

## HOW IS A JURY CHOSEN?

Names of potential jurors are drawn at random from a list including registered voters and people with Idaho driver's licenses or state ID cards.

- If your name is drawn, you will receive a juror summons and qualification form. These documents confirm if you are legally qualified to serve, and provide details on when, where and how to report for jury duty.
- When you arrive for jury duty, the jury commissioner will direct you to a courtroom. There, you will be questioned by the judge and the attorneys in a process called "voir dire." Its purpose is to determine whether your decision in the case would in any way be influenced by opinions you hold or by any personal experience or special knowledge you have concerning the subject matter of the trial. The goal is to obtain a complete jury who will impartially try the issues based on the evidence presented in the trial, and not any other outside factors.
- Jurors may be excused by the court for reasons such as a personal or financial relationship with a party. Each attorney may also excuse a limited number of jurors using what are called "peremptory challenges."
- If you are selected for a jury, you will be asked to take an oath to render a true verdict according to both the law as instructed by the judge and the evidence produced in the case. The judge will then describe the trial process, what the case is about and how the jury will carry out its responsibilities.



## WHY DO WE HAVE JURY DUTY?

Jurors are asked to perform one of the highest duties of citizenship to our state and nation.

A court case involves one party seeking action to declare or enforce rights guaranteed by law. Sometimes, a party may have a jury decide the facts of the case, applying the law as instructed by a judge during a jury trial.

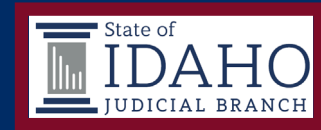
Both the Idaho and U.S. constitutions guarantee the right to a jury trial. The Idaho courts rely on jurors to perform their duty and protect this right for all of us.

This call upon your time does not happen often. No one should avoid fulfilling this obligation except under the most pressing circumstances.

Your duties as a juror are to listen to the judge, witnesses and lawyers; to deliberate calmly and fairly; and to decide intelligently and justly. Your decision must be made upon the evidence presented to you in court, and the instructions on the law given to you by the judge.



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Boise, ID 83720  
208-334-2210  
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## JURY SERVICE IN IDAHO



## WHAT SHOULD I EXPECT AT TRIAL?

- Each party in the case may present an **opening statement** to the jury, outlining what they believe the evidence will establish.
- **The party bringing the case presents evidence** to prove their case. This party bears the burden of proof in the case. A party defending against a case may also choose to present evidence. When each party has finished this, they **“rest.”**
- The judge (with input from the parties) **determines what instructions on the law will be given to the jury, then reads them out loud.** The instructions, which are also provided in writing, define the issues the jurors must decide and the law that governs the case. **Jurors must listen very carefully;** it is their sworn duty to follow the law as set forth in the instructions.
- The parties may make **closing arguments** to summarize the evidence.
- Next comes **deliberation**, where jurors go to a room to review the evidence according to the judge’s instructions. When the jury reaches a verdict, it notifies the bailiff and returns to the courtroom.



- The judge or the clerk **reads the verdict.** The jury may be asked if the overall verdict accurately reflects each juror’s verdict. When the trial ends, the jurors are discharged.

## TRIAL ROLES & RESPONSIBILITIES



### JUDGE

*Presides over the trial with general charge of the proceedings and participants; issues rulings on the laws that apply to the case*



### CLERK

*Assists judge in handling exhibits and keeping the court record of the case*



### REPORTER

*Takes and maintains complete shorthand notes of all proceedings*



### BAILIFF

*Announces opening and closing of court and is responsible for maintaining order and assisting with the jury*



### ATTORNEYS

*Participate as advocates for the parties in the lawsuit by presenting their clients’ cases*



### PARTIES (LITIGANTS)

*The people or entities suing or being sued in a court proceeding. Sometimes, the state of Idaho may be a party*

## COMMON DEFINITIONS

**Plaintiff:** The person who initiates a lawsuit in a civil case; the “State” in a criminal case.

**Defendant:** The person defending themselves from the lawsuit or case.

**Evidence:** Includes several categories.

- **Testimony:** Consists of statements made by witnesses under oath
- **Direct examination:** Witnesses answering questions or providing details by the party calling them
- **Cross examination:** The act of asking questions of the other party’s witnesses, which is a right of each party
- **Exhibits:** Physical objects such as photographs and written documents.

**Rules of evidence:** Procedures and guidelines have been developed through the years to ensure fair and orderly trials. When a question is asked or an item of evidence is offered which either attorney believes is in violation of these rules, the attorney has a right to object to the question or use of the exhibit. The judge then decides whether the question or item is appropriate.

- Sometimes the jury may be excused from the courtroom while objections are being discussed, or for other reasons. Under the law, various matters must be heard out of the presence of the jury.

““Representative government and trial by jury are the heart and lungs of liberty.”

— John Adams