

Jury research paper

[Law](#), [Court](#)



Walker1 Jordan Walker Durana Azizi March 8 2011 English 2310 Jury research paper The US Constitution grants citizens the right to trial by a jury of your peers. In other words, it grants citizens the right to be judged by average ordinary rather than by lawyers or judges. Basically the way the system works is all adults who register to vote become members of the potential jury pool. When a jury is needed for a trial, summons are sent out to a number of potential jurors to appear at the court house at a specific time. These jurors are usually brought into the court where they are given some basic information about the case such as how long the trial might last. The judge then asks if anyone has reason to be dismissed for cause or hardship - such as taking care of sick family, leaving a business unattended, and other such things. These people are usually dismissed from service but may be called again in the not too distant future. At this time the court will call about 18 people to sit in the jury box and they are interviewed (with both group and individual questions) about potential biases. Basically the goal is to find out if they will attempt to be fair and impartial jurors. During this process, each side (the prosecution and the defense) are allowed some number of peremptory challenges. These challenges basically allow a juror to be dismissed for no reason other than one side or the other doesn't like something about them. During this process, jurors can also be dismissed for cause for such things as having a relationship with the accused or a witness that could prejudice or bias their judgment. Once a jury of 12 plus several alternates is seated, the testimony portion of the trial begins. Basically the jurors are spoon fed certain information/evidence as well as specific information about the laws in question. Once both sides present their case

and have a chance to rebut any witnesses, the jury then goes into deliberations. During the deliberations, the jury will decide whether the person is guilty or innocent of the crimes charged. In some cases/states, they may be given the option of finding the defendant guilty of a lesser charge. If all 12 jurors agree on a verdict, then the trial ends based on their verdict. If even 1 juror disagrees then there is a "hung jury" which results in a mistrial. At that point the prosecution has to decide whether to retry the case or dismiss the charges. During the course of the case, the jury is instructed to not discuss the case with anyone - even among themselves. And they are not allowed to seek information on their own. In some cases where there may be a serious threat of jury tampering, the jury may be sequestered for the course of the trial. In criminal cases, the jury must be convinced beyond a reasonable doubt. This standard does not mean beyond the shadow of a doubt or beyond some theoretical doubt. It means enough to convince a reasonable person the accused is guilty of their crimes. The rules are somewhat different for civil trials - specifically that you only need 9 of 12 jurors and the burden of proof is "the preponderance of the evidence" which basically means the majority or just over half. (<http://ph.answers.yahoo.com/question/index?qid=20080228004124AACrYG5>)