

How good is the american jury system

Law



Is the American Jury System Still a Good Idea?

The jury system in America is something passed down from the British colonists in the 18th century. The jury protected nationalists in court from the restraints of British rule. When the United States revolted from Great Britain the United States retained the jury system . The Founding Fathers found it essential to include a jury in court proceedings to prevent a tyrannical government from forming. These values were in expressed in the Bill of Rights, notably in the Fifth, Sixth, Seventh, and later Fourteenth Amendment . The jury system works by selecting eligible citizens from a pool of candidates. This jury then will listen to the case with an unbiased mind. They then decide the guilt or innocence of the defendant. This system has worked for centuries to protect citizens and to ensure fair trial. However, in the modern age, the efficiency and use of the jury system is largely obsolete. The jury system places a burden on the backs of citizens, juries are placed in cases they do not understand, and convicts hundreds of innocent people each year .

First, the American jury system places a huge burden on the people selected to be part of the jury. It is a waste of their time and they often to do not receive pay from their employers when they have jury duty. Although states do give jury members payment for their services, the money received would not even be minimum wage. To think that a jury could make an educated and intellectually decision after being forced to deliberate and stay in court for days, weeks, or months is hard to fathom (Doc B). Citizens should not have to place a strain on their economic situation just to perform their Civic duty .

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Second, the American jury is not properly adapted to handle complicated cases. It is impossible to say that a jury that consists of random citizens would be better able to decide the fate of someone's life rather than the experience and wisdom of a judge (Doc B). Notable cases such as Casey Anthony and OJ Simpson show how evidence and facts were able to be overturned by simple alibis and pleas. One reason that many cite as the cause for this tragedy is the CSI effect. The CSI effect is a term used to describe the juror's expectation of evidence in a court case. These assumptions are drawn from fictionalized or dramatized shows that are able to find ample and decisive evidence to convict the defendant. However, court cases don't last as long as an episode or entertain like many of these shows. This is to say that investigations often provide evidence that does not entice or excite the jury. This leads jurors to believe that sufficient evidence was not provided.

Finally, the jury system has a large disparity compared to bench trials in terms of people acquitted. Jury trials convict 88% of defendants while bench trials only convict 65% of defendants. This leads to a huge 23 point gap. Although a judge may occasionally be wrong, his sagacity and wisdom in these civil and criminal proceeding surely surpass the knowledge of the jury in most cases. For this reason, it must be the jury that is making the mistake in its proceedings. (Doc A) Innocent people are convicted yearly because of this inexperience. If the jury was abolished fewer incorrect trials would proceed .

In conclusion, the American Jury system should be abolished and replaced with bench trials. Although this may take a while it is the best way forward to <https://assignbuster.com/how-good-is-the-american-jury-system/>

secure a better justice system for both our generation and future citizens. This is to prevent innocent from being convicted, have more experienced people decide cases, and prevent citizens from having a burden just to do a civic duty. This would generally lead to fewer convictions which in turn would lower spending incurred due to jailing and imprisonment (Doc A). In reality, it will likely take a long time to convert to bench trials because of the tedious process involved in changing the amendments.