Once Jury Duty Is Over

Now that the case is over, you may speak with others about the case and the deliberations if you so choose.

If you are concerned whether you did the right thing, know that if you tried your best, you did the right thing. Making decisions as jurors about the lives, events, and facts in a trial is always difficult. Regardless of the outcome of this case, you have performed an invaluable service for the people in this case and for the system of justice in our community.

This guide is not intended to take the place of any instructions given to you by the judge.

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A Guide to Jury Deliberations

What to Do When You Are Called to Serve on a Jury

If you are chosen to serve on a jury, you will be instructed on the law in this case and have access to the evidence presented. Please read the information in this pamphlet for tips on how you may consider evidence based on the law in order to reach a verdict. You are free to deliberate in any way you wish. This brochure has suggestions to help you proceed with the deliberations in a calm and timely way.

Before you start, you may find the following guidelines for jurors helpful:

- Follow the judge's instructions about the law.
- Respect each other's opinions, and value the different viewpoints you each bring to the case.
- Know that it is okay to change your mind.
- Listen to one another, do not let yourself be bullied into changing your opinion, and do not bully anyone else.
- Do not rush into a verdict to save time. The people in this case deserve your complete attention and thoughtful consideration.

Getting Started

At first, you might want to:

- Take some time to get to know one another;
- Talk about your feelings and what you think about the case;
- Talk about how you want to go ahead with the deliberations, and lay out some rules to guide you; and
- Talk about how to handle voting.

Selecting the Presiding Juror

Every jury must select a presiding juror. Below are some qualities to consider when choosing your presiding juror:

- Is the juror a good discussion leader?
- Is the juror fair?
- Is the juror a good listener?
- Is the juror a good speaker?
- Is the juror organized?

Presiding Juror Responsibilities

Once selected, the presiding juror should:

- Encourage discussions that include all jurors;
- Keep the deliberations focused on the evidence and the law;
- Let the court know of any questions or problems; and
- Tell the court when a verdict has been reached;

There are no set rules to tell you how to deliberate. You could:

- Go around the table, one by one, to talk about the case;
- Have jurors speak up any time they have something to say;
- Try to get everyone to talk by saying something like, "Does anyone else have anything to add?";
- Show respect to the other jurors by looking at the person speaking;
- Do not be afraid to speak up and express your views;
- Have someone take notes during your deliberations so that you do not forget the important points; and
- Write down key points so that everyone can see them.

Discussing the Evidence and the Law

So what can you do now? First, you could review the judge's instructions on the law because the instructions tell you what to do.

Is there a set way to examine and weigh the evidence and to apply the law? Unless, the judge's instructions tell you that special rules or set processes must be followed, you are free to conduct your deliberations in whatever way is helpful.

Here are several suggestions:

- Look at the judge's instructions that define each charge or claim, and list each separate element that makes up that charge or claim.
- For each element, review the evidence—both the exhibits and the witness testimony—to see if each element has been established by the evidence.
- If there is a lot of evidence, try listing each piece of evidence next to the elements it applies to.
- Discuss each charge or claim one at a time.
- Vote on each charge or claim.
- Fill out the verdict forms given to you by the judge.

Voting

There is no best time to take a first vote. But if you spend a reasonable amount of time considering the evidence and the law and listening to each other's opinions, you will probably feel more confident and satisfied with your eventual verdict than if you rush things.

Is there a correct way to take the vote? No. Any way is okay. You might vote by a show of hands, by a written ballot, or by a voice ballot. Eventually, a final vote in the jury room will have to be taken, with each of you expressing your verdict openly to the other jurors. If you cannot reach a verdict after trying many times to do so, you should ask the judge for advice on how to proceed.

Getting Assistance From the Court

If you don't understand or are confused by something in the judge's instructions, such as a legal principle or definition, ask the judge. You must understand the instructions to do a good job. To get more information, write your questions on a piece of paper, and have the presiding juror give the paper to the jury bailiff.

If you ask for information that the judge is unable to give you, the judge will tell you so. Examples of information you cannot ask for or receive include, but are not limited to:

- Police reports, doctors' reports, etc., that were referred to during the trial but were not received in evidence as exhibits;
- Reports and other information that were not referred to during the trial but that you assume might or should be available; and
- How you or someone else should vote in the case.

The Verdict

After the jurors have reached a verdict and signed the verdict forms, the following steps are usually taken:

- The presiding juror tells the attending jury bailiff that a verdict has been reached.
- The judge calls everyone, including the jurors, back into the courtroom.
- The clerk in the courtroom asks the presiding juror for the verdict.
- The verdict is read into the record in open court by the clerk, the judge, or some other court official.

The judge may ask for an individual poll of each juror to see if you agree with the verdict. You need only answer "yes" or "no" OR "not guilty" or "guilty" to the question asked by the judge.