THORNTON MUNICIPAL COURT

JUROR HANDBOOK

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INTRODUCTION

You have been selected as a prospective juror. The purpose of this handbook it to better inform you about the jury process and to familiarize you with the system. The right to a trial by jury dates back more than 700-years. It is a right that is guaranteed by the Constitution of the United States and the State of Colorado. Amendment VI states, *"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed..."* It is the cornerstone of our democracy. Our legal system depends upon fair and impartial jurors to preserve that valuable right.

We realize that your time is very important to you. Before the trial begins much of your time might be spent waiting. This is necessary in order for the judge, the prosecution, and the defense to discuss legal matters outside of your presence. These preliminary measures are crucial for an unbiased jury trial. While you are waiting, you will view a juror service video to familiarize you with the jury trial process and your duties as a juror.

This handbook is designed to answer any potential questions or concerns that you may have before the trial begins. This is a unique opportunity to see first-hand how the judicial system works, and we hope that the time you spend with us is not only informative but also rewarding and fulfilling. This handbook is not meant to replace the instructions that you will be receiving from the judge throughout the trial.

The Thornton Municipal Court would like to take this opportunity to thank you for your service as a prospective juror. Your presence serves as a vital part of the judicial process by providing a fair determination of the rights of the persons involved.

JURY SELECTION

Generally, the city of Thornton operates a One-Trial/One-Day Jury program. This means that when you are called for potential jury service, and you are selected to serve as a juror on a particular trial, you serve for the length of that trial only.

The Colorado Supreme Court, in acknowledging the importance of the jury to our system of justice, has been working to enact various reforms. In 1997, the Supreme Court Committee on the Effective and Efficient Use of Juries published a report which recommended 26 specific reforms. These reforms are intended to reduce the burden of jury service on many citizens, increase the respect and consideration afforded to jurors, and provide for an improved decision-making process for all juries.

Some of the significant reforms include:

- Providing this pamphlet.
- Permitting jurors to take notes during the trial.
- Respecting the use of juror's time.
- Reducing the burden of jury service.
- Expanding the composition of the jury pool.
- Communicating with jurors in plain English.
- Allowing jurors to ask questions.

The city of Thornton has a random two-step selection process. Currently, the city obtains individual names from two sources; voter registration and vehicle registration for citizens whose primary residence is in the city limits of Thornton. The computer system will randomly select a group of names for step one of the process. The Jury Specialist then sends a juror questionnaire that must be completed and returned to the court.

After the questionnaires are returned, the Jury Specialist will screen them for possible disqualification. Those individuals who receive an exemption will be updated in the computer system, so as not to be recalled at a later date by the city of Thornton. Those individuals who qualify for juror service are kept in an active file until a jury trial is set.

Approximately three to four weeks prior to a jury trial the Jury Specialist will randomly select enough individuals to subpoena for the jury trial. A formal juror summons will be mailed with specific instructions for reporting for jury duty.

QUALIFICATIONS FOR JUROR SERVICE

There are several criteria that need to be met in order to serve as a juror:

- Must be a citizen of the United States
- Must be 18 years of age
- Must be a Thornton resident
- Must be able to read, speak and understand the English language

EXEMPTIONS FROM JUROR SERVICE

Any person claiming disqualification from jury service for the following areas must submit to the court, in advance of the jury trial date, documentation to support their request. These areas are:

1. **Juror service within the preceding 12-month period.**
   Note: You must submit a letter or certification from the appropriate authority verifying prior juror service.

2. **Medical disability.**
   Note: You must submit a letter from a licensed physician stating the nature of the disability, and an opinion on how this prevents you from rendering satisfactory juror service.

3. **Sole responsibility for a permanently disabled person living in the same household.**
   Note: You must submit a letter from a licensed physician stating you are a primary caretaker of a disabled person, and an opinion on how the performance of juror service would cause risk to the disabled person. Jurors who are regularly employed at a location other than their households may not be disqualified for this reason.

4. **If you are breastfeeding a child, you may temporarily be excused from service.**

An employer shall make no demands upon any employed juror which shall substantially interfere with the effective performance of juror service.

EIGHT STEPS TO A JURY TRIAL

Step 1
The jury is brought into the courtroom and introduced to the defendant and prosecution.

Step 2
The jury panel is randomly selected and questioned.

Step 3
The prosecution opens the trial and presents its case.

Step 4
The defendant or defense attorney offer its case.

Step 5
Each side has the opportunity to offer rebuttal testimony and evidence.

Step 6
Each side has the opportunity to present their closing arguments.

Step 7
The judge gives the jury its instructions.

Step 8
The jury deliberates and renders a verdict.

KEY PEOPLE IN THE COURTROOM

Judge – The judge presides in the court to administer the law, to control proceedings and decide any questions of law. The Judge oversees the selection of jurors, the presentation of evidence, instructs the jurors, and rules on objections. The Judge makes determinations of law.

Jury – Jurors make determinations of facts.

Bailiff – The bailiff checks in jurors and any parties related to the case and gives directions to the defendants and defense attorneys. The Bailiff maintains the sequestration of jurors and witnesses and monitors the needs of jurors. The bailiff may also act as a courtroom specialist.

Prosecuting Attorney – The prosecuting attorney is the attorney who will conduct the prosecution against the defendant. The prosecuting attorney's job is to present evidence in relation to the charges against the defendant.

Witness – One who testifies to what he/she has seen, heard, or otherwise observed.

Defendant – The defendant is a person who is accused of a crime.

Defense Attorney – The defendant may have a defense attorney who will represent them during proceedings.

Courtroom Specialist – The courtroom specialist labels evidence and documents court proceedings. The courtroom specialist may also act as bailiff.

COMMON LEGAL TERMINOLOGY

Closing Arguments – The final statements by the prosecution and the defense to the jury or court summarizing the evidence they have established, and the evidence that they think the other side has failed to establish. Closing arguments do not constitute evidence and may be limited in time by rule of court.

Challenge for Cause – To ask that a member of the jury panel be excused because there appears to be a reason why the person might not be fair or impartial.

Cross Examination – The examination of a witness in a trial or hearing, by the party that did not call the witness. Generally, the scope of examination is limited to matters covered on direct examination and matters affecting the credibility of the witness. The court may, in its discretion, permit inquiry into additional matters as if on direct examination.

Defendant – The party accused in a criminal case.

Deliberate – The discussion by a jury through which the verdict in a case is reached.

Direct Examination – The first interrogation or examination of a witness by the party who called the witness.

Evidence – Any type of proof legally presented at trial, by the parties through witnesses, exhibits, etc. Evidence introduced by the parties allows the judge or jury to decide the guilt or innocence of the defendant.

Exhibit – Objects, such as documents and weapons, that are received into evidence. They are generally given to the jury to take into the jury room while deliberating.

Expert Witness – One who by reason of education or specialized experience, possesses specialized or uncommon knowledge relating to the particular subject matter about which he or she is called to testify.

Hearsay Evidence – Primarily testimony which consists of a narration by one person of matters told to him/her by someone else. An out-of-court statement offered for the truth of the matter asserted.

Impaneled – A jury which has been chosen and sworn in a particular case.

Jury Instructions – The rules of law which the jury must follow in their deliberations. These rules of law are given to the jurors by the judge. Attorneys for both sides normally furnish the judge with suggested instructions.

Motion – An application made to the judge by one of the parties, orally or in writing, to obtain an order, ruling, or direction.

Objection – Lawyers make objections when in their opinion the evidence being offered into court does not have legal merit. The judge will decide on whether the jury may or may not consider the evidence. If the objection is sustained, the jury may not consider the evidence. The judge's ruling, so far as a juror is concerned, is final and may not be questioned.

Opening Statement – Lawyers make objections when in their opinion the evidence being offered into court does not have legal merit. The judge will decide on whether the jury may or may not consider the evidence. If the objection is sustained, the jury may not consider the evidence. The judge's ruling, so far as a juror is concerned, is final and may not be questioned.

Peremptory Challenge – The rights to challenge a juror without assigning, or being required to assign, a reason for the challenge. In most jurisdictions each party in a criminal case has three challenges he is required to furnish.

Pro Se – This means to "appear for oneself", as in the case of one who does not retain a lawyer and appears for himself/herself in court.

Record – This term refers to the court documents, exhibits, and the word-for-word record made by the recorders of all the proceedings at the trial.

Rest – This is a legal phrase which means that the lawyers have concluded the evidence they want to introduce at that stage of the trial, and submit the case, either finally, or subject to their right to afterwards offer rebutting evidence.

Stipulation – Sometimes, counsel for the parties agree on certain facts or issues, which need not thereafter be proven. So that the record may be complete, a stipulation or written agreement is filed, or an oral stipulation is dictated to the court, and the jury will be informed of this stipulation.

Striking Testimony – On some occasions, such as after a witness has testified, the judge will order certain evidence stricken from the record and will direct the jury to disregard it. When this is done, the jury shall treat that evide4nce as though it had never been given and shall wholly disregard it.

Subpoena – A subpoena is a command to appear at a certain time and place to give testimony upon a certain matter.

Verdict – The formal decision or finding made by a jury, upon the matters or questions submitted to them.

Voir Dire – Means to "speak the truth." This phrase denotes the preliminary examination which the court and attorneys make of prospective jurors to determine their qualifications and suitability to serve as jurors.

ADDITIONAL JUROR DUTIES

- Cellular phones, pagers, and electronic devices are to be left at home or secured in your vehicle during your jury service.
- Appear in proper attire to maintain the decorum and dignity of the Court. Hats are not allowed in the courtroom.
- Refrain from smoking, eating, drinking or chewing gum while in the courtroom.
- Refrain from reading newspapers, magazines or books while in the courtroom.
- Bring this handbook with you on your jury service date.
- Return juror badge prior to leaving the building.
- Collect your jury fee upon completion of jury service.

If you have questions not addressed in this handbook, please feel free to contact the Jury Specialist at 720-977-5400.

THORNTON CIVIC CENTER LOCATION

The court is easily accessible from I-25 and Thornton Parkway. Head East on Thornton Parkway one block to Civic Center Drive, turn left at Civic Center Drive, and take the first left into the Justice Center. The court is located on the South end of the Justice Center just west of City Hall.

If you have any questions prior to arriving, please feel free to contact the court at 720-977-5400.

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9551 Civic Center Drive

Thornton, CO 80229

720-977-5400

ThorntonCO.gov/court