
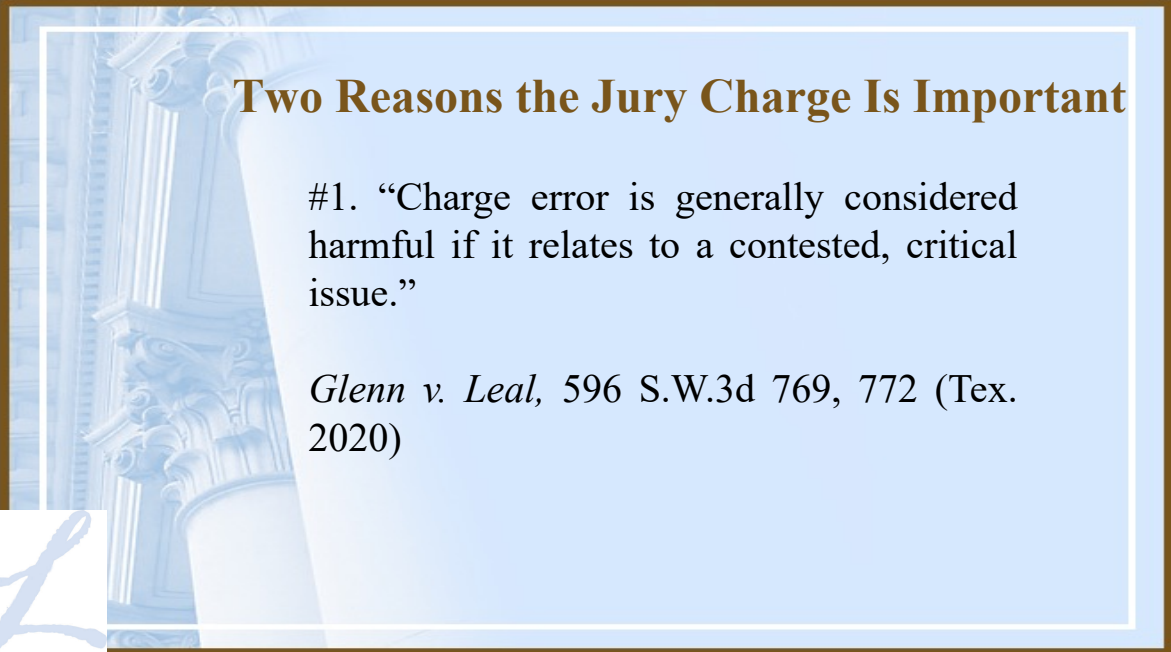


The Court's Charge 2024

Harvey Brown
Lanier Law Firm




1



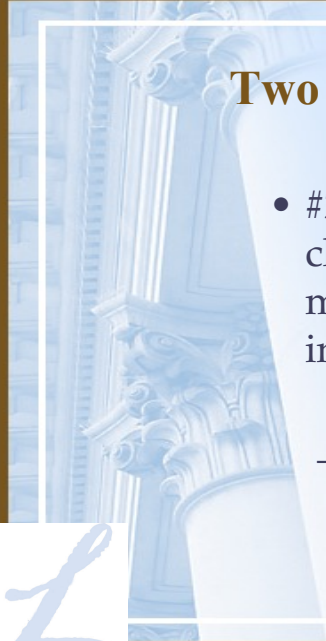
Two Reasons the Jury Charge Is Important

#1. “Charge error is generally considered harmful if it relates to a contested, critical issue.”

Glenn v. Leal, 596 S.W.3d 769, 772 (Tex. 2020)




2



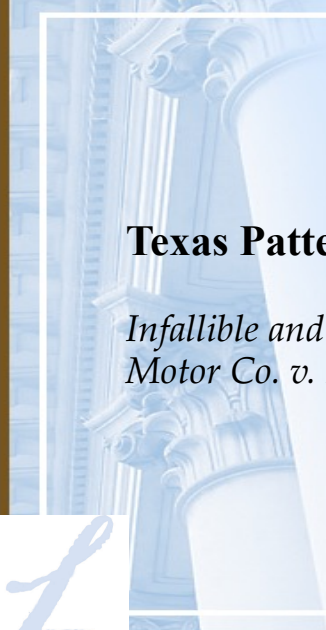
Two Reasons the Jury Charge Is Important

- #2. When there has been no objection to the charge, the sufficiency of the evidence is measured by the charge's definitions and instructions.
 - Even when the charge gets the law wrong.



3


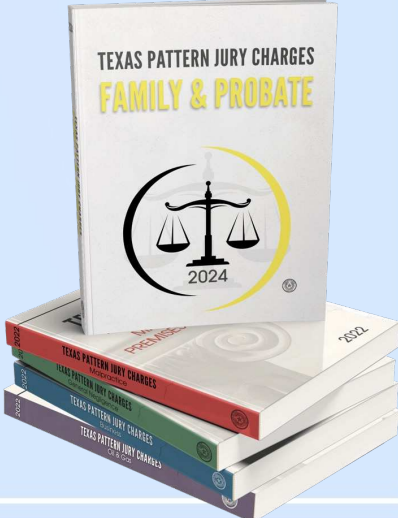
3



Drafting the Charge

Texas Pattern Jury Charges

Infallible and binding? No. Ford Motor Co. v. Ledesma (Tex. 2007)



4

4

Drafting the Charge

PJC Comments are your friends

9. *Medical care expenses* incurred in the past.

Answer: _____

10. *Medical care expenses* that, in reasonable probability, *Paul Payne* will incur in the future.

Answer: _____

Negligence at PJC 28.3 (2022)

5

Drafting the Charge

PJC Comments are your friends

9. **Reasonable expenses** of necessary *medical care* incurred in the past.

Answer: _____

10. Reasonable expenses of necessary *medical care* that, in reasonable probability, *Paul Payne* will incur in the future.

Answer: _____

Negligence PJC 28.3, Comment (2022)

6

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First appeared as part of the conference materials for the 34th Annual Conference on State and Federal Appeals session "Jury Charge Update"