

Frequently Asked Questions About Being A Juror

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The information herein is derived in part from the Texas Uniform Jury Handbook as authorized by Chapter 23 of the Government Code.

Why is jury service important?

The United States Constitution and the Texas Constitution guarantee all people, regardless of race, religion, sex, national origin, or economic status, the right to trial by an impartial jury. Justice ultimately depends to a large measure upon the quality of the jurors who serve in our courts.

What Is My Duty As A Juror?

As a juror, you must be fair and impartial. Your actions and decisions must be free of any bias or prejudice. Your actions and decisions are the foundation of our judicial system.

How Was I Selected?

You were selected at random from a list of voter registrants and a list of citizens with DPS driver's licenses or DPS identification cards with a Lubbock County address.

Am I Eligible?

Jurors must:

- Be a citizen of the United States and of this State
- Be at least 18 years of age
- Reside in the county of jury service
- Be able to read and write
- Be of sound mind

You cannot serve on a jury if:

- You have been convicted of a felony or of any type of theft (unless rights have been restored)
- You are now on probation or deferred adjudication for a felony or for any type of theft; or
- You are now under indictment for a felony or are now under criminal charges for any type of theft

If you are in doubt, or think you may not be qualified to serve on a jury for one of the above or any other reasons, please notify the judge.

Who Can Be Excused From Jury Service?

You are entitled to be excused as a juror if:

- You are more than 75 years of age for petit jury service and 70 years of age for grand jury service.
- You have legal custody of a child or children younger than 12 years of age and service on the jury would require leaving the child, or children, without adequate supervision.
- You are a student at a public or private high school.
- You are a student enrolled and in actual attendance at an institution of higher education.
- You are an officer or employee of the senate, the house of representatives, or any department, commission, board, office, or other agency in the legislative branch of state government.
- You are the primary caretaker of someone who is unable to care for themselves (does not apply to health care workers).
- You are a member of the United States military forces serving on active duty and deployed to a location away from your home station and out of your county of residence.
- You have served as a juror in this county during the 24-month period prior to the date you are required to appear by this summons.
- You have been summoned for jury service in this county and have served as a petit juror in this county during the three-year period prior to the date you are required to appear by this summons.

What Are The Different Types Of Cases?

There are two basic types of cases, criminal and civil (family cases are considered civil).

- **Criminal Cases**

A criminal case results when a person is accused of committing a crime. You, as a juror, must decide whether the person charged is guilty or not guilty. The accused person is presumed innocent, and the State, represented by the Criminal District Attorney, must prove guilt "beyond a reasonable doubt."

- **Civil Cases**

A civil case results from a disagreement or dispute between two or more parties. In a civil case, you, as a juror, must answer questions of disputed facts based upon the testimony and evidence admitted by the judge. The answers to these questions are called the verdict.

Will I Be Paid For Being A Juror?

You will be paid \$20 for the first day of jury service, and \$58 per day thereafter for every day you serve as a juror.

Will My Employer Pay Me While I Am On Jury Duty?

Your employer is not required to pay you while on jury duty; however, employers are prohibited by law from firing an employee for serving as a juror.

Who Can Have A Jury Trial?

Any person charged with a criminal offense or any party to a civil case has a right to a jury trial. All parties are equal before the law and each is entitled to the same fair treatment.

Are There Rules About Jury Conduct?

Yes. The Texas Supreme Court has rules to assist you in your conduct as a juror, which will be given to you by the judge.

How Is A Juror Selected For A Particular Case?

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. In addition, each side is allowed to remove a given number of jurors from the panel without having to show any reason. The trial jury will be the first 6 or 12 of the remaining jurors on the panel.

What Is Voir Dire Or Questioning Of The Jury Panel?

It 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.

What If I Have A Special Need or Emergency?

After you have been selected as a juror on a trial panel, if you have a special need or an emergency, tell the bailiff.

ORDER OF EVENTS OF THE TRIAL

- **Opening Statements**

The lawyers for each side may explain the case, the evidence they will present, and the issues for you to decide.

- **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 use of any notes will be determined by the judge.

- **Rulings 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.

- **Instructions To The Jury**

At the close of all the evidence, the judge may submit to the jury the Charge of the Court. This will include legal instructions on this particular case and the questions that the jury is to answer from the evidence admitted.

- **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.

- **Deliberations And Verdict Of The Jury**

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.

When In Doubt, Ask The Judge

You have the right to communicate with the judge regarding any matters affecting your deliberations, including but not limited to:

- Physical comfort
- Special needs
- Any questions regarding evidence; or
- The Charge of the Court

During deliberation, if it becomes necessary to communicate with the judge, the bailiff or the officer of the court will deliver jurors' notes to the judge.

Note: Not all of these rules apply in Justice of the Peace or Municipal Courts. Some information shown herein was originally created with a grant from the Texas Bar Foundation. For the actual Texas Uniform Jury Handbook from the Texas Bar Foundation, call the State Bar of Texas at 1-800-204-2222.