

Jury Duty

Sequence of the Trial

The Judge will tell you the names of the parties, the lawyers who will represent each, and the nature of the legal action.

You will then be questioned by the attorneys and court to insure that you can be impartial and objective about the issues in the case. This is called Voir Dire. Each attorney may challenge "for cause." This means that for some reason (your occupation, your opinion on certain issues, your knowledge of the case, etc.), it might be unfair to ask you to be impartial in the case at hand, and the Judge may excuse you from service in this particular trial. Each attorney also is allowed by law a limited number of "preemptory challenges". This means the attorney may ask the court to excuse some prospective jurors without stating any reason. (If you are challenged, please keep in mind that this request is not on a personal. The attorney is merely using a right given to his client by law).

At the end of the Voir Dire a number of people will be seated to form the Jury, and the trial begins. (In some cases it may be a "six-man" jury, in others it may be a "twelve-man" jury).

The plaintiff's attorney (in civil cases) or the District Attorney (in criminal cases) will make an opening statement telling you what he intends to prove. The attorney for the defense may also make an opening statement.

After the opening statements, the side bringing the suit, (i.e., the plaintiff or the D.A.), will present its evidence with witnesses, documents or other exhibits. Then the other side will be afforded the opportunity to when one party is through questioning one witness, the other attorney may cross-examine. There are special rules of law governing what may be asked of a witness, how the witness may respond, and what the Jury may properly consider as evidence. From time to time, an attorney may "object" to some testimony or procedure. The Judge may ask the lawyers to approach the bench to discuss the matter, or you may be taken to the jury deliberation room so that it may be debated outside your hearing. In either case, the Judge will rule on all questions of law, and will tell you how the law requires you to treat a particular situation.

When both sides have presented their evidence and defenses, each attorney will sum up his case. He tells what he believes the evidence shows and why it favors his side. Of course these presentations by the lawyers are not evidence.

After the closing arguments, the judge will instruct you on your duties as a juror. He will also instruct you as to the law in this particular case, what verdicts can be rendered and the consequences of each verdict. You and your fellow jurors will then be escorted to the Jury Room for deliberation.

At this time, you will select one juror to be your foreman. This person will preside over your deliberating, and will bring the verdict into court. In many cases one of the parties will ask, or the Court will order, the Jury be polled. This means the court will ask each juror individually if this is his or her own verdict. The Judge may order their verdict to be in open court or on a secret ballot viewed by the Judge and attorneys. Thereafter, the Clerk of Court is ordered to seal the ballots in the records.

The judge presiding over the case will then thank you and dismiss you.