

## **CRIMINAL TRIAL CHECKLIST**

### **BENCH**

#### **Before Trial**

- Verify complaint, plea/jury waiver, and notice and notify judge of any issues
  - Confirm not guilty plea and written waiver of jury trial from defendant
  - Confirm a sworn complaint has been filed unless defendant has waived this in writing and has elected to allow prosecution on a citation
  - Confirm that the prosecutor and the defendant have received proper notice of the trial
  - Confirm that all documents that have been filed are in the case file
- Prepare case worksheet
- Prep courtroom
  - Set up the bench (place Judge's bench book by keyboard)
  - Check witness stand and test microphone
  - Arrange counsel tables
  - Test necessary equipment (zoom, display monitors, etc.)
  - Ensure witness stand is clean
- Call case and note appearances by parties/attorneys
- Ask parties if they will be presenting any pretrial motions or preadmittance of exhibits
  - Motion in Limine
  - Invoke the Rule
  - Accept Exhibit Lists

#### **Trial**

- Call case
- Swear in witnesses
  - Administer the oath to witnesses before testimony begins except those who the Rule apply
  - Bailiff will escort all other witnesses out of the courtroom
- Mark & log exhibits
  - Assign exhibit numbers/letters (if not marked by parties)
  - Mark as admitted or objected
  - Record whether the Judge admits or objects
- Record objections/rulings
  - Note any objections and how the judge ruled
- Track start/recess/adjourn times

#### **After Trial**

- Prepare judgment
  - Prepare the judgment and have judge sign it
  - File-stamp it into the record
- Enter OCA disposition & update docket

- Ensure the case is complete and disposition is entered
- Exhibits are returned
- Make sure everything needed for DPS reporting is completed
- If non-appearance, prepare warrant/Omni/Collections/etc. as applicable and tax costs of jury against defendant

## **JURY**

### **Before**

- Verify complaint and notice and notify judge of any issues
  - Confirm not guilty plea from defendant
  - Confirm a sworn complaint has been filed unless defendant has waived this in writing and has elected to allow prosecution on a citation
  - Confirm that the prosecutor and the defendant have received proper notice of the trial
- Confirm jury trial has not been waived
- Order/Summons the jury panel in JIS
  - Order panel no less than 8 weeks prior to jury trial date
  - Order 200-250 jurors to ensure enough jurors appear to cover absences and potential strikes
- Prepare jury verdict
- Prepare case worksheet
- Confirm that all documents/filings are in the case file

### **Day of Jury Trial**

- Check in jurors
  - Provide each juror a name badge with their juror number in the top left corner
- Prep courtroom
  - Set up the bench (place Judge's bench book by keyboard)
  - Check witness stand and test microphone
  - Arrange counsel tables
  - Test necessary equipment (zoom, display monitors, etc.)
  - Ensure jury box and witness stand are clean
- Call case and note appearances by parties/attorneys
- Ask parties if they will be presenting any pretrial motions or preadmittance of exhibits
  - Motion to Limine
  - Invoke the Rule
  - Accept Exhibit Lists
- 15 mins prior to start of trial, print juror lists from JIS
- Distribute voir dire lists
  - Provide attorneys/parties with a juror list and copied summons sheets
  - Provide clerk and bailiff with jury list only
  - Provide Judge with original juror list and original summons sheets
- Seat Jurors

Bailiff will call jurors into the courtroom by juror number  
Assist with seating jurors left to right and give written jury instructions to each juror

### **Jury Selection**

- Judge will swear in entire jury panel  
She will administer the oath to the full panel before voir dire begins.
- Voir dire begins
- Record strikes/challenges  
Note challenges for cause (decided by Judge) and peremptory strikes from both sides (3 strikes per party)
- Judge will release jurors who are not selected
- Seat the jury  
Judge will call the selected jurors into the jury box  
Bailiff will escort them in the jury box  
Judge will administer the juror oath  
Record the names and seat numbers for jurors (if needed)

### **During Trial**

- Swear in witnesses  
Administer the oath to witnesses before testimony begins except those who the Rule apply  
Bailiff will escort all other witnesses out of the courtroom
- Mark & track exhibits  
Maintain exhibits as admitted or objected
- Record objections/rulings  
Note attorney objections and the judge's rulings
- Bailiff will escort jury in/out as directed by Judge  
He will announce and lead the jury when entering/exiting the courtroom

### **After Trial**

- Instructions to Jury  
Judge will administer jury charge and instructions for deliberations  
Verdict form will be given to the bailiff to give to the jurors  
Bailiff will escort jurors to jury room to deliberate
- Completed verdict  
Give verdict to Judge and she will announce in open court and enter it into the record  
Judge will take the bench  
Jurors will be escorted back into courtroom by bailiff  
Judge announces verdict
- File verdict & enter judgment  
File-stamp the verdict  
Prepare and enter judgment
- Discharge the jury  
Judge will discharge the jury

Direct jurors to clerk's office to receive formal release from service  
Provide charity donation forms

- Create jury thank you letters  
To be prepared for Judge's signature by end of business day
- Enter OCA disposition & update docket  
Ensure the case is complete and disposition is entered  
Exhibits are returned
- Make sure everything needed for DPS reporting is completed
- If non-appearance, prepare warrant/Omni/Collections/etc. as applicable and tax costs of jury against defendant

### **Not Enough Jurors Appeared**

Minimum Required:

Criminal jury trials require 6 qualified jurors seated.  
If have fewer than 6, the judge has options.

Options:

1. Delay/Reset Trial  
Judge may reset to a new date and summon additional jurors.  
Document the number of jurors who appeared and order them to reappear for new setting.
2. Sequester Jurors  
Direct sheriff/constable to summon additional jurors from the county.
3. Proceed Without Jury (Bench Trial)  
If both parties agree, trial may proceed before the judge with the requesting party waiving the jury demand in writing.

## Case Worksheet

Case Number:

State of Texas vs.

Fine of no less than \$ and no more than \$

Charge:

Offense Date:

Actual Speed: , Posted Speed:

Officer:

Total:

Attorney:

Date:

**The State moves to dismiss this proceeding:**

- |  |  |
|--|--|
| <input type="checkbox"/> Other conviction.                     | <input type="checkbox"/> Insufficient evidence.  |
| <input type="checkbox"/> Old case no arrest.                   | <input type="checkbox"/> Witness unavailable.    |
| <input type="checkbox"/> Request of complaining witness.       | <input type="checkbox"/> Want of prosecution.    |
| <input type="checkbox"/> Insufficient evidence.                | <input type="checkbox"/> Valid driver's license. |
| <input type="checkbox"/> Evidence of financial responsibility. | <input type="checkbox"/> Defect corrected.       |
| <input type="checkbox"/> Forgery.                              | <input type="checkbox"/> In custody.             |
| <input type="checkbox"/> Deceased.                             |  |
| <input type="checkbox"/> Other _____.                          |  |

Date: \_\_\_\_\_

\_\_\_\_\_  
Assistant District Attorney**Defendant moves to dismiss this cause for the reason that:**

- |   |  |
|---|--|
| <input type="checkbox"/> Valid driver's license.                      | <input type="checkbox"/> Evidence of financial responsibility. |
| <input type="checkbox"/> Vehicle inspected.                           | <input type="checkbox"/> Vehicle registered.                   |
| <input type="checkbox"/> Defect corrected.                            | <input type="checkbox"/> Other _____.                          |
| <input type="checkbox"/> Defendant is to pay \$10 administrative fee. |  |

**Plea:**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> I waive a trial by jury and,   | <input type="checkbox"/> plead guilty          | <input type="checkbox"/> no contest to the charge.   |
| <input type="checkbox"/> I plead not guilty to the charge and,  | <input type="checkbox"/> waive a trial by jury | <input type="checkbox"/> insist on a trial by jury.  |
| <input type="checkbox"/> I am satisfied with the information I have received in this case and I am not making a request for discovery ("Discovery" is the process by which the defendant may request evidence related to the case from the State under Art. 39.14, Texas Code of Criminal Procedure.) |  |  |
| <input type="checkbox"/> The following is a list of all documents, items, and information provided to the Defendant under Art. 39.14, Texas Code of Criminal Procedure:   |  |  |
| <input type="checkbox"/> Citation   | <input type="checkbox"/> Complaint             | <input type="checkbox"/> Affidavit of Probable Cause |
| <input type="checkbox"/> Statement of   | <input type="checkbox"/> Accident Report       | <input type="checkbox"/> Offense Report              |
| <input type="checkbox"/> Other: _____   |  |  |

Date: \_\_\_\_\_

\_\_\_\_\_  
Defendant Signature**Deferred disposition:**

- |  |
|--|
| <input type="checkbox"/> Duration of deferral period _____ |
| <input type="checkbox"/> Special expense fee of \$ _____   |
| <input type="checkbox"/> Other conditions _____            |
| <input type="checkbox"/> _____                             |
| <input type="checkbox"/> _____                             |
| <input type="checkbox"/> Teen Court                        |
| <input type="checkbox"/> Treatment for chemical dependency |

**Reset:**

- |                                      |
|--------------------------------------|
| <input type="checkbox"/> Judge trial |
| <input type="checkbox"/> Jury trial  |
| <input type="checkbox"/> Appearance  |

**Show Cause:**

- |   |
|---|
| <input type="checkbox"/> Dismissed            |
| <input type="checkbox"/> Guilty – Pay in Full |
| <input type="checkbox"/> Guilty – Time to Pay |
| <input type="checkbox"/> Reset                |

**Notes:** \_\_\_\_\_**Driver's safety course:**

- |  |
|--|
| <input type="checkbox"/> Driver's Safety Course            |
| <input type="checkbox"/> Driver's Safety Course Motorcycle |
| <input type="checkbox"/> Driver's Safety Seat Course       |

☐ Tobacco awareness.**Fine:**

- |   |
|---|
| <input type="checkbox"/> \$ _____   |
| <input type="checkbox"/> Credit for time in jail from arrest to sentencing \$ _____ |
| <input type="checkbox"/> Time to pay _____  |
| <input type="checkbox"/> Community service _____ hours                              |

# OFFICIAL JURY SUMMONS

HARRIS COUNTY JUSTICE OF THE PEACE PRECINCT \_\_ PLACE \_\_

## IMPORTANT -PLEASE READ

DEAR PROSPECTIVE JUROR:

**YOU ARE HEREBY SUMMONED TO APPEAR FOR JURY SERVICE ON THE DATE & TIME SPECIFIED BELOW:**

**Jurors will pass through metal detectors.**

**Date:** \_\_\_\_\_

**Time:** \_\_\_\_\_

Important: Please read carefully all the information on this form. Answer all questions below. Please print legibly. You are to appear promptly as instructed by this summons. If you have a special need or disability you are encouraged to notify the court immediately concerning requests for reasonable accommodation.

<b>JUROR #</b>		<input type="checkbox"/> Male <input type="checkbox"/> Female	Race (required by State Law):	Date of Birth:
Name & Home Address:				
Mailing address (if different from Home:):		City:	Zip:	TDL#
Home Phone:		County of residence:		Have you ever been accused, complainant or witness of a criminal case? <input type="checkbox"/> Yes <input type="checkbox"/> No
Please check the highest level of education completed:				<input type="checkbox"/> Attend H.S. but did not receive diploma <input type="checkbox"/> H.S. diploma <input type="checkbox"/> GED <input type="checkbox"/> 2 yr college <input type="checkbox"/> 4 yr college <input type="checkbox"/> Post-graduate
Have you ever served on a civil jury? <input type="checkbox"/> Yes <input type="checkbox"/> No		Have you ever served on a criminal jury? <input type="checkbox"/> Yes <input type="checkbox"/> No		
U.S.Citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No		Marital Status:		
Your Occupation:		Work Phone		
Your Employer:		How Long?:		
Spouse's Name:		Spouse's Occupation:		
Spouse's Employer:		How Long?:		
I CERTIFY THAT ALL ANSWERS ARE TRUE AND CORRECT.				
Signature		Number of children		Age range: From _____ To _____ years

# OFFICIAL JURY SUMMONS



POSTMASTER DELIVER TO:

SUMMONS NO. \_\_\_\_\_

## DETACH BEFORE MAILING

**Right to Reemployment:** An employer may not discharge, threaten to discharge, intimidate, or coerce any permanent employee because the employee serves as a juror, or for the employee's attendance or scheduled attendance in connection with the service, in any court in the United States. (Civil Practice and Remedies Code, Section 122.001).

**Failure to Answer Jury Summons:** In addition to any criminal penalty prescribed by law, a person who fails to comply with this summons, or who knowingly provides false information in a request for an exemption or to be excused from jury service, is subject to a contempt action punishable by a fine of not less than \$100 nor more than \$1,000 (Government Code, Section 62.0141).

**Proper Clothing Required:** All persons entering the courtroom should be dressed in clothing reasonably befitting the dignity and solemnity of the court proceedings.

## JUROR'S RIGHTS AND RESPONSIBILITIES

## DETACH BEFORE MAILING

### EXEMPTIONS FROM JURY SERVICE\* (Gov't Code, Section 62.106)

You *may* be exempted from jury service if:

1. You are 75 years of age or older;
2. 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;
3. You are a student at a public or private high school;
4. You are enrolled and in actual attendance at an institution of higher education;
5. You are an officer or an employee of the senate, the house of representatives, or any department, commission, board, office, or other agency in the legislative branch of state government;
6. You are the primary caretaker of a person who is unable to care for himself or herself. (This exemption does not apply to you if you are a primary caretaker only in your capacity as a health care worker.);
7. 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.

### BUSINESS REASONS ARE NOT LAWFUL EXCUSES

\*You are not required to claim an exemption. It is your choice.

I DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT I AM

☐ EXEMPT because of the reason circled above.

☐ DISQUALIFIED because of the reason circled above.

### DISQUALIFICATIONS FOR JURY SERVICE (Texas Government Code, Section 62.102)

You are disqualified to serve as a juror if:

1. You are less than 18 years of age.
2. You are not a citizen of the United States. (No soy ciudadano de los Estados Unidos.) (Note: If you state that you are not a U.S. citizen, you will no longer be eligible to vote if you fail to provide proof of U.S. citizenship to your county voter registrar.)
3. You are not a resident of Hunt County, Texas. (No soy residente del Condado de Hunt, Texas.) (Note: Claiming this disqualification may make you ineligible to vote in this county.)
4. You are not qualified under the Constitution and laws to vote in Hunt County. (Note: You do not have to be registered to vote to be qualified to vote.)
5. You are not of sound mind and good moral character.
6. You are not able to read and write.
7. You have been convicted of a misdemeanor theft.
8. You have been convicted of a felony.
9. You are under indictment or other legal accusation for misdemeanor theft or a felony
10. You have served as a juror for six days during the preceding three months in the county court or during the preceding six months in the district court.

SUMMONS NO. \_\_\_\_\_

NOTE: YOU MUST REPORT ALL JUROR DISQUALIFICATIONS THAT APPLY TO YOU.

Date: \_\_\_\_\_ Please sign here: \_\_\_\_\_

**Directions:** You must report for jury service unless you: (1) claim an exemption; (2) are disqualified; or (3) choose to postpone your service.

**To claim an Exemption:** Circle the exemption(s) that you claim. Sign the form. Mail or take the form to the district clerk's office. NOTE: You do not have to claim an exemption and may instead choose to serve.

**If you are Disqualified:** Circle the qualification that you do not meet. Sign the form. Mail or take the form to the district clerk. NOTE: If you claim to be disqualified because you are not a resident of this county, you may become ineligible to vote in this county. If you state that you are not a U.S. citizen, you will no longer be eligible to vote if you fail to provide proof of U.S. citizenship to your county voter registrar.

**To Postpone your Service:** Contact the district clerk's office before your scheduled date of service.

**Before Reporting for Jury Service:** Please complete the juror questionnaire. Bring the questionnaire with you when you report.

**Questions or Special Accommodations:** Please contact the district clerk's office.

**THE FOLLOWING "JUROR QUESTIONNAIRE" IS MANDATED BY GOVERNMENT CODE, SECTION 62.0132.**

*Your answers are CONFIDENTIAL. Your answers may be disclosed only to the judge, court personnel, the litigants, the litigants' attorneys, and other than certain juror qualification information, the county voter registrar.*

PLEASE TYPE OR PRINT WITH INK ONLY		JUROR QUESTIONNAIRE			
<input type="checkbox"/> Male	<input type="checkbox"/> Female	Race (required by State Law):	Age:	Date of Birth:	Are you a U.S. Citizen? <input type="checkbox"/> Y <input type="checkbox"/> N (Please see "Note" below.)
Your Name:		Email:		<b>Please check highest level of education completed:</b> <input type="checkbox"/> No H.S. Diploma or GED <input type="checkbox"/> GED <input type="checkbox"/> H.S. Diploma <input type="checkbox"/> 2yr College <input type="checkbox"/> 4yr College/University <input type="checkbox"/> Post-Graduate <input type="checkbox"/> Other _____	
Home Address:					
Mailing Address (if different from home):					
Primary Phone:		Alternate Phone:	County of Residence:		
Your Occupation:					
Your Employer:		How Long?		<b>Current Marital Status:</b> <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced	
Spouse's Name:		Spouse's Occupation:			
Spouse's Employer:		How Long?			
Have you ever served on a civil jury? <input type="checkbox"/> Y <input type="checkbox"/> N		Have you ever served on a criminal jury? <input type="checkbox"/> Y <input type="checkbox"/> N		Number of Children: _____	
<b>I CERTIFY THAT ALL ANSWERS ARE TRUE AND CORRECT.</b> Please sign here: _____				Ranges of Age: from _____ years to _____ years	
<b>NOTE: If you state that you are not a U.S. citizen, you will no longer be eligible to vote if you fail to provide proof of U.S. citizenship to your county voter registrar.</b>					

**From:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**POST OFFICE  
WILL NOT  
DELIVER  
WITHOUT  
POSTAGE  
STAMP**

**If claiming excuse return to:**

**Susan Spradling, District Clerk  
P O Box 1437  
Greenville, Texas 75403-1437**



Pick Up Jury Order

Case Number: 123456789

John Smith  
Plaintiff  
vs.  
Jane Doe  
Defendant

§  
§  
§  
§  
§  
§  
§

In the Justice Court  
Harris County, Texas  
Precinct 8, Place 1  
7330 Spencer Hwy.  
Pasadena Texas 77505  
281-479-6900  
[www.jp.hctx.net](http://www.jp.hctx.net)

ORDER TO SUMMONS JURY

The State of Texas

TO ANY SHERIFF, CONSTABLE, OR OTHER PERSON AUTHORIZED BY LAW:

Pursuant to Section 62.411 of the Texas Government Code, YOU ARE COMMANDED to summon 24 persons who are qualified jurors in this county and this precinct or adjacent precinct, to appear before this Court at Precinct 8, Place 1 on 12/9/2024 at 9:30 AM then and there to serve as jurors in the trial of such cause or causes as are then set for jury trial. You are further Ordered that this summons shall be verbal and in person to each person so summoned (and that you shall command each person so summoned to proceed immediately to this Court).

Signed on: 12/9/2024



Holly Williamson, Justice of the Peace  
Precinct 8, Place 1

RETURN OF JURY VENIRE


Came into hand on December 9, 2024, at 8:15 o'clock a. m. and executed as to the following persons by verbally summoning each of them in person:

Name	Dated	Time Summoned
1. First name Last name	12/5/2024	11:46 AM
2. First name Last name	12/4/2024	1:53 PM
3. First name Last name	12/4/2024	2:01 PM
4. First name Last name	12/5/2024	12:05 PM
5. First name Last name	12/5/2024	14:21 PM
6. First name Last name	12/5/2024	12:45 PM
7. First name Last name	12/5/2024	12:45 PM
8. First name Last name	12/5/2024	12:55 PM
9. First name Last name	12/5/2024	12:55 PM
10. First name Last name	12/6/2024	9:30 AM

Pick Up Jury Order

11. First name Last name	12/6/2024	9:50 AM
12. First name Last name	12/6/2024	9:50 AM
13. First name Last name	12/6/2024	10:12 AM
14. First name Last name	12/6/2024	10:12 AM
15. First name Last name	12/6/2024	10:30 AM
16. First name Last name	12/6/2024	11:05 AM
17. First name Last name	12/6/2024	11:13 AM
18. First name Last name	12/6/2024	11:13 AM
19. First name Last name	12/6/2024	11:25 AM
20. First name Last name	12/6/2024	11:46 AM
21. First name Last name	12/6/2024	12:39 AM
22. First name Last name	12/6/2024	1:22 PM
23. First name Last name	12/6/2024	1:52 PM
24. First name Last name	12/3/2024	8:15 AM

Signed on: 12/9/24, in Harris County, Texas.

  
\_\_\_\_\_  
Signature

Printed Name: William Jenkins

Title: Deputy

Case Number: 123456789

John Smith  
Plaintiff  
vs.  
Jane Doe  
Defendant

§  
§  
§  
§  
§  
§  
§

In the Justice Court  
Harris County, Texas  
Precinct 8, Place 1  
7330 Spencer Hwy.  
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The State of Texas  
TO ANY SHERIFF, CONSTABLE, OR OTHER PERSON AUTHORIZED BY LAW:

Pursuant to Section 62.411 of the Texas Government Code, YOU ARE COMMANDED to summon 24 persons who are qualified jurors in this county and this precinct or adjacent precinct, to appear before this Court at Precinct 8, Place 1 on **12/9/2024 at 9:00 AM** then and there to serve as jurors in the trial of such cause or causes as are then set for jury trial. You are further Ordered that this summons shall be verbal and in person to each person so summoned.

Signed on: December 3, 2024



Holly Williamson, Justice of the Peace  
Precinct 8, Place 1

**RETURN OF JURY VENIRE**

Came into hand on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_ . m. and executed as to the following persons by verbally summoning each of them in person:

Name	Date	Time Summoned
1. _____		
2. _____		
3. _____		
4. _____		
5. _____		
6. _____		
7. _____		
8. _____		
9. _____		
10. _____		

11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_
21. \_\_\_\_\_
22. \_\_\_\_\_
23. \_\_\_\_\_
24. \_\_\_\_\_

Signed on: \_\_\_\_\_, in \_\_\_\_\_ County, Texas.

\_\_\_\_\_  
Signature

Printed Name:

Title:



## **HUNT COUNTY**

**POST OFFICE BOX 1437 – GREENVILLE, TEXAS 75403-1437**

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**DISTRICT CLERK  
SUSAN SPRADLING**

### **QUALIFICATIONS FOR JURY SERVICE (Texas Government Code, Section 62.102)**

To be qualified to serve as a juror you *must*:

1. be at least 18 years of age;
2. be a citizen of the United States;
3. be a resident of this state and a resident of the county in which you are to serve as a juror;
4. be qualified under the Constitution and laws to vote in the county in which you are to serve as a juror (*Note: You do not have to be registered to vote to be qualified to vote.*);
5. be of sound mind and good moral character;
6. be able to read and write;
7. not have served as a juror for six days during the preceding three months in the county court or during the preceding six months in the district court;
8. not have been convicted of misdemeanor theft or a felony; and
9. not be under indictment or other legal accusation for misdemeanor theft or a felony.

### **EXEMPTIONS FROM JURY SERVICE (Texas Government Code, Section 62.106)**

1. You are over 75 years of age;
2. 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;
3. You are a student at a public or private high school;
4. You are enrolled and in actual attendance at an institution of higher education;
5. You are an officer or an employee of the senate, the house of representatives, or any department, commission, board, office, or other agency in the legislative branch of state government;
6. You are the primary caretaker of a person who is unable to care for himself or herself. (This exemption does not apply to you if you are a primary caretaker only in your capacity as a health care worker.);
7. 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.

# 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 registrations and a list of valid Texas driver's licenses or personal identification cards from the county in which you live.

## 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 and good moral character.

*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 clerk or bailiff.

## Who Can Be Excused From Jury Service?

You are entitled to be excused as a juror if you:

- Are over 75 years of age;
- Have legal custody of a child younger than 12, who would be left without adequate supervision if the person was required to serve on a jury.
- Are a student in class;
- 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;
- Are the caretaker of a person who is unable to care for themselves; or
- Can show a physical or mental impairment or an inability to comprehend or to communicate in English.

## What Are the Different Types of Cases?

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

### 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 District or County 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?

Yes. You will be paid a minimum of \$20 for the first day or fraction of the first day. You will be paid a minimum of \$58 per day or fraction of a day for juror service beginning on the second day.

## Must 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.

**What If I Fail to Respond to a Jury Summons or Give Incorrect Information to Get Out of Service?**

The consequences of not appearing for jury service or falsely claiming an exemption can involve a fine, contempt of court and/or criminal penalties.

**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. However, a juror may not be removed because of his or her race or gender. 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.

**May I Discuss the Case During the Trial?**

No, you may not discuss the case with anyone until you are discharged from jury service.

**May I Discuss the Case After It Is Over?**

After you are discharged from jury service, you are released from the obligation of secrecy. You will then be free to discuss the case and your deliberations with anyone. However, you are also free to decline to discuss the case and your deliberations if you wish.

**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 submission of questions by jurors to witnesses 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: 1) physical comfort; 2) special needs; 3) any questions regarding evidence; or, 4) 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. The information in this document is not intended to take the place of the instructions given by the Judge in any case. In the event of conflict, the Judge's instructions will prevail.

*Note: Not all of these rules apply in Justice or Municipal Courts.*

For additional copies, go to:  
**[texasbar.com/juryhandbook](http://texasbar.com/juryhandbook)**



CAUSE NUMBER \_\_\_\_\_

THE STATE OF TEXAS  
V.  
\_\_\_\_\_

§  
§  
§

IN THE JUSTICE COURT  
HARRIS COUNTY, TEXAS  
PRECINCT 8 PLACE 1

### **JURY CHARGE**

The defendant, \_\_\_\_\_, stands charged by complaint with the offense of running a red light, alleged to have been committed in Harris County, Texas, on or about \_\_\_\_\_. To this charge the defendant has pleaded not guilty.

Our laws provide that an operator of a vehicle or streetcar on a highway of this state shall comply with an applicable traffic control device unless the person is otherwise directed by a traffic or police officer or is operating an authorized emergency vehicle. An operator of a vehicle facing only a steady red signal shall stop at a clearly marked stop line, or, in the absence of a stop line, the operator shall stop before entering the crosswalk on the near of the intersection. A vehicle that is not turning shall remain standing until an indication to proceed is shown.

“Operator” means, as used in reference to a vehicle, a person who drives or has physical control of a vehicle

“Vehicle” means a device that can be used to transport or draw persons or property on a highway. The term does not include a device exclusively used on stationary rails or tracks, or manufactured housing as that term is defined by the Texas Manufactured Housing Standards Act.

“Streetcar” means a car, other than a railroad train, used to transport persons or property an operated on rails located primarily within a municipality.

“Highway or street” means the width between the boundary lines of a publicly maintained way any part of which is open to the public for vehicular travel.

“Roadway” means the portion of a highway, other than the berm or shoulder, that is improved, designed, or ordinarily used for vehicular travel. If a highway includes at least two separate roadways, the term applies to each roadway separately.

“Official traffic-control device” means a sign, signal, marking, or device that is consistent with the Rules of the Road, is placed or erected by a public body or officer having jurisdiction, and is used to regulate, warn, or guide traffic.

"Traffic-control signal" means a manual, electric, or mechanical device that alternately directs traffic to stop and to proceed.



"Police officer" means an officer authorized to direct traffic or arrest persons who violate traffic regulations.

"Stop or stopping" means, when required, to completely cease movement, and when prohibited, to halt, including momentarily halting, an occupied or unoccupied vehicle, unless necessary to avoid conflict with other traffic or to comply with the directions of a police officer or a traffic-control sign or signal.

"Stand or standing" means to halt an occupied or unoccupied vehicle, other than temporarily while receiving or discharging passengers.

"Crosswalk" means the portion of a roadway, including an intersection, designated as a pedestrian crossing by surface markings, including lines; or the portion of a roadway at an intersection that is within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the traversable roadway.

"Intersection" means the common area at the junction of two highways, other than the junction of an alley and a highway.

Therefore, if you believe from the evidence beyond a reasonable doubt that the defendant, \_\_\_\_\_, did in Harris County, Texas, on or about \_\_\_\_\_, run a red light.

If you do not so believe, or if you have a reasonable doubt thereof, you will find the defendant not guilty.

Our statutes provide that the punishment for the offense of violation of failure to display a driver's license on demand shall be a fine not to exceed two hundred (\$200.00) dollars.

Therefore, if you find the defendant guilty you shall assess punishment by a fine not to exceed two hundred (\$200.00) dollars.

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JUDGE HOLLY WILLIAMSON  
Harris County Justice of the Peace  
Precinct 8, Place 1

CAUSE NUMBER \_\_\_\_\_

THE STATE OF TEXAS	§	IN THE JUSTICE COURT
	§	
V.	§	OF HARRIS COUNTY, TEXAS
	§	
	§	PRECINCT 8, PLACE 1

### **JURY CHARGE**

Members of the Jury:

The defendant, Favour Chukwueny Olereke, stands charged by complaint with the offense of speeding, alleged to have been committed in Harris County, Texas, on or about October 31, 2023. To this charge the defendant has pleaded not guilty.

Texas law provides that an operator of a vehicle may not drive at a speed greater than is reasonable and prudent under the circumstances then existing.

“Operator” means, as used in reference to a vehicle, a person who drives or has physical control of a vehicle.

“Street or highway” means the width between the boundary lines of a publicly maintained way any part of which is open to the public for vehicular travel.

“Roadway” means the portion of a highway, other than the berm or shoulder, which is improved, designed or ordinarily used for vehicular travel. If a highway includes at least two separate roadways, the term applies to each roadway separately.

“Urban district” means the territory adjacent to and including a highway, if the territory is not a municipality, and is improved with structures that are used for business, industry or dwelling houses and located at intervals of less than one hundred (100) feet for a distance of at least one-quarter (1/4) of a mile on either side of the highway.

“Vehicle” means a device that can be used to transport or draw persons or property on a highway. The term does not include a device exclusively used on stationary rails or tracks, or manufactured housing as that term is defined by the Texas Manufactured Housing Standards Act (Article 5221f, Vernon’s Texas Civil Statutes).

“Prima facie” means evidence which stands proved until rebutted by other evidence.

“Prima facie evidence” is proof of facts from which the law permits the jury to presume the existence of other facts. Such evidence is not conclusive, and evidence that a person operated a motor vehicle at a speed in excess of the established speed limits merely raises a legal presumption that such speed is not reasonable or prudent and that it is unlawful. Such a presumption is rebuttable.

Facts giving rise to the presumption must be proved beyond a reasonable doubt. If such facts, if any, are proved beyond a reasonable doubt, you may find that the elements of the speeding exist, but you are not bound to so find.

Now, keeping in mind the foregoing instructions, if you believe from the evidence beyond a reasonable doubt, that the defendant, Favour Chukwueny Olereke, on or about October 31, 2023, in Harris County, Texas, did then and there operate a motor vehicle on a public street or highway at 110 miles per hour, which speed was more than 65 miles per hour which was the lawful maximum prima facie speed limit posted by sign, and which speed was not reasonable

TN 545.355 Speeding Greater Than 10% over Posted Speed

and prudent under the circumstances then existing, and defendant was not operating an authorized emergency vehicle responding to a call, or was not operating a police patrol vehicle, or defendant was not a physician or ambulance responding to an emergency call, then you will find the defendant guilty.

If you believe from the evidence that the defendant was not operating a motor vehicle on a public street or highway at 110 miles per hour, which speed was more than 65 miles per hour which was the lawful maximum prima facie speed limit posted by sign and which speed was reasonable and prudent speed under the circumstances then existing, then you will find the defendant not guilty.

The punishment for this offense is by a fine of no less than \$1.00 and not to exceed \$200.00. Therefore, if you find the defendant guilty you shall also assess a fine of no less than \$1.00 and not to exceed \$200.00.

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JUDGE HOLLY WILLIAMSON  
Harris County Justice of the Peace  
Precinct 8, Place 1

THE STATE OF TEXAS  
VS

IN THE JUSTICE COURT  
PCT. 3

HUNT COUNTY, TEXAS

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**CHARGE OF THE COURT**

**MEMBERS OF THE JURY:**

The Defendant, \_\_\_\_\_ charged by Complaint with the offense of "**Speeding**," it being alleged that said offense was committed in the territorial limits of the City of Corinth, Texas, on or about the **19TH** day of **MARCH 2021**, A.D., to which charge the Defendant has pleaded "Not Guilty."

The law provides that a person commits an offense if that person operates a motor vehicle on a public street or highway at a speed greater than is reasonable or prudent under the conditions in existence. Any speed in excess of the zone or posted speed is prima facie evidence that the speed is unreasonable or imprudent. A person guilty of this offense shall be punished by a fine of not less than one dollar (\$1.00) nor more than two hundred dollars (\$200.00).

You are the exclusive judges of the facts proven, of the credibility of the witnesses, and of the weight to be given to testimony, but you are bound to receive the law from the Court and that is here given you and you will be governed thereby.

It is not required to be shown that the Defendant intended or had knowledge of the acts, omissions or conditions, which constitute the offense with which the Defendant is charged, in order to be guilty of the offense. Therefore, if you find beyond a reasonable doubt that the offense occurred you shall find the defendant guilty regardless of intent or knowledge.

In all criminal cases, the burden of proof is on the State. All persons are presumed to be innocent and no person may be convicted unless each element of the offense charged is proven beyond a reasonable doubt. The fact that a person has been arrested, confined, indicted for, or otherwise charged with, the offense gives rise to no inference of guilt at trial. The law does not require a Defendant to prove innocence or produce any evidence at all. The presumption of innocence alone is sufficient to acquit the defendant.

You are charged that it is only from the witness stand that you, the jury, are permitted to receive or consider evidence regarding the case and none of you are permitted to communicate to any other juror anything you might have heard regarding this case or any witness from any source other than the witness stand.

In deliberating on the case, you are not to refer to or discuss matters or issues not placed in evidence before you nor talk about this case with any person not of your jury. After the reading of this charge, you will not separate from each other until you have reached a verdict. Should you be unable to reach a verdict within a reasonable time, notify the bailiff of your difficulty or problem.

Now, therefore, if you believe beyond a reasonable doubt that on the **19TH** day of **MARCH, 2021**, A.D., within PCT. 3 of HUNT County, Texas, the Defendant did operate a motor vehicle upon a public street and highway within the territorial limits of HUNT COUNTY, to wit; **HWY 11 MP 640**, at a speed of **90** miles per hour and said speed being greater than reasonable and prudent under the circumstances then existing, said portion of the public street and highway was then and there zoned by the STATE OF TEXAS, for a speed of not greater than **70** miles per hour, said speed zone being posted with appropriate signs indicating said speed to be the prima facie maximum speed limit, the said defendant not then and there operating an authorized emergency vehicle or police patrol, nor then and there being a physician or ambulance responding to an emergency call, you must find the Defendant guilty and assess a fine of not less than one dollar (\$1.00) and not more than two hundred dollars (\$200.00). If you do not so believe, or have a reasonable doubt thereof, you will acquit the Defendant and say by your verdict "Not Guilty."

You will now retire and select one of your members as presiding juror. It is the duty of the presiding juror to preside over your deliberations and vote with you in arriving at a verdict. Your verdict must be unanimous. Upon reaching your verdict, you will return to this courtroom and report your verdict to the Court through the presiding juror.

SIGNED AND ENTERED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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CHRISTIE ROUNDTREE  
JUDGE PRESIDING

Date

Name

Address

City, State Zip

Dear \_\_\_\_\_,

On behalf of the court, I want to extend my sincere gratitude for your service on the jury panel. We understand that serving as a juror may take you away from your daily activities and personal obligations. Please know that all the parties involved in the cases and I are truly grateful for your time, your sense of duty, and your willingness to serve.

Jury service is a solemn duty and a fundamental right guaranteed by both the Texas and United States Constitutions. Even if you were not selected to serve, your participation was nonetheless very important. It helps uphold the constitutional rights of all parties involved and ensures that justice is administered fairly and impartially.

By responding to this jury summons and participating in the process, you have contributed significantly to the public administration of justice. Your service as a citizen is vital to maintaining the integrity of our legal system and upholding the principles upon which our society is built.

Thank you again for your dedication and service.

Very truly yours,

Judge Holly Williamson