notes or commentary accompanying individual instructions.

The citations usually appear in "Comments," "Sources and Authority," or footnotes accompanying the instruction. One important exception is Virginia: its free version is expressly unannotated, so access to the instruction does not necessarily include the supporting cases.

I've verified several direct examples: Illinois places case citations immediately under its negligence instruction, North Carolina uses footnotes tied to the instruction's language, and Delaware provides a complete annotated edition. I'll distinguish these from collections with only occasional citations; "every instruction has a supporting state case" would be too broad a claim.

ChatGPT - full reply

Gary, **at least 20 of the 26 states publish civil jury instructions with instruction-specific citations to supporting cases**, in accompanying comments, source notes, or footnotes.

I would qualify "with each instruction." A collection may regularly supply supporting decisions without attaching a state appellate decision to every instruction. Some instructions rest on statutes, court rules, or other instructions.

States	Where the supporting authorities appear
Arizona	"Sources," "Use Notes," and "Comments." The punitive-damages instruction, for example, cites several Arizona Supreme Court decisions. [11]
Arkansas	Comments and Notes on Use accompany the instructions in the free online collection. [12]
California	"Sources and Authority" and "Directions for Use" accompany CACI instructions. [13-14]
Colorado	"Source and Authority" and "Notes on Use," including citations explaining the instruction's legal basis. [15]
Connecticut	Footnotes reference cases discussing the instruction's particular language; commentary supplies additional explanation. [16]
Delaware	A complete annotated edition includes "Source" sections with supporting Delaware decisions. [17]
Florida	Notes on Use and, particularly in the contract and business instructions, "Sources and Authorities." [18-19]
Illinois	"Comment" sections directly following individual instructions. [20]

States	Where the supporting authorities appear
Michigan	Comments and Notes on Use include Michigan case citations. [21]
Mississippi	“Sources” accompanying the proposed plain-language instructions include Mississippi decisions. The collection is not Supreme Court approved. [2, 22]
Nevada	“Source/Authority” sections accompany individual instructions. [23]
New Jersey	Model Civil Jury Charges contain case citations and explanatory notes. [24]
New Mexico	Committee commentary discusses supporting New Mexico decisions. [25]
North Carolina	Footnotes identify supporting cases and explain qualifications to the instruction. [26]
North Dakota	Authorities accompanying instructions identify supporting North Dakota Supreme Court decisions. [27]
Oklahoma	Committee Comments and Notes on Use discuss supporting decisions. [28]
Utah	References and Committee Notes include case authorities. [29]
Washington	WPI “Comment” sections discuss supporting decisions; Notes on Use explain application. [30]
Wisconsin	“Comment” sections contain supporting Wisconsin decisions. [31]
Wyoming	“Authority” sections accompany civil pattern instructions. [32]

For two additional states, the answer is **yes, but more selectively**:

- **Hawaii:** Some instructions expressly cite supporting cases, but the public collection does not consistently provide extensive annotations. For example, its physician instruction cites *Hirahara v. Tanaka*, 87 Hawai’i 460, 465, 959 P.2d 830, 835 (1998). [33]
- **Massachusetts:** Published model instructions and templates include explanatory footnotes, but the available civil materials are not a single comprehensive annotated collection. [9, 34]

Virginia’s free collection is expressly unannotated; the annotated edition must be purchased. For **Alaska, Idaho, and Louisiana**, I have not sufficiently verified the publicly accessible instruction files to classify their case-citation coverage reliably. That is an unresolved verification point, not a finding that they lack citations. [35]

A concrete example of precisely what you describe is **Illinois IPI 10.01, defining negligence**: immediately beneath the instruction, its Comment cites *Pierson v. Lyon & Healy*, *Wilcke v. Henrotin*, *Perryman v. Chicago City Railway Co.*, and *Rikard v. Dover Elevator Co.* [20]

Question 3 - Gary Wolfstone

Please identify all states among those you have identified in this conversation that supply the researcher-reader with a pattern jury instruction in a civil negligence case concerning "a non-delegable duty"-- i.e., definition of non-delegable duty or elements of a non-delegable duty.

ChatGPT - progress updates

I'll look for civil pattern instructions that define or state a non-delegable duty, including instructions on responsibility for an independent contractor's negligence. I'll distinguish those from instructions whose commentary merely mentions the doctrine.

I've found expressly titled instructions in California, Connecticut, Michigan, Washington, and New Mexico. North Carolina also has an instruction specifically addressing breach of a non-delegable safety duty during inherently dangerous work. I'm checking related instructions in the remaining states for additional matches.

ChatGPT - full reply

Gary, I identified qualifying instructions in 10 of the original 26 states: **Arkansas, California, Connecticut, Florida, Michigan, New Mexico, North Carolina, Utah, Washington, and Wisconsin**. Their coverage differs: some expressly define non-delegability; others state the rule for a particular relationship or activity.

State	Instruction	What the researcher will find
Arkansas	AMI Civil 708 - Inherently Dangerous Work-Imputed Conduct-Independent Contractor	An instruction imposing responsibility for an independent contractor's negligence in inherently dangerous work-a specific application of non-delegable duty. [36-37]
California	CACI 3713 - Nondelegable Duty	The most comprehensive general instruction located. It identifies possible sources of the duty-statute, regulation, ordinance, contract, or common law-and supplies elements concerning hiring the contractor, breach, harm, and causation. Extensive supporting cases follow. [38]
Connecticut	Civil 3.9-14A - Nondelegable Duty to Invitees	Defines the doctrine in premises liability: performance may be contracted out, but ultimate legal responsibility remains. Explains liability for a contractor's negligent creation of an unsafe condition, notwithstanding the defendant's lack of notice. [16]
Florida	402.9(a)(1) - Preliminary Issues-Vicarious Liability	In the professional-negligence instructions, states that a person or facility undertaking services cannot transfer its obligation to an independent contractor and remains responsible for the contractor's negligence. Supporting notes address non-delegable treatment duties. [39-40]

State	Instruction	What the researcher will find
Michigan	M Civ JI 19.10 - Nondelegable Duty of Possessor or Occupier of Land, Premises, or Place of Business; 19.11 - Landlord's Nondelegable Duty for Negligent Repairs Made by an Independent Contractor	Two express instructions: one prevents a premises possessor from escaping responsibility through delegation; the other addresses a landlord's responsibility for a repair contractor's negligence. Both have accompanying commentary. [41]
New Mexico	UJI 13-1634 - Strict Liability for Nondelegable Duty	Addresses work creating a peculiar risk unless reasonable precautions are taken. Qualification: New Mexico characterizes this particular doctrine as direct strict liability, rather than ordinary negligence or merely vicarious liability. Its commentary explains that distinction. [42-43]
North Carolina	N.C.P.I.-Civil 640.48 - Liability of Principal for Negligence of Independent Contractor (Breach of Non-Delegable Duty of Safety)-Inherently Dangerous Activity	A detailed instruction with elements addressing inherently dangerous work, the defendant's knowledge, failure to take or ensure reasonable safety precautions, and proximate causation. Includes substantial case-law footnotes. [44]
Utah	MUJI 2d CV2815B - Principal May Remain Liable Despite Delegating Duty	An expressly designated instruction on continuing responsibility despite delegation, within the independent-contractor liability series. [45-46]
Washington	WPI 12.09 - Nondelegable Duties	A general instruction stating that delegating a specified duty does not relieve the defendant of it. Notes limit its recommended use to circumstances where jurors might mistakenly believe responsibility transferred with the work. [47]
Wisconsin	Wis JI-Civil 1022.6 - Liability of One Employing Independent Contractor	A more specialized match: states exceptions involving inherently dangerous work and contractual safety obligations, with suggested verdict questions. Commentary expressly discusses non-delegable safe-place duties and supporting decisions. [48]

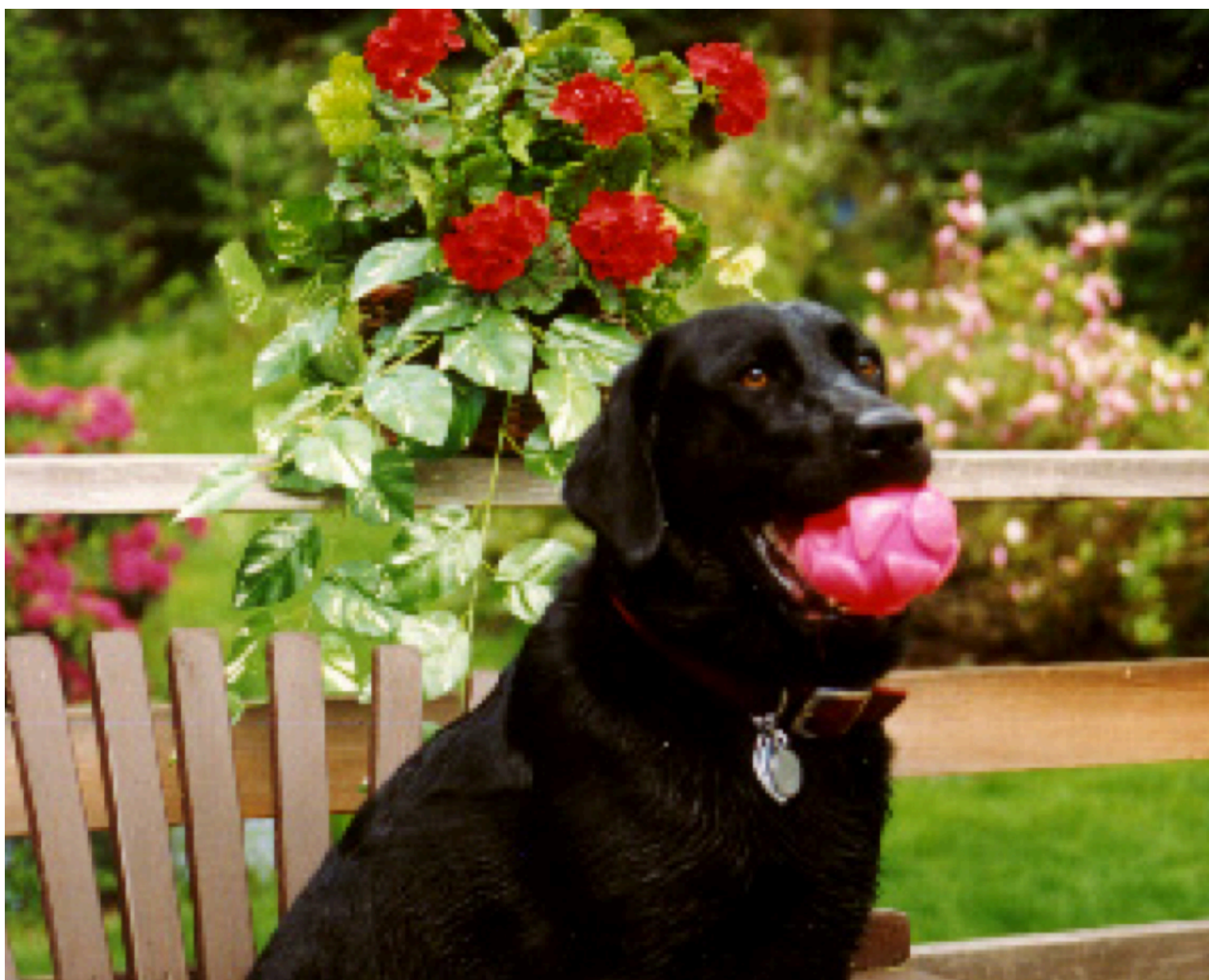
Two additional states previously mentioned in our discussion of paid collections also qualify:

- **Iowa - Civil 500.6:** Liability of Person Engaging Services of Independent Contractor-Nondelegable Duty Imposed by Statute, Ordinance or Contract. An appellate opinion reproduces its rule that a person owing specified safety obligations cannot escape responsibility by delegating them. [49]
- **Oregon - UCJI 55.15:** States that an employer subject to the Employer Liability Law cannot avoid its statutory duties by delegating them. The instruction is reproduced in *Yeatts v. Polygon*

Northwest Co. [50-51]

For your precise research purpose, California 3713, Connecticut 3.9-14A, Michigan 19.10-19.11, and North Carolina 640.48 are particularly direct matches.

This is a **confirmed list, not a verified exhaustive count**: I did not establish a qualifying pattern instruction in every remaining state. Finding judicial decisions recognizing non-delegable duties-or commentary mentioning them-does not alone establish that the state publishes the instruction you requested.



PDF request - Gary Wolfstone

Please prepare one .pdf for me which contains all of the conversation with each one of my questions and the full text of all of your replies in our discussion herein above. Thanks, Gary Wolfstone

ChatGPT - preparation acknowledgment

Gary, I'll use the PDF and file-saving skills to prepare a transcript containing your three research questions and my full replies, including the progress updates and source links.



Gary Wolfstone is a forward scout in the wilderness
of the legal profession.

Sources cited in the conversation

Numbered references replace the original citation badges. Select a source title to open its cited web page or PDF. Links are reproduced from the research record and may change over time.

- [1] [Cook County Law Library: Jury Instructions](#)
- [2] [Third Circuit: Civil Jury Instructions - State and Federal Links](#)
- [3] [Colorado: Pattern Civil Jury Instructions Committee](#)
- [4] [Massachusetts: District Court Civil Model Jury Instructions](#)
- [5] [UNC: Pattern Jury Instructions Online Library](#)
- [6] [Wyoming State Bar: Public Jury Instructions](#)
- [7] [Wisconsin: Civil Jury Instructions](#)
- [8] [Louisiana Supreme Court Rule XLIV](#)
- [9] [Massachusetts: Superior Court Model Jury Instructions](#)
- [10] [North Dakota State Bar: Pattern Jury Instructions](#)
- [11] [Arizona: Personal Injury Damages instructions](#)
- [12] [Arkansas: Committee on Model Jury Instructions - Civil](#)
- [13] [California: CACI, 2025 edition](#)
- [14] [California: CACI 400, Negligence](#)
- [15] [Colorado: Chapter 15, Professional Negligence \(2024\)](#)
- [16] [Connecticut: Civil Jury Instructions](#)
- [17] [Delaware: Complete Annotated Civil Pattern Jury Instructions](#)
- [18] [Florida Bar: How to Use Civil and Contract/Business Instructions](#)
- [19] [Florida Bar: Jury Instructions for Contracts and Business Cases](#)
- [20] [Illinois: IPI Civil 10.00, Negligence and Ordinary Care](#)
- [21] [Michigan: Model Civil Jury Instructions](#)
- [22] [Mississippi: Proposed Civil Instructions excerpt in court filing](#)
- [23] [Nevada: Civil Jury Instructions, 2018](#)
- [24] [New Jersey State Bar: Article discussing Model Civil Jury Charges](#)
- [25] [New Mexico Court of Appeals: Silva opinion](#)
- [26] [North Carolina: Civil 102.11, Common Law Negligence](#)
- [27] [Federal District Court, North Dakota: decision discussing instruction authorities](#)
- [28] [Oklahoma: In re Amendments to Uniform Jury Instructions \(2014\)](#)
- [29] [Utah: Civil Instructions Committee materials, June 2009](#)
- [30] [Washington: WPI 10.01, Negligence](#)
- [31] [Wisconsin: Complete Civil Jury Instructions](#)
- [32] [Wyoming: Civil Pattern Jury Instructions, 2022 edition](#)
- [33] [Hawaii: Civil Jury Instructions](#)

- [34] [Massachusetts: Superior Court Instruction Drafting Guidelines](#)
- [35] [Virginia: Unannotated Model Civil Jury Instructions](#)
- [36] [Arkansas: AMI Civil 708](#)
- [37] [Arkansas: Jackson v. Petit Jean Electric Co-op](#)
- [38] [California: CACI 3713, Nondelegable Duty](#)
- [39] [Florida Bar: Amendments to Instruction 402.9](#)
- [40] [Florida: In re Standard Jury Instructions, Report 18-01](#)
- [41] [Michigan: Model Civil Jury Instructions including 19.10 and 19.11](#)
- [42] [New Mexico: Bilingual UJI compilation \(draft watermark\)](#)
- [43] [New Mexico: Civil UJI compilation and commentary \(draft watermark\)](#)
- [44] [North Carolina: Civil 640.48, Non-Delegable Duty of Safety](#)
- [45] [Utah: Model Utah Jury Instructions, Civil](#)
- [46] [Utah: Committee approval of CV2815B, September 2012](#)
- [47] [Washington: WPI 12.09, Nondelegable Duties](#)
- [48] [Wisconsin: Civil 1022.6, Independent Contractor](#)
- [49] [Iowa: United Fire and Casualty Co. v. Gethmann Construction Co.](#)
- [50] [Oregon: Yeatts appellate record reproducing UCJI 55.15](#)
- [51] [Oregon: Yeatts v. Polygon Northwest Co.](#)

