**PROCEDURE FOR EMPANELING JURORS**

Introduce self & other judges.

Welcome to State Court – we can’t do this job without each of you!

State Court Jurisdiction – criminal misdemeanors: traffic, DUI, domestic violence, poss marij less than an oz., etc; civil – general jurisdictions except for a few things left to Superior Court like divorce, title to land, equity cases.

Criminal cases – State has the burden to prove the person charged, called the defendant, guilty beyond reasonable doubt. The trial judge will explain that burden more during the trial.

Civil cases – the party that initiated the lawsuit or claim has the burden to prove its case by a preponderance of the evidence, a much less burden than in criminal cases. Again, the trial judge will explain that burden more during the trial.

Each Judge tries their own cases.

What’s the day like: generally 9-5 with breaks. Sometimes might run a little later or come in a little earlier if necessary on a particular case but generally this is down to your benefit and not anyone else’s. General trial order: voir dire (AKA jury selection) of a larger panel, narrowing it down to a jury of at least six for criminal and possibly 12 for civil, openings, evidence – start with the side that has the burden, other side gets a chance to ask questions as well, one side finishes, then the other side goes, other side finishes, closing argument, jury charge, and then you deliberate. Some cases can take as little as one day to try while others can take longer. You might end up serving on more than one case this week.

Bailiffs – civilian employees who job it is to take care of you. They communicate with you, show you were to go, answer questions if they can, make sure you are comfortable.

Bailiff Oath’s (at beginning of term – January, May & September and in-between for those that missed): (\*\* Re-swear the jurors in August 2013 since the oath has changed \*\*)

 “You shall take all juries committed to your charge to the jury room or some other private and convenient place designated by the court and you shall not allow the jurors to receive any books, papers, nourishment or hydration other than water, or to use any electronic communication device except as directed and approved by the court. You shall make no communication with the jurors nor permit anyone to communicate with the jurors except as specifically authorized by the court. You shall discharge all other duties which may devolve upon you as a bailiff to the best of your skill and power. So help you god.”

Read information put out on jury service – at your leisure.

Call Jury telephone each night/check online unless given specific instructions otherwise from a Judge.

Remember your juror # that we will give you shortly – you will use it all week long.

Voir Dire process – ask questions, not meant to embarrass you, no wrong answers, trying to get jurors best situated for a particular case. This is where your information sheets are helpful.

Wear your juror sticker – so everyone knows that you are a juror and doesn’t inadvertently talk about a case in front of you. You will need to decide the case based on the information you hear in court, not outside. If you are on a jury and you see one of the attorneys at lunch, they will probably ignore you – not because they don’t like you but because they want you to know that they are not trying to sway your decision by anything that occurs outside the courtroom.

Decide the case based on what happens and is said in the courtroom - No independent investigations, no google searches, no driving by a crime scene. About the only thing you can bring into courtroom to decide the case from the outside is your common sense and reason.

Cell Phone and other Internet devices such as IPAD or laptop – you have access to these during the day (except when sitting in court – then you turn them off) – you can inform people you are on jury duty but you can’t talk about the particular case you are on, the facts of it, the evidence, etc. until your service is concluded. Especially be careful to not use these devices for any legal research, no google earth, etc. As the commercial implies – not everything you hear on the internet is true!

Empanel Jurors – when your name is called, sound out and stand until you hear your number – please remember it.

Required questions:

1. Are you serving on current grand jury or immediate prior grand jury?

Terms of Court – January, May, September

1. Have you served as a traverse or trial juror for state or superior court within the last 12 months?
2. Are you are resident of Cherokee County at this time (make sure summons not forwarded in the mail to a new residence in another county)?
3. Are you a United State citizen?
4. Are you at least 18 years of age?
5. Are you a sworn law enforcement officer for any agency of the federal, state or local government?
6. Are you convicted felon who has lost your right to serve as a juror and not had the right restored to you by pardon or other means?

Civil Trial Juror Oath:

 “You shall well and truly try each case submitted to you during the present term and a true verdict give according to the law given you in charge and the opinion you entertain of this evidence produced to you, to the best of your skill and knowledge, without favor or affection to either party, provided you are not discharged from consideration of the case submitted, so help you god.”

\*\*\* Ask about particular insurance companies involved in the civil cases \*\*\*

Lastly, some of you might have other things planned for this week or might have some responsibilities that prevent you from serving this week. It is my job to ascertain from each of you if that is the case, consider it, and determine whether I can excuse you to a different trial week. I will do this individual. Please write your name, juror number, and reasoning on this paper and then I will speak with each of you individually about it. I will do my best to accommodate everyone’s requests but unfortunately I cannot guarantee it.

Does anyone have any questions???