

MINUTES

Advisory Committee on Model Civil Jury Instructions

September 14, 2026

4:00-6:00 p.m.

Present: Alyson McAllister, Stewart Harman, Judge Brian D. Bolinder, Robert Fuller, Kara North, Michael Lichfield, John Macfarlane, Jace Willard (staff), Clancey Henderson (staff)

Excused: Bill Eggington, Ben Lusty, Aaron Pacini

Guests: None

1. Welcome and Approval of Minutes

Ms. McAllister welcomed the Committee. The Minutes from the April 2026 meeting were approved.

2. Proposed Amendments to CV905 Exception to Silence Equaling Acquiescence

Mr. Willard presented an issue raised by Robert Fuller regarding typos in the comments to MUJI CV905 Exception to Silence Equaling Acquiescence. Mr. Willard also presented a potential conflict between the instruction as written and the cited authorities regarding the burden of proof. The Committee discussed the cited authorities of *Anderson v. Fautin*, 2016 UT 22, 379 P.3d 1186, and *Carter v. Hanrath*, 925 P.2d 960 (Utah 1996).

The Committee determined to review the notes of prior committee members on the instruction and to research additional case authorities before further discussion on the proposed amendments to the instruction.

3. Proposal to Add Prohibition re AI to CV101 and CV101A General admonitions

The Committee considered amendments to MUJI CV101 and CV101A General admonitions to address juror use of Artificial Intelligence (AI) in performing juror duties. The Committee considered the potential scope of a juror's use of AI, and discussed corollary amendments to the instructions to address concerns with AI use. The Committee drafted proposed amended instructions.

Following discussion, Ms. North moved to approve the amended instructions. Mr. Harman seconded the motion. Upon a vote, the proposed amendments were unanimously approved by the Committee for publication and public comment.

4. Proposed Instructions CV2142-45 Quantum Meruit; CV2221 Unjust Enrichment

The Committee discussed the proposed instructions CV2142-45 (Quantum Meruit) and CV2221 (Unjust Enrichment), and considered additional amendments to ensure that the proposed instructions use terms consistently, accurately reflect the governing law, and are written in a manner comprehensible to the lay juror.

Following discussion, Mr. Harman moved to approve the new and amended instructions. Ms. North seconded the motion. Upon a vote, the proposed instructions and amendments were unanimously approved by the Committee for publication and public comment.

5. Scheduling and adjournment

The next meeting will be held on October 14, 2026, at 4:00 p.m.

The meeting adjourned.