

Challenge for cause and a peremptory challenge

Law



Challenge for cause and a peremptory challenge Challenge for cause is the request made by the defendant or victim " that a prospective juror be dismissed because there is a specific and forceful reason to believe the person cannot be fair, unbiased or capable of serving as a juror" (Challenge for cause, 2012). Suppose the juror may have some kind of relationships with the accused or the victim. In this case the challenge for cause can be made by the suspected party against the juror. In the case of political crimes, political parties often ask for the removal of certain juror if they believe that the juror has disbelief in their political ideologies.

" Peremptory challenge is the right of the plaintiff and the defendant in a jury trial to have a juror dismissed before trial without stating a reason"(Peremptory challenge, 2012). The major objective of peremptory challenge is to make sure that both the defendant and the plaintiff have reasonable faith in the abilities of the juror so that the final verdict would be acceptable to both the parties. In other words, peremptory challenge increases the neutral verdicts in law suits since it allows the defendant and the prosecution to get rid of biased jurors.

The United States Supreme Court has held that the purpose of the peremptory challenge is " to assure the parties that the jurors before whom they try the case will decide on the basis of the evidence placed before them, and not otherwise" (Henley, 2004)

To conclude, challenge for cause and peremptory challenge are provisions in criminal justice system to avoid biases in verdicts.

References

Challenge for cause (2012). Retrieved from <https://assignbuster.com/challenge-for-cause-and-a-peremptory-challenge/>

<http://dictionary.law.com/Default.aspx?selected=169>

Henley, P. (2004). Improving the Jury System: Peremptory Challenges.

Retrieved from

<http://www.uchastings.edu/public-law/plri/spr96tex/juryper.html>

Peremptory challenge (2012). Retrieved from

<http://dictionary.law.com/Default.aspx?selected=1501>