

**NCSC**  
National Center for State Courts

# JUSTICE

## CASE FILES

# 3

The Case of Jury Duty

Dear Readers,

Jury duty touches the lives of millions of Americans each year. The right to a jury trial is vital to our democracy, an essential right specifically addressed by our country's founders, and is one of the most rewarding contributions citizens make to our society.

Still, few people understand how our jury system works and why their participation is essential. To help increase the understanding about our system of justice, the National Center for State Courts developed Justice Case Files, a series of graphic novels that takes timely issues and shows how they work in our courts.

"The Case of Jury Duty," the third in the series, tells the story of Matthew Foley, an 18-year-old who has been summoned for jury duty. Through Matt's story, readers will learn how meaningful jury service is to the citizens who serve, how the jury system is a source of accountability for the courts, and how our society benefits from the right of a jury of your peers.

We hope that through reading "The Case of Jury Duty," you will better understand how vital jury service is to our country and be willing to participate if summoned.

Sincerely,



Mary Campbell McQueen  
President  
National Center for State Courts

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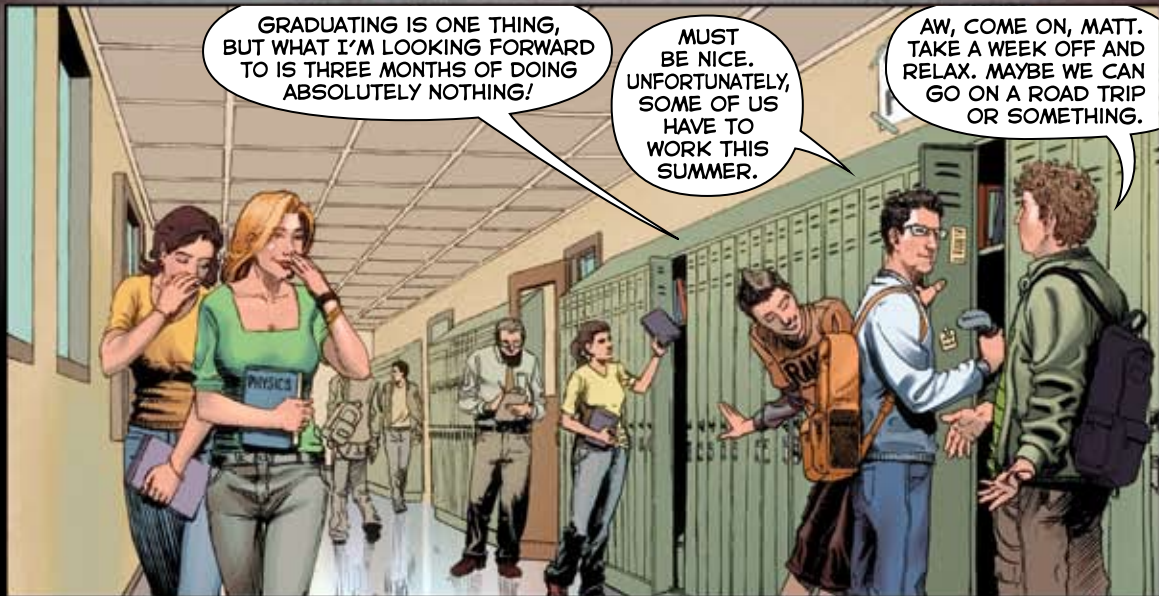
**DESIGNS** • CRAIG SCHUTT / DANIEL BURTON

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I CAN'T WAIT UNTIL GRADUATION!



GRADUATING IS ONE THING, BUT WHAT I'M LOOKING FORWARD TO IS THREE MONTHS OF DOING ABSOLUTELY NOTHING!

MUST BE NICE. UNFORTUNATELY, SOME OF US HAVE TO WORK THIS SUMMER.

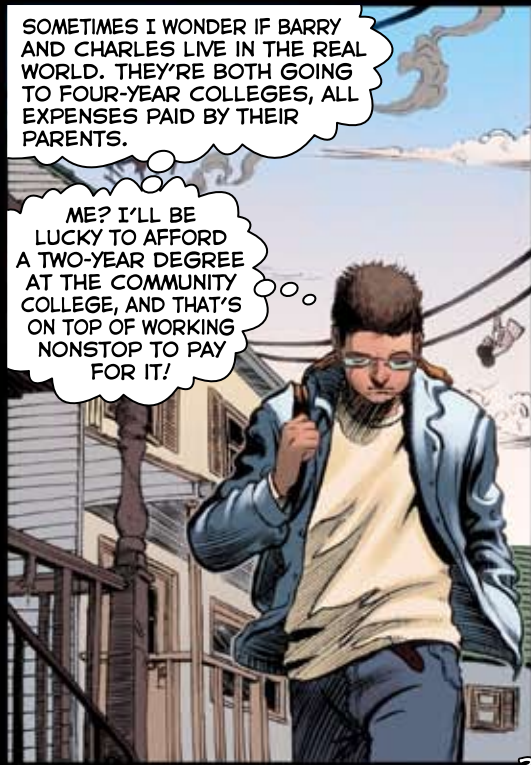
AW, COME ON, MATT. TAKE A WEEK OFF AND RELAX. MAYBE WE CAN GO ON A ROAD TRIP OR SOMETHING.



YOU KNOW SOMETHING? YOU'RE RIGHT! MY DAD CAN SPARE ME FOR A WEEK.

NOW YOU'RE TALKING! WE'LL PLAN ON HEADING OUT THE DAY AFTER GRADUATION!

AND WE'LL DRIVE UNTIL WE FEEL LIKE STOPPING OR AT LEAST UNTIL WE SEE THE OCEAN.



SOMETIMES I WONDER IF BARRY AND CHARLES LIVE IN THE REAL WORLD. THEY'RE BOTH GOING TO FOUR-YEAR COLLEGES, ALL EXPENSES PAID BY THEIR PARENTS.

ME? I'LL BE LUCKY TO AFFORD A TWO-YEAR DEGREE AT THE COMMUNITY COLLEGE, AND THAT'S ON TOP OF WORKING NONSTOP TO PAY FOR IT!



MY MOM AND DAD WOULD PAY MY WAY IF THEY COULD, BUT THEY CAN'T.

WE'RE BARELY STAYING ONE STEP AHEAD FINANCIALLY AS IT IS.



"SUMMONS FOR JUROR SERVICE?"

THIS CAN'T BE RIGHT!



YOU'VE BEEN SUMMONED FOR JURY DUTY. IT HAPPENS TO ALL OF US AT ONE TIME OR ANOTHER, SON.

LOOK ON THE BRIGHT SIDE, MATT. AT LEAST THIS ISN'T ANOTHER BILL.

HA-HA.

HAVE YOU EVER SERVED ON A JURY, DAD?



I CAME CLOSE ONE TIME; HOWEVER, THEY DIDN'T NEED ALL OF THE JURORS CALLED FOR THAT DATE, SO I WAS SENT HOME EARLY.

I'LL SAY THIS-- I WAS SURPRISED BY THE VARIETY OF PEOPLE ASKED TO SERVE.

I GUESS IT DOESN'T MATTER IF YOU'RE RICH OR POOR. EVERYONE IS EQUAL WHEN IT COMES TO JURY DUTY.



THE TIMING IS WHAT BOTHERS ME.

I WAS PLANNING ON TAKING A ROAD TRIP THE DAY AFTER GRADUATION, AND INSTEAD I HAVE TO GO DOWNTOWN TO THE COURTHOUSE!

WHAT ROAD TRIP ARE YOU TALKING ABOUT?




WELL, THE GUYS AND I JUST MADE PLANS TODAY.



I THOUGHT YOU WERE GOING TO ASSIST ME WITH THE PETERSON JOB.




I NEED AN EXTRA SET OF HANDS WHEN WE INSTALL THE DUCTWORK.



DON'T WORRY, DAD. I'M NOT GOING. OTHER THAN THIS JURY DUTY THING, I'LL BE GLAD TO HELP.

I DON'T HAVE THE MONEY TO TRAVEL ANYWAY.

MARK, DID YOU GET CALLED AGAIN FOR JURY DUTY?



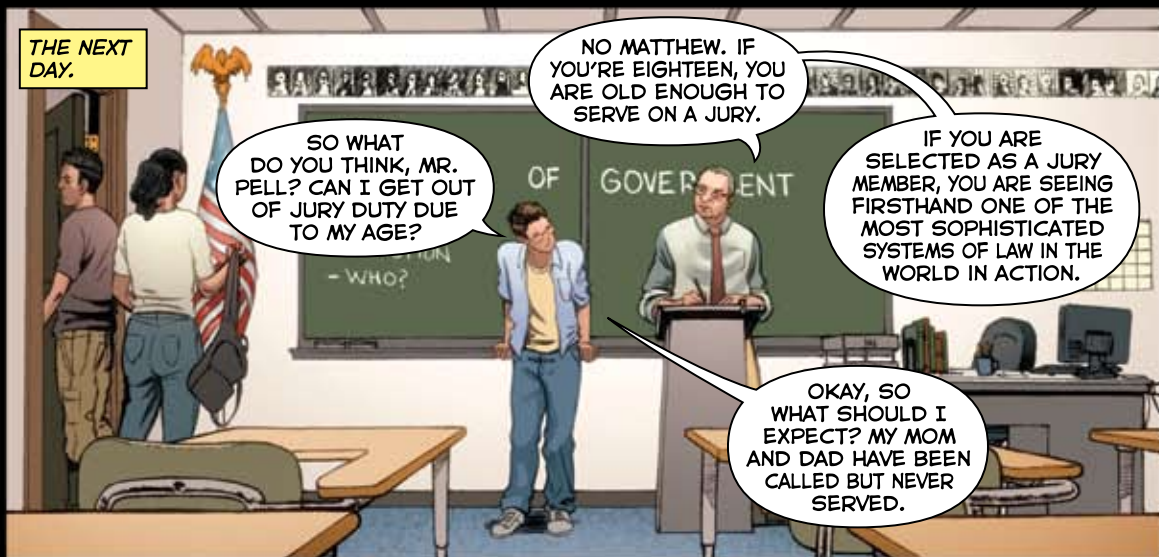
I DIDN'T, BUT OUR LITTLE BOY IS NOW ON THE MAILING LIST!

THE LAST TIME I WAS SUMMONED, I WASN'T CHOSEN BECAUSE I KNEW THE WIFE OF THE HUSBAND WHO WAS ON TRIAL.

TRY TO MAKE THE BEST OF IT, SON.

MAYBE YOU'LL GET LUCKY AND THEY'LL DISMISS YOU BECAUSE YOU'RE SO YOUNG.

THE NEXT DAY.



SO WHAT DO YOU THINK, MR. PELL? CAN I GET OUT OF JURY DUTY DUE TO MY AGE?

NO MATTHEW. IF YOU'RE EIGHTEEN, YOU ARE OLD ENOUGH TO SERVE ON A JURY.

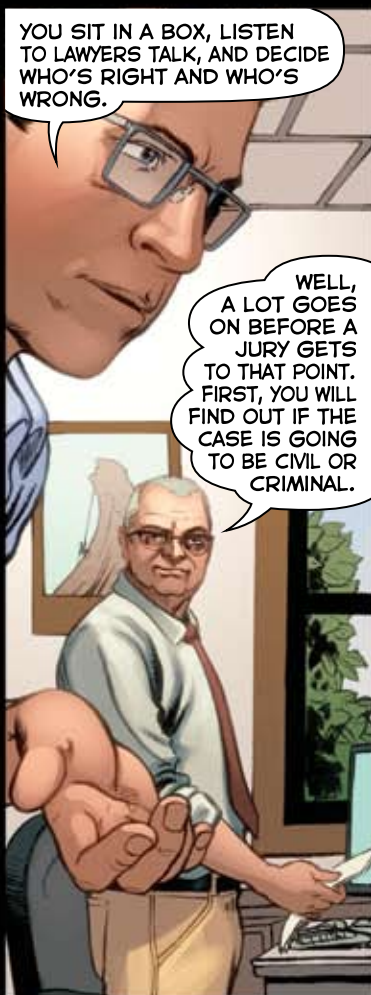
IF YOU ARE SELECTED AS A JURY MEMBER, YOU ARE SEEING FIRSTHAND ONE OF THE MOST SOPHISTICATED SYSTEMS OF LAW IN THE WORLD IN ACTION.

OKAY, SO WHAT SHOULD I EXPECT? MY MOM AND DAD HAVE BEEN CALLED BUT NEVER SERVED.



WHAT DO YOU KNOW ABOUT THE JURY PROCESS?

JUST WHAT I'VE SEEN ON TELEVISION.



YOU SIT IN A BOX, LISTEN TO LAWYERS TALK, AND DECIDE WHO'S RIGHT AND WHO'S WRONG.

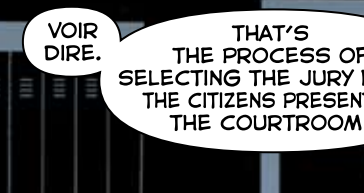
WELL, A LOT GOES ON BEFORE A JURY GETS TO THAT POINT. FIRST, YOU WILL FIND OUT IF THE CASE IS GOING TO BE CIVIL OR CRIMINAL.



A CIVIL CASE IS WHEN TWO PEOPLE DISAGREE AND GO TO COURT TO LET A JUDGE OR JURY MAKE THE DECISION. A CRIMINAL CASE IS WHEN SOMEONE IS ACCUSED OF BREAKING THE LAW.

PERHAPS YOU MIGHT NOT SERVE AT ALL, DEPENDING ON HOW THINGS GO WITH THE VOIR DIRE EXAMINATION.

VOIR WHAT?



VOIR DIRE.

THAT'S THE PROCESS OF SELECTING THE JURY FROM THE CITIZENS PRESENT IN THE COURTROOM.



YOU'LL BE ANSWERING QUESTIONS FROM THE ATTORNEYS OR THE JUDGE.

JUST BE HONEST WITH YOUR ANSWERS AND YOU'LL BE FINE.



"DON'T WORRY. EVERYTHING WILL BE EXPLAINED TO YOU AT THE COURTHOUSE. IF YOU ARE CHOSEN, JUST REMEMBER TO PONDER ALL THE EVIDENCE AND DON'T MAKE A QUICK DECISION. GOOD LUCK!"



MY CIVICS TEACHER LEFT OUT ONE THING WHEN TELLING ME ABOUT JURY DUTY...

OH, YEAH? WHAT'S THAT?



...HE DIDN'T SAY ANYTHING ABOUT SITTING AROUND.

I WISH I HAD KNOWN THEY HAD WIRELESS SERVICE AVAILABLE. I COULD HAVE BROUGHT MY LAPTOP!



YOU AND ME BOTH. THEY DIDN'T HAVE INTERNET HOOKUPS A YEAR AGO WHEN I GOT A LETTER TO SERVE.

WE SHOULD BE CALLED SOON.



THAT TIME, THEY ONLY KEPT ME WAITING A FEW HOURS, BUT THE TRIAL LASTED FOR A WEEK.



A WEEK?

RELAX.

ODDS ARE YOU WON'T HAVE TO SERVE MORE THAN A DAY OR TWO. JUST WAIT AND SEE.

WANT SOME GUM?

THANKS.

I'VE ALREADY MISSED OUT ON MY GRADUATION ROAD TRIP. MY DAD'S BUSINESS CAN'T SPARE ME FOR THAT LONG!



IF YOU HEAR YOUR NAME CALLED, PLEASE ENTER THE COURTROOM.

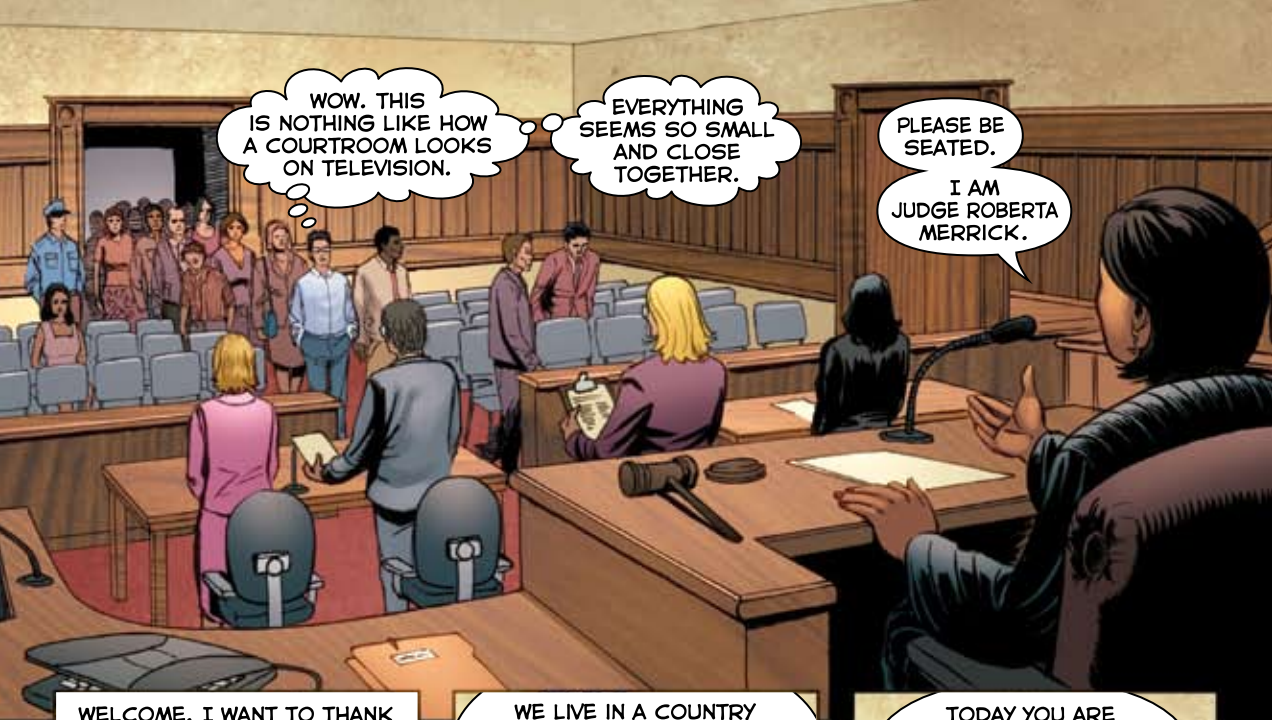
ANNA CORDOVA.

MATTHEW FOLEY.

SEE? WE'LL BE DONE BEFORE YOU KNOW IT.

DEVON WASHINGTON.

BRENDA...



WOW. THIS IS NOTHING LIKE HOW A COURTROOM LOOKS ON TELEVISION.

EVERYTHING SEEMS SO SMALL AND CLOSE TOGETHER.

PLEASE BE SEATED.  
I AM JUDGE ROBERTA MERRICK.

WELCOME. I WANT TO THANK YOU FOR TAKING TIME AWAY FROM YOUR BUSY SCHEDULES TO SERVE TODAY. AMERICAN CITIZENS CAN SHOW THEIR PATRIOTISM IN MANY WAYS AND PARTICIPATING IN JURY SERVICE IS ONE OF THEM.

WE LIVE IN A COUNTRY THAT BELIEVES IN US SO MUCH IT ALLOWS US TO HAVE A SAY IN THE LIVES OF OUR FELLOW CITIZENS. BY SERVING TODAY, YOU PROTECT OUR RIGHTS TO A FAIR TRIAL.

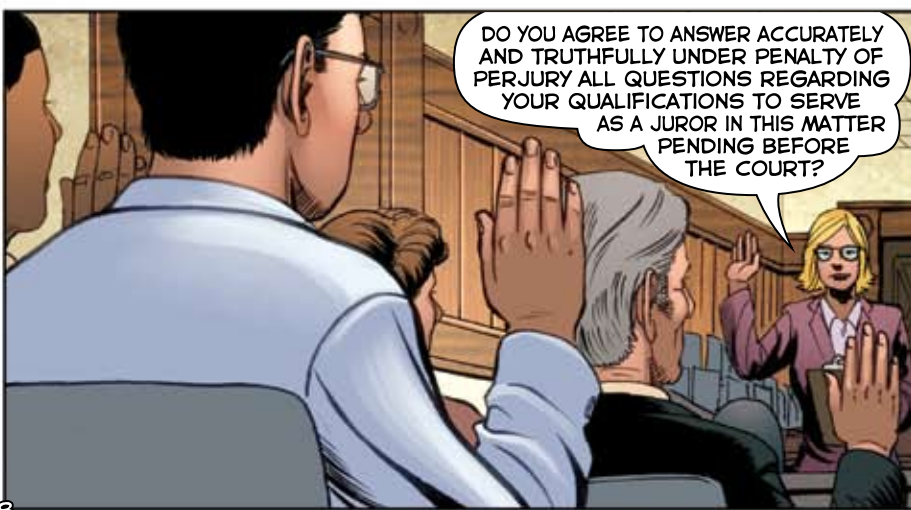
TODAY YOU ARE GOING TO BE ASKED SOME QUESTIONS TO ESTABLISH YOUR QUALIFICATIONS FOR SERVICE AS A JUROR. THIS PROCESS IS KNOWN AS THE VOIR DIRE EXAMINATION.



JURY SERVICE IS AN IMPORTANT RIGHT, DUTY, AND PRIVILEGE OF EVERY AMERICAN.

WITHOUT YOU, THIS ESSENTIAL PART OF THE GREATEST JUDICIAL SYSTEM IN THE WORLD WOULD NOT BE POSSIBLE.

WE WILL ASK ABOUT YOUR BACKGROUND AND IF YOU HAVE ANY KNOWLEDGE OR PERSONAL INTEREST IN THE CASE BEING TRIED.



DO YOU AGREE TO ANSWER ACCURATELY AND TRUTHFULLY UNDER PENALTY OF PERJURY ALL QUESTIONS REGARDING YOUR QUALIFICATIONS TO SERVE AS A JUROR IN THIS MATTER PENDING BEFORE THE COURT?



I DO.





MS. MEDINA, AS PROSECUTOR, YOU MAY BEGIN.

I KNOW I SPEAK FOR THE DEFENSE AS WELL BY SAYING THAT WE TRULY APPRECIATE YOUR TIME AND SERVICE.

THANK YOU, YOUR HONOR.

AND THANK YOU ALL FOR SERVING TODAY.



WE ALL HAVE A BIAS. THE QUESTIONS ASKED TODAY ALLOW US TO PICK A FAIR AND IMPARTIAL JURY. WE WILL DETERMINE HOW YOUR UNIQUE LIFE EXPERIENCES MIGHT IMPACT THIS TRIAL. IT IS NOT MEANT TO PRY INTO YOUR PERSONAL LIFE.

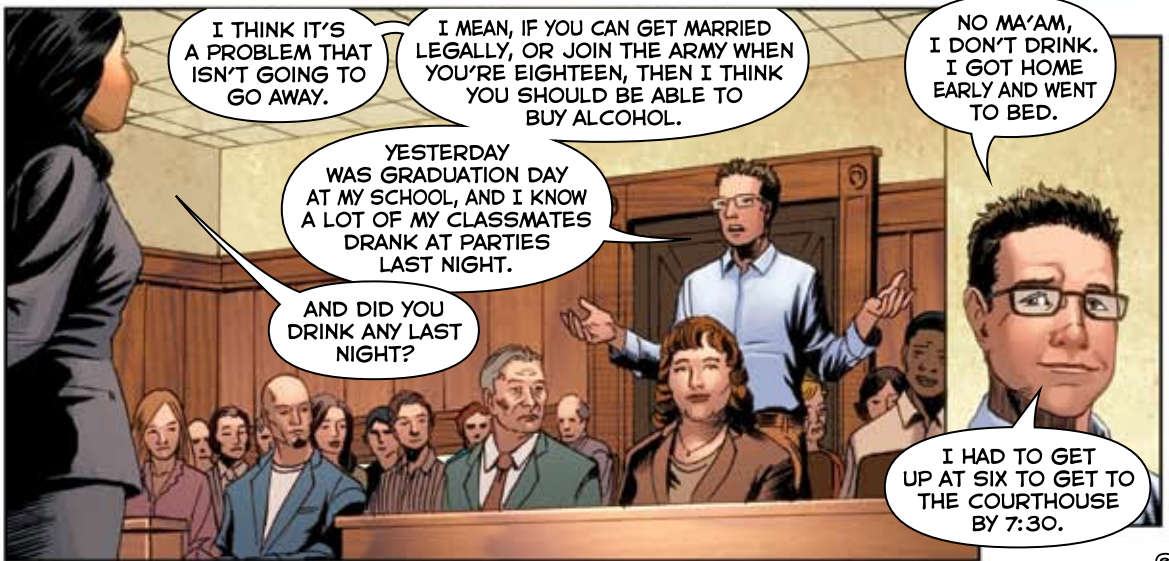
THIS CASE INVOLVES UNDERAGE DRINKING.

DOES ANYONE HERE FEEL THAT THEY MAY NOT BE ABLE TO RETURN A GUILTY VERDICT FOR THIS CRIME?



YES, SIR. PLEASE, STATE YOUR NAME AND SPEAK LOUDLY FOR THE COURT REPORTER.

MATT FOLEY.



I THINK IT'S A PROBLEM THAT ISN'T GOING TO GO AWAY.

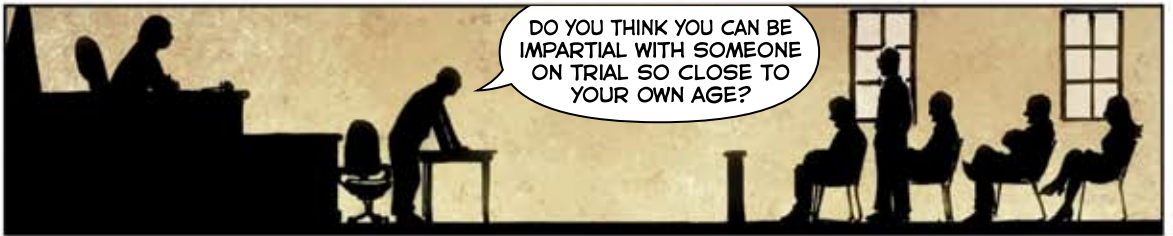
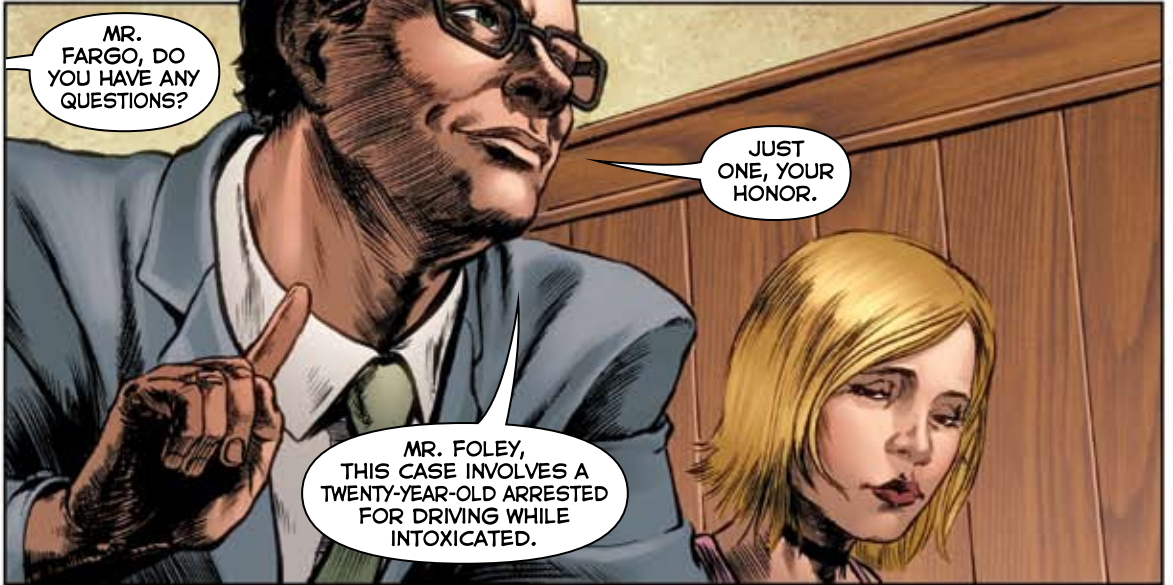
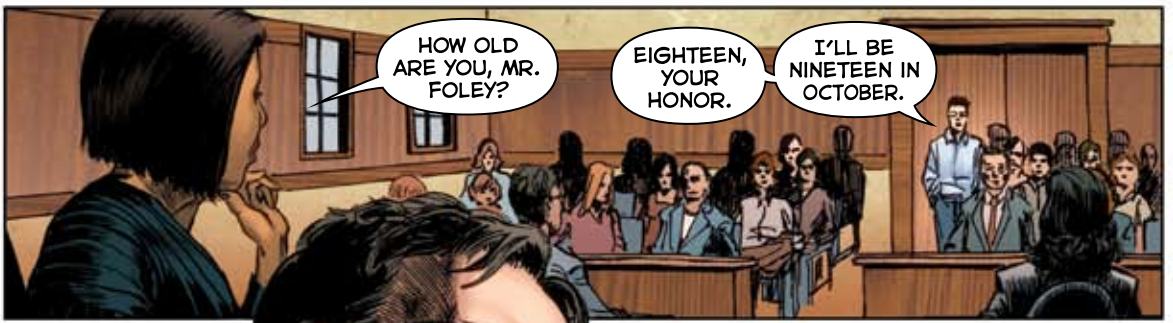
I MEAN, IF YOU CAN GET MARRIED LEGALLY, OR JOIN THE ARMY WHEN YOU'RE EIGHTEEN, THEN I THINK YOU SHOULD BE ABLE TO BUY ALCOHOL.

NO MA'AM, I DON'T DRINK. I GOT HOME EARLY AND WENT TO BED.

YESTERDAY WAS GRADUATION DAY AT MY SCHOOL, AND I KNOW A LOT OF MY CLASSMATES DRANK AT PARTIES LAST NIGHT.

AND DID YOU DRINK ANY LAST NIGHT?

I HAD TO GET UP AT SIX TO GET TO THE COURTHOUSE BY 7:30.

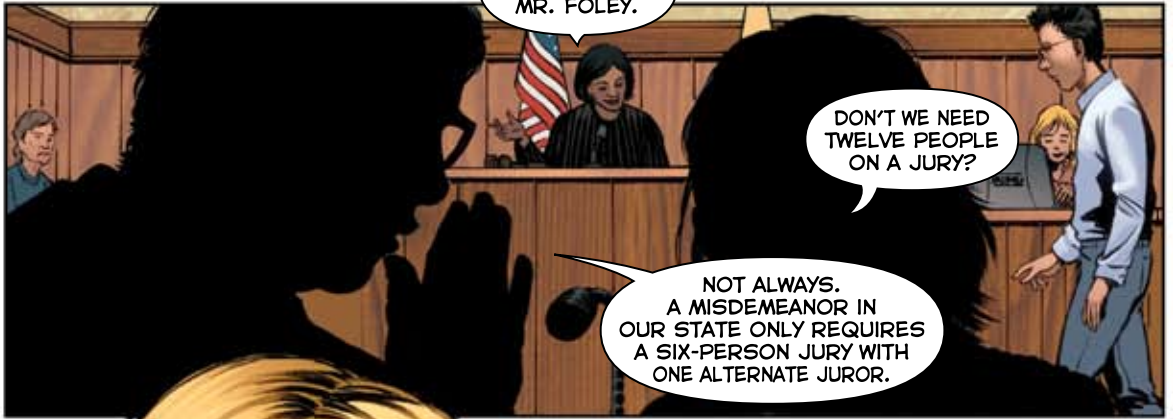




LATER, AFTER THE VOIR DIRE IS FINISHED ...

I LIKE THIS KID. EVEN IF HE DOESN'T DRINK, HE'LL LIKELY BE MORE UNDERSTANDING THAN AN ADULT.

OUR LAST JUROR WILL BE MR. FOLEY.



DON'T WE NEED TWELVE PEOPLE ON A JURY?

NOT ALWAYS. A MISDEMEANOR IN OUR STATE ONLY REQUIRES A SIX-PERSON JURY WITH ONE ALTERNATE JUROR.



I WAS WANTING TO TESTIFY, BUT I'M NOT SO SURE NOW. WHAT DO YOU THINK?



YOU WOULD BEST BE SERVED BY LETTING THE EVIDENCE SPEAK FOR YOU, MS. WITHERSPOON.



I THANK THE REST OF YOU FOR YOUR TIME. YOU ARE DISMISSED.



LADIES AND GENTLEMEN, NOW THAT YOU HAVE BEEN SWORN IN, I WILL BRIEFLY TELL YOU ABOUT YOUR DUTIES AS JURORS AND GIVE YOU SOME INSTRUCTIONS.



IT WILL BE YOUR DUTY TO DECIDE THE FACTS.

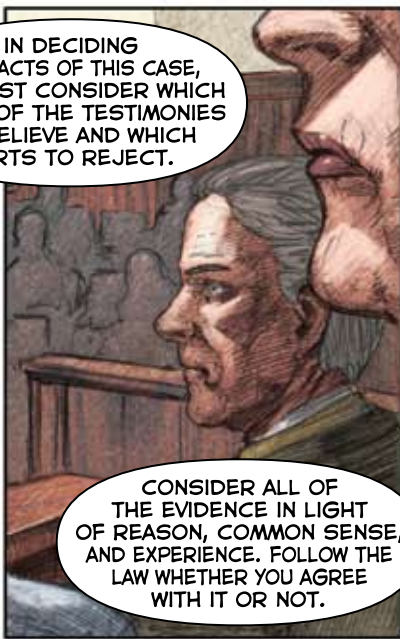
YOU MUST DECIDE THE FACTS ONLY FROM THE EVIDENCE PRESENTED IN COURT.



YOU MUST NOT DO ANY OF YOUR OWN INVESTIGATION AS TO THE MATTERS OF THIS CASE BY VISITING THE SCENE OF THE INCIDENT OR BY USING THE INTERNET.



YOU MUST NOT BE INFLUENCED BY SYMPATHY FOR OR PREJUDICE AGAINST THE DEFENDANT.



IN DECIDING THE FACTS OF THIS CASE, YOU MUST CONSIDER WHICH PARTS OF THE TESTIMONIES TO BELIEVE AND WHICH PARTS TO REJECT.

CONSIDER ALL OF THE EVIDENCE IN LIGHT OF REASON, COMMON SENSE, AND EXPERIENCE. FOLLOW THE LAW WHETHER YOU AGREE WITH IT OR NOT.



AT TIMES, THE PROSECUTION AND DEFENSE WILL COME UP TO DISCUSS THINGS WITH ME AND I WILL BE REQUIRED TO MAKE DECISIONS REGARDING THE LAW.



THIS WILL NOT BE MEANT TO KEEP ANYTHING FROM YOU.



AS THE TRIAL PROGRESSES I'LL KEEP YOU INFORMED OF HOW LONG I THINK IT WILL LAST. WE'LL TRY TO BE FINISHED BY TOMORROW AFTERNOON.



SERVING ON A JURY IS AN IMPORTANT RESPONSIBILITY. I KNOW EACH OF YOU WILL DO SO WISELY AND TO THE BEST OF YOUR ABILITY.

PROSECUTOR, YOU MAY BEGIN WITH YOUR OPENING STATEMENT.



LADIES AND GENTLEMEN OF THE JURY, TODAY YOU ARE GOING TO HEAR TESTIMONY FROM A LAW ENFORCEMENT OFFICER REGARDING THE ARREST OF KAYE WITHERSPOON ON THE CHARGE OF DRIVING UNDER THE INFLUENCE.

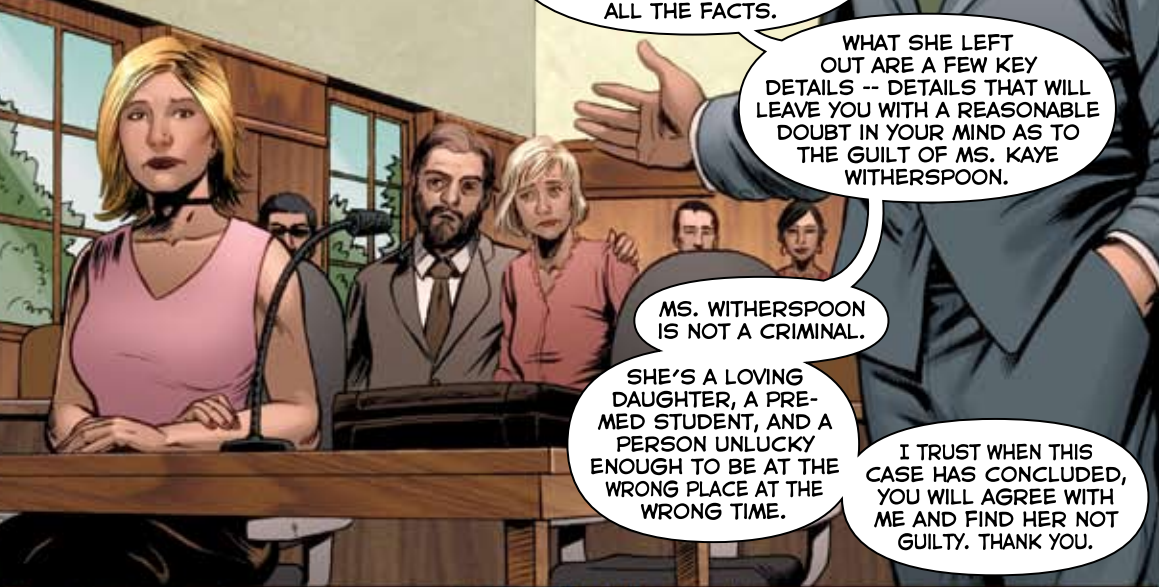
A BREATHALYZER TEST WAS GIVEN AT THE SCENE, AND MS. WITHERSPOON WAS ABOVE THE LEGAL LIMIT IN THIS STATE.



PLEASE TAKE NOTE THAT IN ADDITION TO THE CHARGE OF DRIVING WHILE UNDER THE INFLUENCE, MS. WITHERSPOON IS ALSO UNDER THE AGE TO LEGALLY CONSUME ALCOHOLIC BEVERAGES.

I AM SURE YOU WILL FIND THE RIGHT ANSWER IN THIS CASE. THE CLEAR AND CORRECT VERDICT IS GUILTY.

THINGS ARE NOT ALWAYS AS THEY APPEAR TO BE ON THE SURFACE. FOR EXAMPLE, A PERSON COULD AGREE WITH EVERYTHING MY COLLEAGUE JUST TOLD YOU IF THAT PERSON DIDN'T KNOW ALL THE FACTS.



WHAT SHE LEFT OUT ARE A FEW KEY DETAILS -- DETAILS THAT WILL LEAVE YOU WITH A REASONABLE DOUBT IN YOUR MIND AS TO THE GUILT OF MS. KAYE WITHERSPOON.

MS. WITHERSPOON IS NOT A CRIMINAL.

SHE'S A LOVING DAUGHTER, A PRE-MED STUDENT, AND A PERSON UNLUCKY ENOUGH TO BE AT THE WRONG PLACE AT THE WRONG TIME.

I TRUST WHEN THIS CASE HAS CONCLUDED, YOU WILL AGREE WITH ME AND FIND HER NOT GUILTY. THANK YOU.



THIS IS A GOOD SPOT TO BREAK FOR LUNCH. WE'LL MEET BACK HERE AT 1:15 P.M. THAT WILL GIVE YOU A LITTLE OVER AN HOUR.

I'LL REMIND YOU NOT TO DISCUSS THE CASE AMONGST YOURSELVES UNTIL TIME FOR DELIBERATIONS. ALSO, DO NOT MAKE ANY ASSUMPTIONS UNTIL ALL EVIDENCE HAS BEEN PRESENTED.



I WAS SCARED YOU GUYS WOULD HEAR MY STOMACH GROWLING IN THE JURY BOX!



THAT WAS YOU? I THOUGHT A TIGER CUB WAS LOOSE IN THE COURT.

I WONDER IF THE JUDGE WOULD MIND IF I BROUGHT BACK MY LEFTOVERS, YOU KNOW, JUST IN CASE I GET HUNGRY AGAIN.



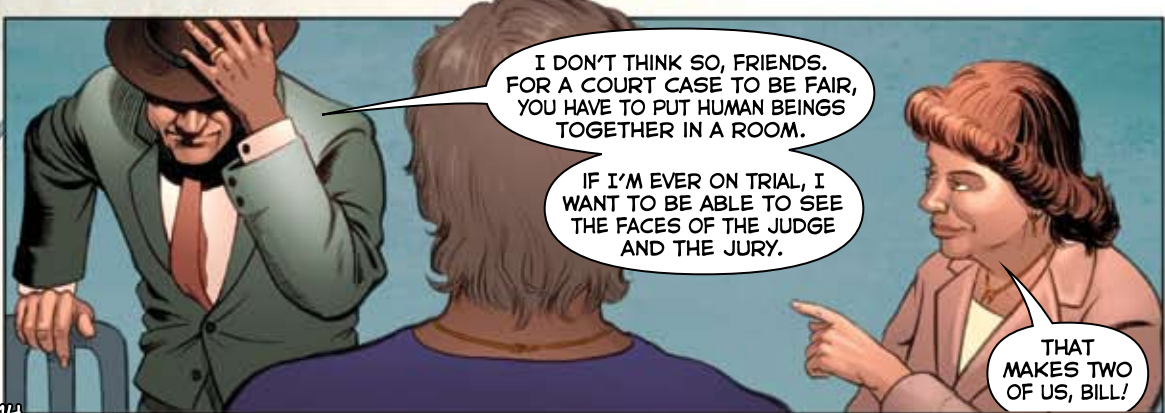
WELL, I MUST SAY I'M SURPRISED AT HOW QUICKLY THINGS ARE MOVING IN THE COURTROOM.

REALLY? HOW SO, MRS. LANDIS?



TWENTY YEARS AGO WHEN I SERVED ON A JURY, IT TOOK MUCH LONGER.

I BET IN ANOTHER TWENTY YEARS, THEY'LL DO JURY DUTY OVER A COMPUTER. LINK US ALL THROUGH WEB CAMS OR SOMETHING.



I DON'T THINK SO, FRIENDS. FOR A COURT CASE TO BE FAIR, YOU HAVE TO PUT HUMAN BEINGS TOGETHER IN A ROOM.

IF I'M EVER ON TRIAL, I WANT TO BE ABLE TO SEE THE FACES OF THE JUDGE AND THE JURY.

THAT MAKES TWO OF US, BILL!

AFTER THE TRIAL RESUMES ...



I DO.



OFFICER ARDNER, WILL YOU PLEASE TELL THE JURY THE EVENTS THAT OCCURRED ON THE MORNING OF MARCH 8TH?

YES, I WILL.

AT 2:17 A.M. SATURDAY MORNING, I OBSERVED A BLACK FORD MUSTANG DRIVING ERRATICALLY ON FREEMONT AVENUE.

"I STOPPED THE CAR AND APPROACHED THE DRIVER, KAYE WITHERSPOON. SHE APOLOGIZED FOR HER DRIVING AND SAID SHE WAS TIRED.



"SUSPECTING THE USE OF ALCOHOL, I ASKED HER TO STEP OUT OF THE CAR. WHILE DOING SO, SHE WAS OBVIOUSLY A BIT SHAKY ON HER FEET.

"I HAD OBSERVED SEVERAL THINGS THAT INDICATED ALCOHOL USE, INCLUDING BLOODSHOT EYES AND A GENERAL LACK OF COORDINATION, SO I GAVE HER A SERIES OF FIELD SOBRIETY TESTS AND A BREATHALYZER."



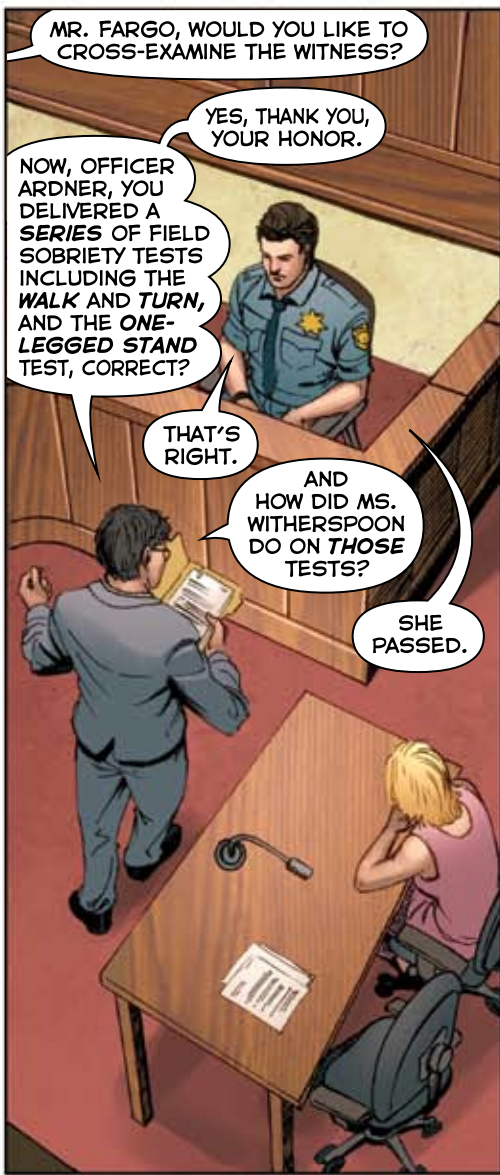
"OFFICER ARDNER, HOW DID MS. WITHERSPOON DO?"



SHE HAD A BLOOD ALCOHOL LEVEL OF .08 PERCENT. AT THAT AMOUNT A PERSON IS LEGALLY INTOXICATED.



THANK YOU, OFFICER.



MR. FARGO, WOULD YOU LIKE TO CROSS-EXAMINE THE WITNESS?

YES, THANK YOU, YOUR HONOR.

NOW, OFFICER ARDNER, YOU DELIVERED A **SERIES** OF FIELD SOBRIETY TESTS INCLUDING THE **WALK AND TURN**, AND THE **ONE-LEGGED STAND** TEST, CORRECT?

THAT'S RIGHT.

AND HOW DID MS. WITHERSPOON DO ON **THOSE** TESTS?

SHE PASSED.



A BLOOD ALCOHOL LEVEL OF 0.08 PERCENT IS THE BARE **MINIMUM** REQUIRED FOR A DRIVER TO BE CONSIDERED UNDER THE INFLUENCE OF ALCOHOL.



IS IT POSSIBLE TO SAY THAT A MERE DIFFERENCE OF **0.01 PERCENT** WOULD KEEP US FROM STANDING IN THIS COURTROOM TODAY?



NOT NECESSARILY. HER EYES WERE BLOODSHOT AND SHE WAS A LITTLE SHAKY GETTING OUT OF THE CAR, BUT I SUPPOSE ANYTHING IS POSSIBLE.



THANK YOU, OFFICER.

YOUR HONOR, THE PROSECUTION RESTS.



YOUR HONOR, THE DEFENSE WOULD LIKE TO CALL DR. CLINTON HARRIS TO THE STAND. HE IS AN EXPERT ON THE DISSIPATION RATES OF ALCOHOL THROUGH THE BLOODSTREAM.



LATER, AT THE END OF THE FIRST DAY...

LADIES AND GENTLEMEN OF THE JURY, YOU HAVE NOW HEARD THE OPENING STATEMENTS AND SWORN TESTIMONY IN REGARDS TO THIS CASE.

TOMORROW, YOU WILL HEAR CLOSING ARGUMENTS AND INSTRUCTIONS ON THE LAW AS IT REFERS TO THIS CASE.

YOU WILL THEN BEGIN JURY DELIBERATIONS UNTIL YOU HAVE REACHED A UNANIMOUS VERDICT.

YOU ARE FREE TO GO HOME FOR THE EVENING.

HOWEVER, YOU ARE REMINDED NOT TO COMMUNICATE TO ANYONE ABOUT THIS CASE, INCLUDING ANY FAMILY, FRIENDS, OR BLOGS.

PLEASE AVOID READING ANY NEWSPAPERS OR WATCHING ANY NEWS SHOWS UNTIL THIS CASE HAS CONCLUDED.

THANK YOU FOR YOUR TIME TODAY. WE WILL SEE YOU BACK HERE AT 9 A.M. TOMORROW MORNING.

BEING A MEMBER OF THE JURY IS A LOT HARDER THAN I EXPECTED. IT'S NOT EASY TO SIT IN JUDGMENT OF OTHERS.

IS THERE PROOF BEYOND A REASONABLE DOUBT?

I HOPE SLEEPING ON THIS WILL HELP ME WITH MY DECISION.

BUT WHAT IF I'M STILL NOT SURE IF SHE'S GUILTY OR NOT? WHAT THEN?

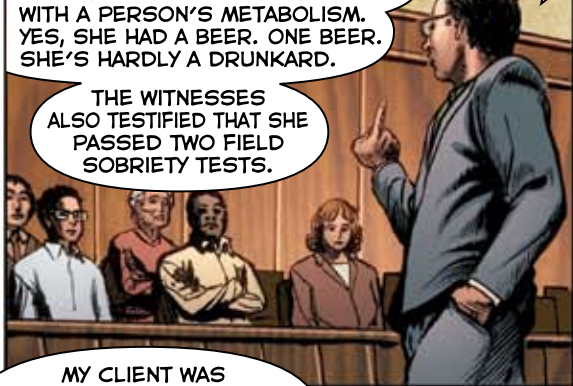
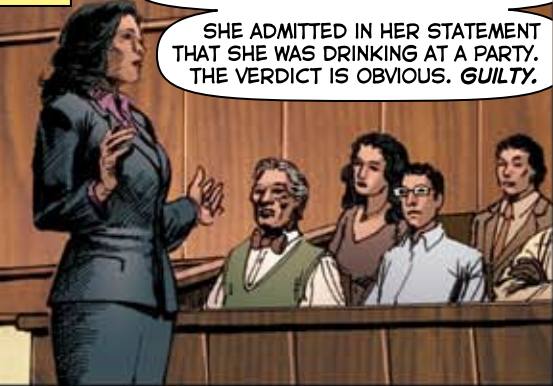
THE NEXT DAY.

THE EVIDENCE IS CLEAR. KAYE WITHERSPOON WAS DRIVING ERRATICALLY AND SHE FAILED THE BREATHALYZER TEST.

SHE ADMITTED IN HER STATEMENT THAT SHE WAS DRINKING AT A PARTY. THE VERDICT IS OBVIOUS. **GUILTY.**

AS THE WITNESSES TESTIFIED, ALCOHOL ABSORPTION INTO THE BLOODSTREAM IS A TIME-SENSITIVE PROCESS THAT VARIES WITH A PERSON'S METABOLISM. YES, SHE HAD A BEER. ONE BEER. SHE'S HARDLY A DRUNKARD.

THE WITNESSES ALSO TESTIFIED THAT SHE PASSED TWO FIELD SOBRIETY TESTS.



MY CLIENT WAS TIRED. BLOODSHOT EYES AND SLOPPY DRIVING COULD EASILY BE THE RESULT OF SLEEP DEPRIVATION.

ARE YOU READY TO MAKE A CRIMINAL OUT OF MS. WITHERSPOON OVER A DEGREE OF ONLY 0.01 PERCENT?

WHEN YOU ARE DONE DELIBERATING, YOUR VERDICT CAN ONLY BE **NOT GUILTY.**



YOU HAVE NOW HEARD CLOSING ARGUMENTS, AND I HAVE INSTRUCTED YOU ON THE LAW.

YOU ARE AWARE OF THE CHARGES AGAINST THE DEFENDANT, AND YOU HAVE A COPY OF THE ISSUES OF LAW THAT MUST BE DECIDED BY THIS JURY.



SINCE THIS IS A CRIMINAL CASE, ALL OF YOU MUST BE IN AGREEMENT AS TO THE VERDICT. TO FIND THE DEFENDANT GUILTY YOU MUST CONCLUDE SHE IS GUILTY BEYOND A REASONABLE DOUBT.

YOU MAY GO TO THE JURY ROOM TO BEGIN YOUR DELIBERATIONS.

MS. JACKSON, PLEASE REMAIN SEATED.

I WANT TO THANK YOU FOR YOUR TIME. YOU HAVE BEEN SELECTED AS THE ALTERNATE JUROR.

PLEASE REMAIN IN THE COURTROOM UNTIL DELIBERATIONS ARE COMPLETE.



HOW MANY HERE THINK SHE'S GUILTY?

NOW HOLD ON.

WE NEED TO REVIEW THE EVIDENCE FIRST.



THE COP PULLED HER OVER AFTER A PARTY AND SHE FAILED THE BREATHALYZER. THIS SEEMS OPEN AND SHUT TO ME.

NOT TO ME, IT DOESN'T.

MY GRANDSON IS IN COLLEGE AND WORKING TWO JOBS. HE HARDLY EVER GETS A GOOD NIGHT'S SLEEP.



AND THE RESULTS WERE SO CLOSE. TOO CLOSE, I THINK.

THE JUDGE INSTRUCTED US TO DEAL ONLY WITH THE FACTS GIVEN IN THE TRIAL.

THAT'S IMPOSSIBLE TO DO, AND EVERYONE KNOWS IT.



I DISAGREE. HARD, MAYBE, BUT NOT IMPOSSIBLE.

LET'S LEAVE ANY PERSONAL OPINIONS OUTSIDE THE ROOM AND JUST LOOK AT WHAT WE LEARNED IN THE COURTROOM.

FOR ME, THIS CASE REALLY COMES DOWN TO THE CREDIBILITY OF THE POLICE OFFICER THAT ARRESTED KAYE WITHERSPOON.

HE'S THE ONE WHO WAS ON THE SCENE THAT NIGHT.

IF YOU BELIEVE HIM, THEN THE VERDICT IS OBVIOUS.

IF YOU DON'T, THEN YOU HAVE REASONABLE DOUBT.

"YOU KNOW, I UNDERSTAND NOW WHAT MR. PELL WAS TELLING ME."

"IN A COURT OF LAW, A JURY CAN'T MAKE A QUICK DECISION."

HAS THE JURY REACHED A VERDICT?

"WE HAVE TO PONDER THE EVIDENCE AND LISTEN TO WHAT THE WITNESSES ARE TELLING YOU ... OR WHAT THEY ARE NOT TELLING YOU."

"WE CAN'T RUSH TO JUDGMENT, FOR IF WE DO ..."

WE HAVE, YOUR HONOR.

... WHAT KIND OF TREATMENT CAN WE EXPECT IF WE EVER HAVE TO APPEAR IN COURT BEFORE A JURY OF OUR PEERS?

IT SOUNDS TO ME LIKE YOU LEARNED A FEW THINGS, MATT.

NOT JUST A FEW THINGS, DAD. I LEARNED A LOT -- BOTH ABOUT HOW COURTS WORK AND ABOUT PERSONAL RESPONSIBILITY.

JUST IN TIME TOO.

WHAT? ANOTHER COURT LETTER ALREADY?

Dear Mr. Foley:  
Thank you for your service to the community as a juror. I know jury service takes time away from your friends, family, or employment.  
The right to a jury trial is a valuable constitutional right. However, without your willingness to serve as a juror, this right would not be possible. You are a vital part of our Court System.  
If you have any questions or comments, please don't hesitate to contact me.  
Once again, thank you for your service.  
Sincerely yours,

I'M PROUD OF YOU, MATT.  
ME TOO.  
THANKS, DAD.



The End

# The Importance of Jury Service

The right to be tried by jury is so important that it appears in three different places in the U.S. Constitution; it is the only right of citizenship to appear this often. **Article III** specifies that all criminal trials except those for impeachment shall be tried by a jury in the state where the crime was committed. The **Sixth Amendment** guarantees criminal defendants a speedy trial by an impartial jury and the **Seventh Amendment** preserves the right to a jury trial in civil cases. The right to a jury trial was considered so important that most states included similar provisions in their state constitutions.

## Recent Improvements in Jury Trial Procedure

State and federal courts have made many changes in trial procedures to help jurors make informed and fair verdicts. Almost all courts permit jurors to take notes so they can better remember the evidence and testimony they hear during trial. Many courts allow jurors to ask a question (in writing) if they don't understand what a witness said. Most courts also give jurors a written copy of the jury instructions to consult during deliberations. In especially complex cases, the court may also give jurors trial notebooks that contain useful information such as names and brief backgrounds of trial witnesses, copies of trial exhibits or documents, a glossary of unfamiliar terms, copies of jury instructions, and paper for taking notes.

## Jury Service Is for Everyone

Jury service is a unique privilege and responsibility of citizenship in America. Because it is so important to our justice system, courts have taken tremendous steps in recent years to ensure that everyone has the opportunity to serve. Rather than hand-picking a small number of people to serve as jurors, courts now randomly select names from broad-based lists such as voter registration, licensed drivers, state identification card holders, taxpayers, and even recipients of public benefits such as employment compensation and public welfare. Two-thirds of the U.S. population now live in localities that only require jurors to serve for "one day or one trial," permitting many citizens to serve who otherwise would be excused for financial hardship. All courts prohibit discrimination in jury service based on gender, race, ethnicity or national origin, religion, and physical disability.



### References

- [www.ncsconline.org/d\\_research/cjs/](http://www.ncsconline.org/d_research/cjs/)  
— National Center for State Courts' Center for Jury Studies
- [www.ourcourts.org](http://www.ourcourts.org)  
— an educational Web site sponsored by Justice Sandra Day O'Connor
- [www.uscourts.gov/outreach/resources/juryfacts.html](http://www.uscourts.gov/outreach/resources/juryfacts.html)  
— for information on federal juries

## Facts About Jury Service in the United States

Estimated number of U.S. jury trials per year: **154,000**

(149,000 in state courts, 5,000 in federal courts)

- 66 percent criminal trials (47-percent felonies plus 19-percent misdemeanors)
- 31 percent civil trials
- 4 percent other

(Note: sum exceeds 100 percent due to rounding)

Source: *State-of-the-States Survey of Jury Improvement Efforts* (April 2007), National Center for State Courts

• Percent of adult Americans who have served as a trial juror in their lifetime: **29 percent**

Source: *Jury Service: Is Fulfilling Your Civic Duty a Trial?* (July 2004), HarrisInteractive

• Estimated number of people summoned each year in the United States for jury service: **32.8 million**

• Estimated number of people reporting for jury service each year: **8 million**

• Estimated number of jurors impaneled each year: **1.5 million**

Source: *State-of-the-States Survey of Jury Improvement Efforts* (April 2007), National Center for State Courts

• Average daily juror pay: **\$22** (approximately 25% of daily per capita income)

Source: *State-of-the-States Survey of Jury Improvement Efforts* (April 2007), National Center for State Courts

• To be eligible for jury service in most state and federal courts, a person must be a U.S. citizen, a resident of the geographic jurisdiction served by the court, age 18 or older, able to speak and understand English, and not under a legal disability (felony conviction or incompetent).

Source: *State Court Organization*, 2004, U.S. Department of Justice, Bureau of Justice Statistics

# WHO IS IN THE COURTROOM?

## JURY ROOM

**BAILIFF** – A court official, usually a deputy sheriff, who keeps order in the courtroom.

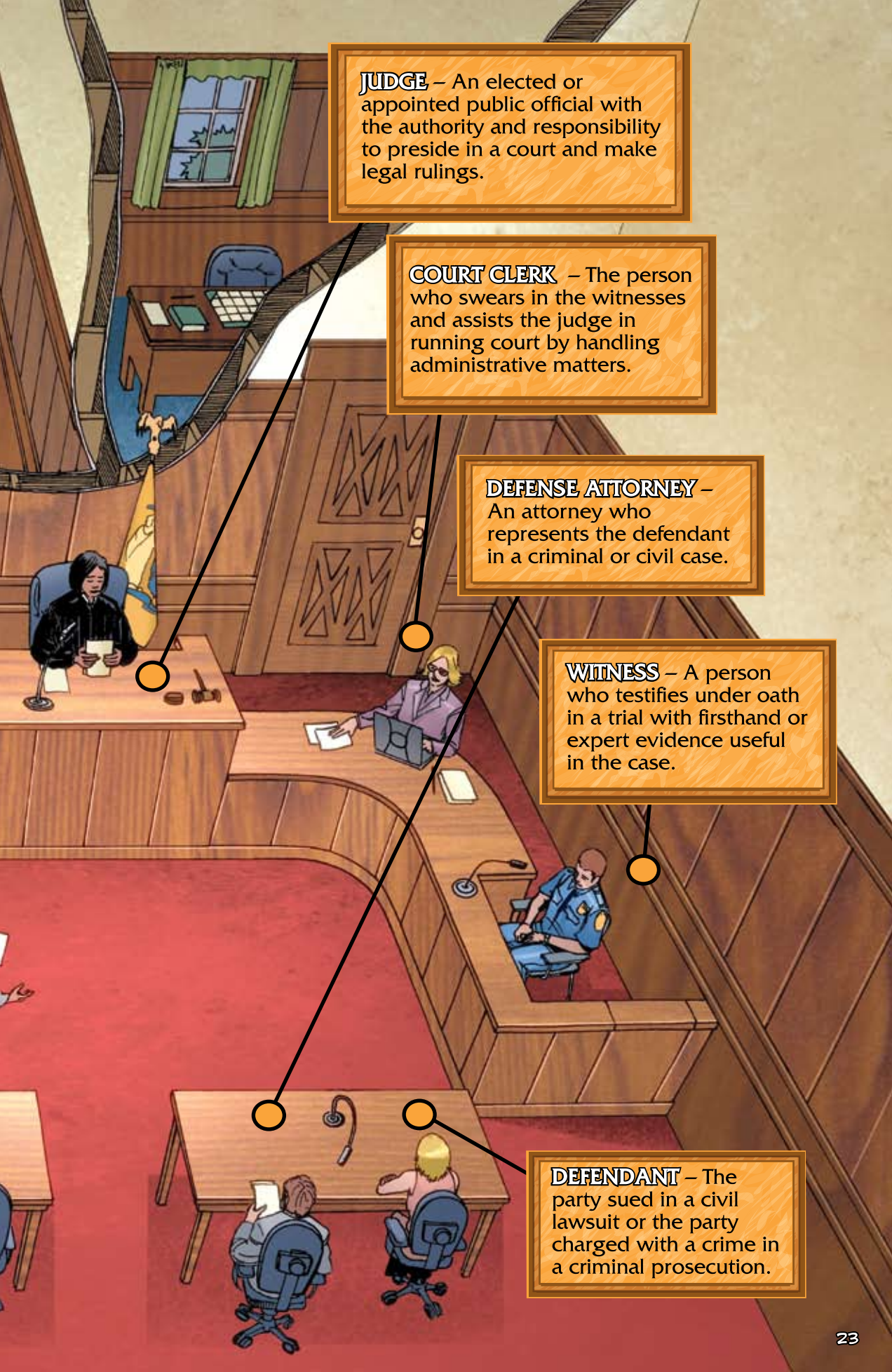
**COURT REPORTER** – The person who records all that is said in the courtroom during a trial.

**JURY** – A panel of twelve or six citizens selected to determine the truth of evidence presented and to decide the case.

**PLAINTIFF** – The party who initiates a lawsuit against the defendant(s) demanding a legal remedy, i.e., damages (only in civil trial).

**PROSECUTOR** – Generic term for the government's attorney in a criminal case (only in criminal trial).



A detailed illustration of a courtroom. At the top, a judge in black robes sits at a high desk. To the left, a court clerk in a purple suit works at a desk with a laptop. In the center, a witness in a blue uniform sits in a witness box. At the bottom, a defendant in a pink shirt sits at a table with a lawyer. The room features wood-paneled walls, a red carpet, and a window with green curtains.

**JUDGE** – An elected or appointed public official with the authority and responsibility to preside in a court and make legal rulings.

**COURT CLERK** – The person who swears in the witnesses and assists the judge in running court by handling administrative matters.

**DEFENSE ATTORNEY** – An attorney who represents the defendant in a criminal or civil case.

**WITNESS** – A person who testifies under oath in a trial with firsthand or expert evidence useful in the case.

**DEFENDANT** – The party sued in a civil lawsuit or the party charged with a crime in a criminal prosecution.



The National Center for State Courts, headquartered in Williamsburg, Va., is a non-profit organization dedicated to improving the administration of justice by providing leadership and service to court systems in the United States, U.S. territories, and around the world. The National Center, founded in 1971 by the Conference of Chief Justices and Chief Justice of the United States Warren E. Burger, provides education, training, research, and consulting services to the nation's state courts and courts around the world.

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