

# **PROCESS OF A TRIAL BY JURY**

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### **Selection**

Cases will usually be heard by juries of 6 or 12 jurors. A larger group, called a panel, will be sent to the trial court (courtroom) where the jurors will be questioned under the supervision of the judge. A juror may be excused from the panel if it is shown that the juror cannot act impartially concerning the case to be heard. Each side is allowed to remove a given number of jurors from the panel without having to show any reason.

However, a juror may not be removed because of his or her race or gender. The trial jury will be the first 6 or 12 of the remaining jurors on the panel.

### **Voir Dire**

Voir Dire is a way for the parties to select a fair and impartial jury. Under the justice system, you may be questioned by each of the lawyers before they decide to remove a certain number of jurors from the jury panel. For example, the lawyer may ask you questions to see if you are connected to the trial or if you have any prejudice or bias toward anyone in the trial. These questions are not intended *to* embarrass you, but rather to help the lawyers in the jury selection process. You may ask the judge *to* allow you *to* answer some questions away from the other jurors.

### **Individual Voir Dire**

This is the juror's opportunity *to* let the court know of military obligations, issues with sequestration, or any future event that could potentially conflict with participating in a jury panel.

### **Opening Statements**

Opening statements introduce the case *to* the jury. The lawyer for each side may explain the case, the evidence it will present, and the issues for you *to* decide.

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### **Presentation of Evidence**

The evidence consists of the testimony of witnesses and the exhibits allowed by the judge. Exhibits admitted into evidence will be available to the jury for examination during deliberations. You have a right to ask for them. You will be asked to make decisions regarding disputed facts; therefore, your attention at all times is critically important. Juror note-taking or the submission of questions by jurors *to* witnesses will be determined by the judge.

### **Ruling by the Judge**

The judge may be asked *to* decide questions of law during the trial. Occasionally, the judge may ask jurors to leave the courtroom while the lawyers make their legal arguments. The jurors should understand that such interruptions are needed to make sure that their verdict is based upon proper evidence, as determined by the judge under the Rules of Evidence. You may give the evidence whatever weight you consider appropriate. The

Texas Law requires investigation and hearings about proof of any violation of the rules of jury conduct. Jurors and others may be called *to* testify in open court or in chambers about acts of jury misconduct. I caution you to follow carefully all instructions which I have given you, as well as others which you later receive while this case is on trial.

### **Closing Arguments**

After the Charge of the Court, the lawyers have the opportunity to summarize the evidence in their closing arguments and to try to persuade the jury to accept their client's view of the case.

### **Deliberation and Verdict**

Following closing arguments, the jury is sent *to* deliberate. When the jury has answered the questions asked of them, they shall return their verdict. The verdict must be based solely on the evidence presented by the parties, the charge of the court, and the rules of law provided by the judge.