

INDIANA JURY ORIENTATION PROGRAM MINIMUM STANDARDS

Jury Rule 11 requires that trial courts provide prospective jurors with orientation prior to selection so that jurors may understand their role in the process. The rule further provides that each orientation shall provide a standard presentation recommended by the Judicial Conference of Indiana. The Jury Committee of the Judicial Conference of Indiana has established a sub-committee to address issues of jury orientation. Based on the recommendation of the sub-committee, the Judicial Conference of Indiana adopts the following content requirements for standard jury orientation programs.

The orientation of prospective jurors shall include both a standard presentation (which may be by an approved video) and a personal presentation preferably by the judge or if necessary, the judge's designee. The orientation may be supplemented by written information. The standard presentation shall consist of either (a) the jury orientation video approved by the Judicial Conference of Indiana in accordance with paragraph A, or (b) a personal presentation in accordance with paragraph A. Paragraph B below recommends information for inclusion in the personal presentation by the judge or the judge's designee. The supplemental written information may include matters already presented in the video or personal presentation.

A. REQUIREMENTS FOR STANDARD PRESENTATION

Length:

Brevity is encouraged. The length of standard video orientation programs should not exceed approximately 15 minutes.

Welcome and History:

Each orientation should include a brief welcome in which the following matters are addressed:

Acknowledge the often substantial inconvenience and hardship of jury duty but emphasize the personal satisfaction that often results from participation in the justice system and fulfilling one's duty as a citizen, and the importance of the significant constitutional rights of all people that are preserved through the right of trial by jury.

A brief history of the right of trial by jury and its significance to our legal system

What to Expect:

The presentation should generally outline the sequence of events ahead for the jurors, preferably noting each of the following:

Assembly of prospective jurors before the court – prospective jurors are selected on a random basis from a combination of sources of names

Oath to prospective jurors

Judge will introduce you to the case – tell you what it is about

Jury selection process

Oath to final jury

Preliminary Instructions from the judge

Description of Jury Selection:

It is recommended that the presentation include a description of the term "voir dire," a general explanation that jurors will be asked questions and the process of excusing some jurors.

Juror Responsibilities:

Jurors make their decision based upon the evidence presented in the Courtroom and admitted by the Court. Therefore they must pay very close attention to the evidence as it is presented;

Jurors are not investigators and are not permitted to seek out information about the case on their own and must not read, watch, or listen to any media accounts about the case;

Jurors must not talk to *anyone* about the case before it is over, except that jurors may discuss the evidence among themselves in the jury room during recesses from trial when all are present. But jurors must reserve judgment about the outcome of the case until after all the evidence is presented and final deliberations begin;

Jurors must listen carefully to and follow the instructions regarding the law, which will be given by the judge; and,

Jurors are required to arrive at a fair and impartial verdict fairly determining the dispute at issue in the case.

This section may also include a suggestion that the jurors should display the same attentiveness and concentration that they would want a juror to apply if their own case were on trial today.

B. INFORMATION RECOMMENDED FOR INCLUSION IN THE PERSONAL PRESENTATION BY THE JUDGE AND/OR THE JUDGE'S DESIGNEE

Introduction of judge, court staff, attorneys and parties

Courtroom policies

dress code

cell phones, PDAs, pagers, etc.

breaks and rest periods

meals

parking arrangements

expected time requirements

evening separation

Juror compensation

"One day One trial" rule

Exemption period

What to do if excused from service

In case of emergency (fire alarms, emergency calls from home, etc.)

Reemphasis of items in standard video, if desired by judge

Adopted: December 6, 2002

Revised: March 14, 2008