

## **Juror's Conduct**

During the Trial. During the trial and the recesses, jurors must not talk about the case with each other or with any other person or allow any persons to talk about the case in their presence. In some courthouses, the jurors are provided with a private room to which they, as a body, retire during the recess. If no room is provided, the jurors should not mingle with the lawyers or with the witnesses in the case. They must not accept any favor of any nature including such small items as a soft drink or a ride home from any of the witnesses, parties or counsel. If a juror is approached in any way by a party interested in the outcome of the case, he or she should report this communication privately to the Court. In short, a juror must refrain from participating in any activity which might tend to incline that juror toward one party or the other.

In the Jury Room. After the evidence has been concluded and the charge of the court has been delivered, the jury retires to the jury room to consider its verdict. Its first task is the selection of a foreman or forewoman. This person acts as the chairperson of the group.

It is the chairperson's duty to see that the discussion among the jurors is carried on in a sensible and orderly fashion; that the issues submitted for decision are fully understood and fairly discussed; and that each juror has a chance to state his or her views upon every question. The chairperson supervises the taking of ballots, as well as signs any written verdicts which may be required and any written request which may be made to the judge (e.g. as a request for further charge on some point). In selecting this foreman or forewoman, it is well to select someone of experience and general knowledge who will command the respect of the other jurors

## **FAQ Jury Questions**

### **Why is jury service important?**

The United States Constitution and the Georgia Constitution guarantee all people, regardless of race, religion, sex, national origin, or economic status, the right to a trial by an impartial jury. Justice ultimately depends 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 does someone get summoned for jury duty service?**

The pool from which our potential jurors are chosen is now a master list provided to us from the State of Georgia's Council of Superior Court Clerks. This master list is a combination of all of Tift County's Voter Registered citizens and all of Tift County citizens who are registered with the Department of Drivers' Services possessing a driver's license or identification card. The only limitations concerning a citizen's frequency and length of service is as stated in OCGA § 15-12-3: *"No person shall be allowed to serve on the trial jury of the superior court or on any*

*trial jury in other courts for more than four weeks in any one year unless he or she is actually engaged in the trial of a case when the four weeks expire, in which case he or she shall be discharged as soon as the case is decided.” and in OCGA § 15-12-4 (a): “Any person who has served as a trial or grand juror at any session of the superior or state courts shall be ineligible for duty as a juror until the next succeeding county master jury list has been received by the clerk.”*

### **Can you volunteer to be a juror?**

Jurors must be randomly selected from the master jury list of all Tift County citizens who are registered to vote or who are registered with the Department of Drivers Services that is provided to us yearly by the Council of Superior Court Clerks. You cannot volunteer to serve for someone else; you must wait until your name is randomly selected.

### **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 Tift County, GA
- You cannot serve on a jury if:

- You do not reside in Tift County.

### **Who can be excused from jury service?**

You are entitled to be exempted from jury duty service if you:

- Are 70 years of age or older and you have submitted a signed request asking to be exempt because of your age.
- Have a permanent medical disability and you have submitted a signed medical excuse from your doctor.. ()

**What if I am an active duty member of the regular or reserve component of the U.S. armed forces, the U.S. Coast Guard, the Georgia National Guard, or the Georgia Air National Guard who was ordered federal duty for a period of 90 days or longer or the spouse of any such service member and unable to serve as a juror as summoned, how may I be excused or deferred from jury service?**

As a service member as explained above or the wife of a service member, you may have your service deferred or excused by submitting a copy of your valid military ID with the signed Juror Exemption/Deferral Form of your summons or with the signed military affidavit . You can mail or fax (229-386-7813 the copy of your ID and the completed request form to us. Call after giving us enough time to receive it, to verify that it has been received and you have been excused or deferred.

- [Download the Military Affidavit Requesting Excusal or Deferral from Jury Service.](#)  
**How can I request an excusal or deferral because of special circumstances such as being a primary unpaid caregiver for a person over the age of six, the caregiver having active care and custody of a child six years of age or younger, primary teacher in a home study program as defined in O.C.G.A. 20-2-690 (c), or a full-time student?**

You may print and complete as instructed the appropriate Affidavit found below to request to be excused or deferred from your present summons for jury service for the above-mentioned reasons. Return the appropriate completed Affidavit to Jury Services before the indicated deadline.

- [Primary Caregiver of a Child Six \(6\) Years of Age or Younger](#)
- [Primary Unpaid Caregiver of a Person Over the Age of Six \(6\)](#)
- [Active Duty Military](#)
- [Homestudy Program Teacher](#)
- [Full Time Student](#)

**Are you automatically exempt from jury duty service after you reach a certain age?**

You are never automatically exempted from jury service, but when you are 70 years of age or older and you receive a summons, you may then request in writing that you want to be exempted because of age. (There is a form provided on the summons sent to you that you may complete, sign and return to us.) Some of our best jurors are 70 years of age and older and enjoy or want to continue serving when summoned! If you have lost your present jury summons, you may download and print an Exemption Form found here that you can use to request an exemption because you are 70 years of age or older.

- [Download the Juror Disqualification Form](#)

**Does everyone have to serve - doctors, lawyers, judges, jury managers, teachers, mothers of small children, etc?**

- Yes, everyone who is summoned and qualified is required to serve. In 1985 the Georgia legislators did away with all occupational exemptions.

**Can I bring my child/children with me?**

- The courthouse does not have child care facilities and children are not allowed in the courtrooms, so jurors need to make childcare arrangements to enable them to report for their jury service when their juror number is called to report. If you are the primary caregiver of a child six (6) or younger and have no reasonably available alternative child care, you may download, print, and complete the affidavit form found here. Submit it to Jury Services before the indicated deadline.

**What happens to jurors who don't report when their juror number is called for jury service?**

- Delinquent jurors may be charged for being in contempt of court, which could involve being sentenced to time in jail and/or a fine.

- **Will I be paid for being a juror?**

- Yes, you will be paid \$15.00 for each day you report on time and are ready to go through the juror selection process. If you are selected to be a juror for a trial and are required to return for a second or subsequent days, you will receive \$30.00 per day until that trial is completed.

- **Must my employer pay me while I am on jury duty? Can I be fired for serving on jury duty?**

- According to the Annotated Code of Georgia, O.C.G.A. 34-1-3 “**Discrimination against employee for attending a judicial proceeding in response to a court order or process; exception to applicability of Code section.**

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- (a) It shall be unlawful for any employer or the agent of such employer to discharge, discipline, or otherwise penalize an employee because the employer is absent from his or her employment for the purpose of attending a judicial proceeding in response to a subpoena, summons for jury duty, or other court order or process which requires the attendance of the employee at the judicial proceeding. It shall be unlawful for any employer or the agent of such employer to threaten to take or communicate an intention of taking any action declared to be unlawful by this subsection.”

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- Additionally, an Attorney General’s opinion, No. 89-55, released in 1989, further specifies that, “an employee is entitled to be paid the employee’s salary while missing work to serve on jury duty.”

- **What types of cases may require juries?**

- There are two basic types of cases, criminal and civil.

- **Criminal Cases**

A criminal case results when a person is accused of committing a crime. Jurors must decide whether the person charged is guilty or not guilty. The accused person is presumed innocent, and the State, represented by the Solicitor General or the Assistant Solicitor General must prove guilt "beyond a reasonable doubt."

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- **Civil Cases**

A civil case results from a disagreement or dispute between two or more parties. In a civil case, jurors 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.

- **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.

- **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. The trial jury will be the first 6 or 12 of the remaining jurors on the panel.
- Additional jurors may be chosen as alternates in case one of the original 6 or 12 is unable to complete the trial.

- **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 chosen to be a juror for a trial, if you have a special need or an emergency, tell the Sheriff's Deputy in charge of the courtroom. Chosen jurors should keep in touch with significant others during trial breaks.

- **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 use of any notes 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.

- **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.

- **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.

- **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.

- **Final Thoughts**

- Remember that jury service is the responsibility of all good citizens.
- Resist negative thoughts about the verdict.
- No matter what others think about the verdict, your opinion is the only one that matters.
- You don't have to prove yourself to anyone.
- If you are fearful of retaliation or if you are threatened after the trial, tell the court and/or law enforcement immediately.