

The Jury Selection Process

What determines whether or not I serve on a jury?

Once you arrive at the Law and Justice Center, you will be led to a jury assembly room. Sometimes a case will settle out of court right before a trial is scheduled. For these or other reasons you might not be needed for the jury pool after all. When this happens, you will be dismissed for the day.

Those of you assigned to a trial that is going forward will be escorted to the courtroom where the trial is taking place, and the selection process will begin. First, the judge will make a short statement describing the case, and identifying the parties to the case and their lawyers. During this process, the judge, and sometimes the counsel for each side, will ask you questions, which you are required to answer truthfully. The questions asked are aimed at finding out if any panel members have a personal interest in the case or if there is some other reason why they could not render an impartial verdict.

Why are potential jurors sometimes asked personal questions during the juror selection process?

In some cases, you may be asked questions about your background that makes you uncomfortable. The court does not wish to invade your privacy. But it is sometimes necessary for the court to know these facts to ensure a fair trial. If you are uncomfortable about answering a question, you can request to discuss it with the judge privately in chambers (in his or her office).~

What are "challenges?"

The process through which a lawyer for either side asks that a panel member be excused is called a "challenge." There are two types of challenges:

" Challenges for cause " Here the lawyer claims on the basis of information provided by the panel member that he or she might not be able to render an impartial verdict. An example of a challenge for cause might be one in which a lawyer asks to excuse a panel member from serving during an auto theft trial since the juror's car had been stolen just the week before. The judge will grant challenges for cause if he or she agrees with the lawyer's argument that impartiality might be threatened. There is no limit to the number of challenges for cause, which either party can make.~

" Peremptory challenges " Each side has a limited number of challenges for which no reason need be given. These peremptory challenges give both sides some choice in the make-up of the jury.

At the end of the selection process, those in the panel who have been "challenged" will be excused, and those remaining will be sworn in as jurors.

Does failure to be chosen for a jury mean I did something wrong in the selection process?

Not at all. The fact that a person is not chosen for a jury panel is no reflection whatsoever on that person's integrity or worthiness to serve. People not chosen for one panel will often find themselves chosen for another.