



connecting current events and popular culture with constitutional history

Juries in American Trials

POP CIV 6

Glossary

Petit Jury

Consisting of six-12 people, petit juries (or trial juries), decide whether the defendant committed the crime as charged in a criminal case, or whether the defendant is liable in a civil case.

Grand Jury

Consisting of 16-23 people, a grand jury is presented with evidence from the U.S. attorney in federal criminal cases to determine whether there is "probable cause" to believe the individual has committed a crime. If the grand jury determines there is enough evidence, an indictment will be issued against the defendant.

Bench trial

A trial in which there is no jury and the judge decides the case.

Voir Dire

From the French for "to speak the truth," the process through which potential jurors are questioned by either the judge or a lawyer to determine their suitability for jury service.

Deliberation

The act of considering, discussing, and, hopefully, reaching a conclusion, such as a jury's discussions, voting and decision-making.

Sequestration

Isolation of jury members or witnesses during trial proceedings, to preserve fairness during the trial. Jury members may be put in hotels to avoid the influence of persons not present at trial. Likewise, witnesses may be isolated from each other in an attempt to ensure that they only testify to what they personally observed.

Verdict

A jury's findings or conclusions on the factual issues presented by a case. Sometimes, the term also refers to the judge's resolution of issues in a bench trial.

Jury tampering

Improper communications with a juror to influence a juror's deliberative process via private communication or contact regarding matters directly related to the case being tried.

Hung jury

A jury that, despite honest attempts, is unable to reach a verdict by the required voting margin.

Mistrial

Trials that are not successfully completed and terminated or declared void before the jury returns a verdict. Reasons for a mistrial can include the death of a juror or attorney, a fundamental error prejudicial to the defendant, juror misconduct, or the jury's inability to reach a verdict because it is deadlocked.