

Issues During Deliberations

Judge Amy Tarno, Kaufman County JP, Pct. 2

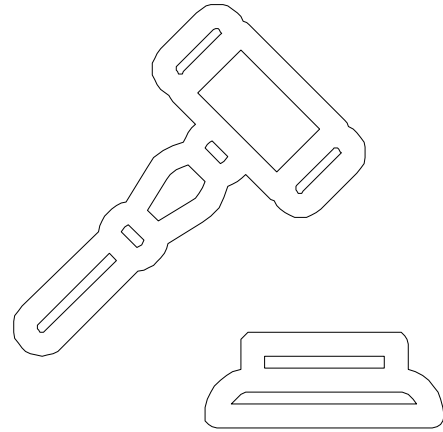
Judge Nick Chu, Travis County Probate Court No. 2

Funded by a Grant from the Texas Court of Criminal Appeals

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Jurors Ask a Question



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What Kinds of Questions Get Asked?



Can they see a piece of evidence?



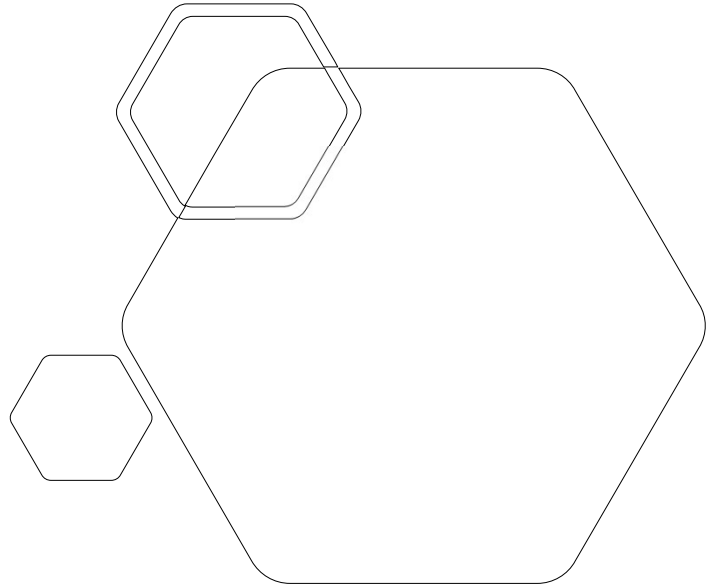
Can they be reminded of what someone said?



Can they be told the law on an issue?

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How Do You Handle Juror Questions with the Litigants?



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Helpful Phrases



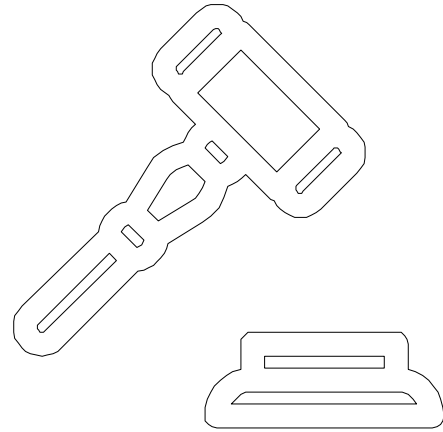
“You have been given all of the information you need to make a decision.”



“You should rely on your memory as to what was said.”

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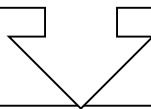
Jurors Cannot Agree



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Maybe They Don't Have To

Remember in civil, only 5 out of 6 have to agree.



They may be thinking about criminal law shows talking about unanimous verdicts and be confused.

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Best Practices

- Give them encouragement to finish.
- Remember to thank them and tell them you appreciate how hard it can be to make a decision that effects another person.
- Let them know that the system is counting on them to finish.

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Specific Language

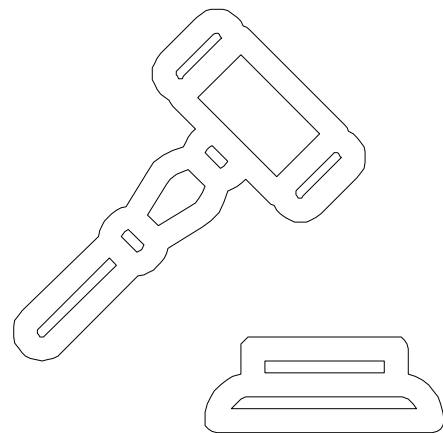
- In *Allen v. United States*, 164 U.S. 492 (1896), the court offered language that is appropriate to use in these situations.
- This language is used across the country and across jurisdictions.
- It can be found in TJCTC's Trial Notebook.

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"I'm going to ask that you continue your deliberations in an effort to reach a verdict. This case is important to the parties, and they have prepared for this case. If you cannot agree, we will have to start this whole process again, and that is costly to the parties and the county. No one is asking you to give a false verdict, but I'm asking you to give a little more time to see if a verdict can be reached. Thank you for your hard and important work."

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Meals &
Breaks



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Mealtime Approaching

- Check with your bailiff to see if they think the jurors are finishing up.
- If noon is approaching, figure out a time to check on them and have a plan to encourage them to try and finish.
- Determine how you want to balance the county budget issue with ensuring enough time for the jury to make a decision.



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Breaks

- How often?
- How long?
- Do any jurors have specific needs?



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	<p>What other issues have you experienced?</p>	<p>How have you addressed them?</p>
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Thank you!