

# **Eighth Judicial District of Kansas**

Dickinson, Geary, Marion, Morris

## **Serving as a Juror**

### **Your Rights and Duties**



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#### **JURY DUTY**

Jury Service is an important and hopefully interesting service, you, as a citizen, are asked to perform. Jurors perform a vital role in the American system of justice and it is your right and responsibility. The District Courts could not administer fair and efficient justice without your cooperation. This service is a segment of the law that protects our fundamental rights.

Many people are unfamiliar with courtroom procedures and what is expected of a juror. The following is a short explanation to help you understand your rights and duties when you are summoned for jury duty.

#### **WHAT IS A JURY?**

A jury is normally composed of six or twelve citizens of your country. Panels of potential jurors are randomly selected by a computer. The source for potential jurors is your county's drivers license list. Depending on the type of trial, courts usually summon between 50-150 potential jurors for each trial.

#### **TYPES OF TRIALS**

Cases in the Kansas District Courts are divided into two general classes. These are called criminal cases and civil cases. Criminal cases are those in which individuals or organizations are charged with breaking the criminal laws.

Criminal cases are normally prosecuted by the county attorneys in each county. The state of Kansas is represented by the county attorneys. In addition to a fine, the defendant's life or liberty may actually be at stake. Civil cases are filed by one party, the Plaintiff, against another party, the Defendant. These cases usually involve property, money, or civil rights issues.

## **CONDUCT OF THE TRIAL**

### **Selection of the Jury**

The entire group of people summoned for jury service is called a panel. The jury will be selected from this panel. A computer places the names of the jury panel in a random order. The court uses this list to call potential jurors to the jury box. The judge may ask the panel, or you personally, questions. The attorneys may also ask you questions. This questioning process is called voir dire. The questions asked are not meant to embarrass any juror in any way; they are asked only to check your ability to sit as a fair and impartial juror in this particular case and nothing more. If you feel, for any reason, you cannot serve as a fair and impartial juror, you should state that to the judge or attorney at the time of questioning.

After questioning is concluded, panel members may be excused without cause. These are called peremptory challenges. Being eliminated from the panel by a peremptory challenge is no reflection upon a person's ability or integrity.

### **Opening Statements**

After the selection of the jury, attorneys for both sides explain the positions of their respective clients, and what they expect to prove. These statements are not evidence but explanations, and the claims must be proven by competent evidence.

### **Examination of Witnesses**

Both parties usually attempt to prove their side of the case through the use of witnesses. The witnesses are first examined by the attorney who called them. This is called direct examination. Then the other attorney may question. This is called cross examination.

Objections made by the attorneys are sometimes technical, but they are made in an effort to limit testimony to what is relevant to the case. If the judge sustains the objection, the questioning is not proper. If the judge overrules the objection, the witness may answer the question asked. The law requires that the judge decide such questions. Whether the judge sustains or overrules the objection in favor of either side, you should maintain your objectivity and base your verdict strictly upon the testimony and exhibits received in evidence at trial.

Sometimes, during a trial, the jurors are excused so that the attorneys may present an argument to the court concerning a legal matter. This is done so that jurors will not be prejudiced by any statements made. Lawyers are within their rights and have a duty to object to evidence they believe is improper.

### **Final Arguments**

After Evidence is presented, the attorneys have an opportunity to discuss the evidence in their closing arguments. The purpose of the closing argument is to present the evidence in a logical and comprehensible order. It must be remembered that each attorney presents the view of the case he or she feels is right and most favorable to his or her client. Each attorney's statement should be balanced against the statement of the attorney on the other side.

## **Instructions**

At the conclusion of the trial, the judge will instruct the jury as to how the law applies to the case. You must base your verdict on the judge's instructions and the law, rather than your own notions of what the law is, or ought to be.

## **Jury Deliberations**

The first thing jurors will do, when taken to the jury room, is select a foreperson to preside over the deliberations. Jurors will discuss the evidence and attempt to arrive at a fair and impartial verdict according to the facts presented from the witness stand and the law as given in the judge's instructions. When a verdict is reached, the jury will return to the courtroom and the verdict will be read. After the verdict is read, you will be dismissed by the judge and are free to go. You are under no obligation to speak to any person about the case and may refuse all requests or interviews.

## **Juror's Responsibilities**

Always be on time and sit in the same seat each day. You will be sitting for periods of time so wear comfortable clothing. Please give your full attention to the witnesses and attorneys. Bring a jacket or sweater in case you get cold. You should not talk with anyone about the case during the trial.

## **CONCLUSION**

To decide cases correctly, jurors must be honest. They must have both integrity and good judgment. The jury system is based on these attributes. To meet their responsibility, jurors must decide the facts and apply the law impartially. They must not favor the rich or the poor. They must treat all men and women, corporations and individuals alike.

Justice should be rendered to all persons without regard to race, color, religion or sex.

The effectiveness of the democratic system itself is largely measured by the integrity, the intelligence, and the general quality of citizenship of the jurors who serve in our courts.

## **Thank you for your service!**

For more information concerning COVID-19 please our website at <https://www.8thjd.com>.