

General Instructions to Jurors in a Criminal Case

Ladies and Gentlemen of the Jury:

You have been chosen to serve on this jury. Because of the oath you have taken and your selection, you become officials of this court and active participants in our justice system.

You have received this set of written instructions. I am going to read them with you now:

1. Turn off all phones and other electronic devices. While you are in the courtroom and while you are deliberating, do not communicate with anyone through any electronic device. For example, do not communicate by phone, text message, email message, chat room, blog or social networking websites such as Facebook or Twitter. I will give you a number where others may contact you in case of an emergency. Do not post information about the case on the Internet or social media before these court proceedings end and you are released from jury duty. Do not record or photograph any part of these court proceedings, because it is prohibited by law.
2. To avoid looking like you are friendly with one side of the case, do not mingle or talk with the lawyers, witnesses, parties, or anyone else involved in the case. You may exchange casual greetings like “hello” and “good morning.” Other than that, do not talk with them at all. They have to follow these instructions too, so don’t be offended.
3. Do not accept any favors from the lawyers, witnesses, parties, or anyone involved in the case, and do not do any favors for them (e.g., giving rides and food).
4. Do not discuss this case with anyone, even your spouse or a friend, either in person or by any other means, including by phone, text message, email message, chat room, blog, or social media. Do not allow anyone to discuss the case with you or in your hearing. If anyone tries to discuss the case with you, tell me immediately. We do not want you to be influenced by something other than the evidence admitted in court.
5. Do not discuss this case with anyone during the trial, not even with the other jurors, until the end of the trial. You should not discuss the case with your fellow jurors until the end of the trial so that you do not form opinions about the case before you have heard everything. After you have heard all the evidence, received all of my instructions, and heard all of the lawyers’ arguments, you will then go to the jury room to discuss the case with the other jurors and reach a verdict.
6. Do not investigate this case on your own. For example, do not:
 - a. Seek out information about the case, lawyers, witnesses;
 - b. Go to places mentioned in the case to inspect the places;
 - c. Inspect items mentioned in this case unless they are presented as evidence in court;
 - d. Read a law book, dictionary, or public record to try to learn more about the case;
 - e. Let anyone else do any of these things for you.

This rule is important because we want a trial based only on evidence admitted in open court. Your conclusions about this case must be based only on what you see and hear in this courtroom because the law does not permit you to base your conclusions on information that has not been presented to you in open court. All the information must be presented in open court so the parties and their lawyers can test it and object to it. Information from other sources, like the Internet, will not go through this important process in the courtroom. In addition, information from other sources could be completely unreliable. As a result, if you investigate this case on your own, you could compromise the fairness to all parties in this case and jeopardize the results of this trial.

7. Do not tell other jurors about your own experiences or other people's experiences. For example, you may have special knowledge of something in the case, such as business, technical, or professional information. You may even have expert knowledge or opinions, or you may know what happened in this case or another similar case. Do not tell the other jurors about it. Telling other jurors about it is wrong because it means the jury will be considering things that were not admitted in court.
8. Do not read newspaper articles, watch television broadcasts, or listen to radio accounts about the trial.
9. I will decide matters of law in this case. It is your duty to listen to and consider the evidence and to determine fact issues that I may submit to you at the end of the trial. After you have heard all the evidence, I will give you instructions to follow as you make your decision. The instructions also will have questions for you to answer. You will not be asked and you should not consider which side will win. Instead, you will need to answer the specific questions I give you.

Every juror must obey my instructions. If you do not follow these instructions, you will be guilty of juror misconduct, and I may have to order a new trial and start this process over again. This would waste your time and the parties' money, and would require the taxpayers of this county to pay for another trial.

Do you understand these instructions? If you do not, please tell me now.

Please keep these instructions and review them as we go through this case. If anyone does not follow these instructions, tell me.



Mike Smith, Judge Presiding