

example, may take time to look up the law on a point that has been made. You may want to bring in reading materials.

Are citizens paid for jury duty?

The county is required to pay citizens a fixed amount for each day they report for jury duty. In addition, the county must pay reasonable travel expenses and actual cost of daycare incurred by the juror during his or her service on jury duty.

KEY TERMINOLOGY DURING A TRIAL

Plaintiff – A person who brings an action; the party who complains or sues in a personal action and is so named on the record.

Defendant – The party being accused of a crime in a criminal case; the party who is being sued in a civil action and is so named on the record.

Petit jury – The ordinary jury of 12 persons (6 in certain cases) for the trial of a civil or criminal case. So called to distinguish it from the grand jury, a group of 16 people sworn to hear evidence and determine if it is sufficient to require the accused to stand trial.

Expert witness – Testimony given by an “expert” on a matter related to scientific, technical, or professional issues related to the trial. Expert witnesses are qualified to speak authoritatively by reason of their special training, education, skill, or familiarity with the subject.

Rebuttal – The introduction, at an appropriate time during the trial, of rebutting evidence, showing that the statements of witnesses as to what occurred are not true.

Redirect examination – Follows cross-examination by a lawyer and is conducted by the party who first examined the witness.

Deliberations – The period after the evidence has been presented when the jury moves to a special room to discuss the evidence and reach a decision or “verdict.”

Burden of proof – In the law of evidence, the necessity or duty of affirmatively proving a fact or facts in dispute. In a criminal case, the prosecution must prove that the defendant committed the crime “beyond a reasonable doubt.” In a civil case, the burden of proof is by a “preponderance,” or greater weight, of the evidence.

Polling the jury – A practice whereby jurors are asked individually whether they agreed and still agree to the verdict.

Sentencing – Judges follow the law and Constitution when determining the sentence for someone found guilty of a criminal action. Sentences may include prison, city jail time, a fine, some form of probation, or a conditional discharge.

Venire – The group of people called for potential jury service from which jurors will be selected.

Illinois Judges Association
321 S. Plymouth Court
Chicago, Illinois 60604
(312) 431-1283 or (888) 431-1283
E-mail address: info@ija.org
Web site: www.ija.org

Illinois State Bar Association
424 S. Second Street
Springfield, Illinois 62701
(217) 525-1760 or (800) 252-8908
Web site: www.isba.org

*Copyright, Illinois State Bar Association and
Illinois Judges Association, 2016*

This pamphlet is prepared and published by the Illinois State Bar Association and the Illinois Judges Association as a public service. Every effort has been made to provide accurate information at the time of publication.

Pamphlets Available

Adoption
Advice to Newly Marrieds
Alternative Dispute Resolution
Auto Accidents
Auto Insurance
Bankruptcy
Being a Guardian
Buying a Car
Buying a Home
Buying on Time
Divorce
Estate Planning
Gender Transitioning
General Practitioner
Health Care Privacy
Healthcare Decisions
Hiring a Lawyer
Illinois Traffic Courts
Jury Duty
Landlord-Tenant
Law-related Careers
Limited Scope Representation
Living Trusts
Patients' Rights
Rights of LGBT
Selling a Home
Serving as a Guardian for an Adult with Disabilities
Starting a Business
Your Rights if Arrested

For more information on legal issues or to obtain single copies of each of the pamphlets listed above (free to individuals), please visit www.ISBALawyers.com

ILLINOIS BAR CENTER
424 S. Second Street
Springfield, IL 62701-1779
www.isba.org

A Guide to Jury Service

Useful information
for the citizens
of Illinois

PRESENTED BY
THE ILLINOIS JUDGES ASSOCIATION
AND THE ILLINOIS STATE BAR
ASSOCIATION

Illinois
Judges
Association



ILLINOIS STATE
BAR ASSOCIATION



The U.S. and Illinois constitutions guarantee that every person charged with criminal or civil wrongdoing, with few exceptions, has the right to a trial by a jury of one's peers. The jury plays a pivotal role in a case: its members are charged with making a fair and impartial decision based on the facts presented during the trial.

This information is intended as a guide to the citizens of Illinois who may be called to jury service. Being a juror presents citizens with the opportunity to take an active role in their government as well as help them experience firsthand how our court system works. It is an important responsibility and an extremely satisfying one for most people.

FREQUENTLY ASKED QUESTIONS ABOUT JURY SELECTION

Who may serve as a juror?

To be eligible for jury service, you must be a citizen of the United States, at least 18 years old, a resident of the county, and able to read, write, and understand the English language. There are no education or skill requirements, nor do you need to know about the law. Some exemptions for hardship are available; if you believe jury duty will cause you undue hardship, the court will look at your job, physical health, family situation, and military status to determine whether you must serve. Convicted felons may not be eligible for jury service, depending upon the age and nature of the felony.

How are citizens selected?

In order to be summoned for jury duty, a citizen must be a registered voter, or have a driver's license, an Illinois Identification Card, or an Illinois Disabled Person Identification Card. Every eligible citizen may be called for jury service once every twelve months.

Where do people report for jury service?

You must report to the address indicated on the jury summons at the time stated. In many counties, you can call the phone

number on the summons the night prior to your appearance to verify that you must be present. Once at court, prospective jurors are grouped into panels from which trial juries are selected.

What happens if you don't report?

If you do not report, you may be held in contempt of court and be fined and/or sent to jail.

Can jury service be postponed to a more convenient date and time?

If you cannot appear on the summons date, you may ask for a postponement to a more convenient date. Call the number on the summons to explain why you cannot appear.

How long does the jury selection process take?

In the courtroom, you will be asked to take an oath in which you promise to answer all questions truthfully. Generally, a prospective juror needs only to spend one day in court.

Is job employment protected?

Yes. Legally, you are protected against employer harassment or from being fired for responding to jury service; however, you must notify your employer in advance that you received the summons. In addition, an employer cannot require a night shift worker to work while such employee is doing jury duty in the daytime. An employer is not required by law to pay employees who take time off of work for jury service, although many employers choose to do so.

Is there a dress code?

There is no formal dress code, but jurors should observe courtroom decorum and dress as they would for an office job. Casual clothing such as t-shirts, tank tops, shorts, and sandals is not appropriate for the courtroom. It is advisable to wear layers of clothing since the courtroom may be too warm or cool for some people.

What items can be brought into the courthouse?

Some courthouses have restrictions on bringing in items such as cellular phones, cameras, laptop computers, or other electronic equipment. If you have questions, check in advance with court personnel.

Who actually decides which citizens will serve as jurors?

Judges make the final decision; however, attorneys are allowed a certain number of peremptory challenges, meaning that they can, without giving a reason, ask that certain prospective jurors be excused. If you are not accepted as a juror, you should not take the rejection as an attack on your integrity.

FREQUENTLY ASKED QUESTIONS ABOUT JURY SERVICE

What type of cases do jurors hear?

There are two types of cases: criminal and civil. In a criminal case, a defendant is charged with a violation of criminal law and has pled "not guilty." The jury then hears all the evidence and decides whether the person is guilty "beyond a reasonable doubt." A civil case is one where a person or group of persons, such as a corporation, sues another for reasons that include personal injury, damage to property, or failure to complete a contract. The burden of proof is by a "preponderance," or greater weight, of the evidence.

What happens during a trial?

Events in a trial usually happen in a particular order: opening statements by the attorneys, presentation of the evidence including testimony and exhibits, closing arguments, jury deliberations in a separate room, and finally, the announcement of the verdict. Once the verdict is announced, the judge will excuse the jurors. During the trial, jurors are expected to listen attentively and take notes if they wish. On some occasions, a jury will be "sequestered," meaning that

they must remain with the court without any outside contact. The court provides meals, lodging, and will even retrieve the juror's personal items from his or her home.

Can jurors ask questions during the trial?

Jurors are unable to directly ask questions of the witnesses or conduct their own independent investigations. Jurors who violate this rule run the risk of causing a mistrial. However, in some civil trials, jurors are permitted to submit questions to the judge, who may then ask the witness the question if the judge decides the question is admissible.

Is it true that jurors cannot discuss the case during the trial?

Jurors cannot discuss the case with anyone until deliberations have ended. This includes family members, lawyers, witnesses, the media, and even fellow jurors.

Can the trial proceed if one of the jurors is late, has an illness, or a family emergency?

The delay or absence of even one juror can delay the trial. If you are unable to report, you should inform the court staff as soon as possible.

How long do trials last?

Every trial is different. Depending on the circumstances, the trial may last from a few days to several weeks or months. The judge will inform members of the jury how long he or she anticipates that the trial will last. As a juror, you should be aware that there are often delays in the proceedings. A judge, for

Juror Security: *Jurors must be free to make their decisions without fear of criticism or retaliation. The court will protect jurors both during and, if necessary, after the trial. If you have reason to believe that your safety is in danger, you should promptly inform the court personnel or judge.*