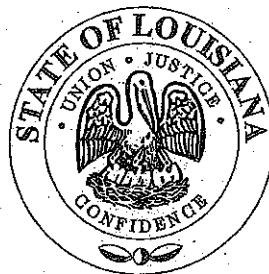


**Thirty-First Judicial District Court
Jefferson Davis Parish, Louisiana**

HANDBOOK FOR JURORS



INTRODUCTION

The judge and the staff of the Thirty-First Judicial District Court, in Jefferson Davis Parish, welcome you and congratulate you as a fellow participant in the administration of justice.

The jury system – the right to a jury of your peers – is the cornerstone of American Justice, and as a juror, you will actually be a judge and make a substantial contribution to the American justice system.

The judge knows that your time is valuable and that you are putting aside many important tasks in order to do your civic duty and serve as a juror, and we are sure that you will find your jury service has been a fruitful and rewarding experience.

Before you arrived here this morning, we have taken every step within our power to see that the cases set for trial during your jury service are ready to go to trial. However, with the crowded dockets of today, there are often conflicts in the schedules of the judge and the attorneys involved, and there are often some preliminary matters still pending in a given case which must be disposed of before the jury is called. For example, witnesses sometimes do not appear and must be located, last minute motions are filed by attorneys, and a myriad of other things may happen which require some delay before the jury panel can be called into the courtroom.

The judge respectfully requests your indulgence in these matters which are unavoidable and hopes that you will understand if you must wait, sometimes for considerable periods, before being called. We assure you we will do everything possible to make your service as short and as efficient as possible.

Again, on behalf of the Court and your fellow citizens, we thank you for your service and hope it will be a rewarding experience.

Welcome to the Thirty-First Judicial District Court. As a prospective juror, you are here to perform an important service in your judicial system. Upon entering the courtroom, please pick up a questionnaire, fill it out, and present it to the Clerk of Court if you have not already done so. The Judge's office number is 824-3506. Please keep this booklet with you during your term of service. If you have any questions, please do not hesitate to direct your questions to one of the Court's staff members. **PLEASE NOTE - PROPER DRESS IS REQUIRED**

Term of Service -- You have been called for one week of service usually beginning on Monday and ending on Friday. The average stay for jurors is three days. The court staff will make every effort to release you during the day and during the week as early as possible. During this time, it is possible you may serve on more than one trial.

Hours of Service -- Court hours are normally from 9:00 a.m. to 4:30 p.m. with a lunch hour around noon. However, depending on the Court's caseload, the hours will vary. If, and when, you are sent to a courtroom, the presiding judge will give you reporting instructions.

Parking -- Parking is available at a parking lot to the west of and on either side of the courthouse.

How Jury Panels are Selected -- A panel of jurors is drawn at random, the names are called out by the bailiff, and those jurors are escorted to the jury box. While waiting to be called, please remain in the courtroom or on the second floor of the courthouse.

Reporting Problems -- If you will be unavoidably late in reporting, it is important to notify the Judge's office as soon as possible. The number to call is 824-3506 between 8:30 a.m. and 4:30 p.m.

Payment -- Payment of \$25.00 a day for service plus mileage will be mailed to you in the form of a check which can be cashed at your bank. You should receive your check approximately one month after your jury service.

Facilities -- The following are provided for your convenience: coffee and water are available to you in the Judge's office. Restrooms are located at the end of the hallway and across from the elevator.

Mailing Address -- Judge's Office, Post Office Drawer 1389, Jennings, LA 70546

Recorded Message Line -- During your jury service, you may be instructed to call the recorded message line for reporting instructions. This number is 824-3506.

CELL PHONES and BEEPERS are not permitted in the courtroom. Violators are subject to being held in contempt of court and punished accordingly.

SAFETY EVACUATION PLAN

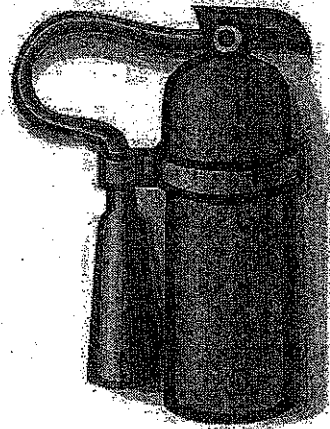
To ensure your safety, each office within the courthouse has adopted a Safety Evacuation Plan. In the event of an emergency evacuation, this is the plan the judge's office will follow:

Jurors present in the courtroom will be evacuated using the exit door located to the left of the jury box and proceed down the stairs.

DO NOT USE THE ELEVATORS

There will be a sheriff's deputy waiting on the ground level to assist with the evacuation. The deputy will call roll to make sure that everyone has been evacuated.

We ask that any individual needing assistance in exiting down the stairwell to immediately inform the bailiff so that we may properly and safely provide assistance.



HOW JURORS ARE SELECTED

The names of all licensed drivers 18 years of age and older and the names of registered voters of Jefferson Davis Parish are placed into the Clerk of Court's computer once a year. The computer uses a random selection formula to select the names of people who will receive a subpoena for jury duty. The Jefferson Davis Parish Jury Commission, composed of five members, supervises the selection of jurors.



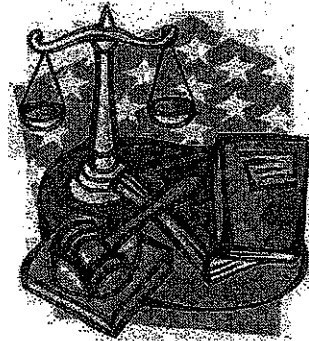
ARE YOU QUALIFIED?

Louisiana law provides that certain qualifications must be met in order for a person to be eligible to serve on a jury.

These requirements are that a prospective juror:

1. Must be a citizen of the United States and of this State who has resided within Jefferson Davis Parish for at least one year immediately preceding his jury service.
2. Must be at least eighteen years of age.
3. Must be able to read, write, and speak the English language and be possessed of sufficient knowledge of the English language.
4. Must not be under interdiction or incapable of serving as a juror because of mental or physical infirmity, provided that no person shall be deemed incompetent solely because of the loss of hearing in any degree.
5. Must not be under indictment for a felony nor have been convicted of a felony for which he has not been pardoned.

If you do not meet all of these requirements, you are ineligible for jury service.



EXEMPTIONS

Persons who may claim an exemption from jury service are:

1. Persons who are seventy years of age or older.
2. Persons who have been qualified as a member of the jury pool in the 31st Judicial District Court within the last two years.
3. Serving would result in an undue hardship or an extreme inconvenience (this exemption is within the discretion of the Court).

If you are in any of these categories, you may claim an exemption from jury service. However, this is your choice. If you wish to serve, you may do so. If you do elect to claim an exemption, please notify the Judge when you are instructed to do so.

YOUR ROLE AS A JUROR

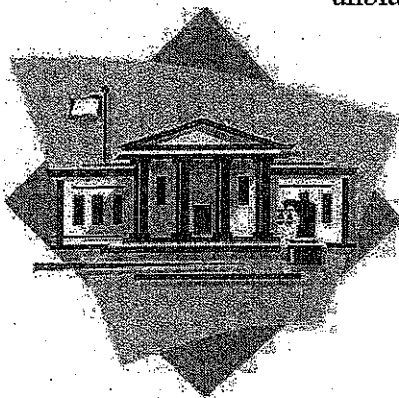
When you are sent to a courtroom, you need only to act the way most people naturally act: be alert, courteous, and honest about your feelings and opinions on issues.

In the event that you are seated as a juror, give your undivided attention to the evidence that is presented. In the courtroom, you are to follow the orders and instructions of the judge presiding over that court. Above all, remember that it is your duty to make an impartial decision based on the evidence and information that is set before you.

If you have any problem (i.e., unable to hear a witness) or any urgent questions or requests, you may ask the bailiff to notify the judge, who will handle your request.

After you have heard all the evidence, and each attorney has summed up his case, the judge will instruct you on the law that applies to the facts you will consider.

You will then be escorted to the jury deliberation room where you and your fellow jurors will deliberate. Don't be afraid to speak out as you and your fellow jurors go over the evidence. At the same time, respect the opinions of others when they seem reasonable. If your fellow jurors can show you that your viewpoint isn't sound, yield gracefully. But if you honestly believe that your reasoning is better, hold firm. The whole concept of a jury is based on the assumption that the people on it will come to a decision after full and frank discussion and calm, unbiased reasoning.



SEQUENCE OF A TRIAL

After reporting to the courtroom, the judge will tell you the names of the parties, the lawyers who will represent each, and the nature of the legal action.

You will then be questioned by the attorneys and the judge to ensure that you can be impartial and objective about the issues of the case. This is called Voir Dire. Each attorney may challenge "for cause." This means that for some reason (for example, your occupation, your opinion on certain issues, your knowledge of the case, etc.), it might be unfair to ask you to be impartial in the case at hand. As a result, the judge may excuse you from service in this particular trial. Each attorney is also allowed by law a limited number of "peremptory challenges." This means they may ask the court to excuse some prospective jurors without stating any reason. If you are challenged, please keep in mind that this request is not on a personal basis. Rather, the attorney is merely using a right given to them by law.

At the end of voir dire, a number of people will be seated to form the jury, and the trial begins. In some cases, it may be a "six-person" jury. In other cases, it may be a "twelve-person" jury.

The plaintiff's attorney (in civil cases) or the District Attorney (in criminal cases) will make an opening statement telling you what they intend to prove. The attorney for the defense may also make an opening statement at this point, or he may wait until another time.



After the opening statements, the side bringing the suit (the plaintiff or the D.A.) will present its evidence with witnesses, documents, or other exhibits. When that party is through questioning one witness, the defense attorney may cross-examine that witness. There are special rules of law governing what may be asked of a witness, how the witness may respond, what the jury may properly consider as evidence. From time to time, an attorney may "object" to some testimony or procedure. The judge may ask the lawyers to approach the bench to discuss the matter, or it may be debated in your hearing. In either case, the judge will rule on all questions of law and will tell you how the law requires you to treat a particular situation.

When both sides have presented their evidence and defenses, each attorney will sum up their case. They tell what they believe the evidence shows and why it favors their side. Of course, these presentations by the lawyers are not evidence.

After closing arguments, the judge will instruct you on your duties as a juror. He will instruct you as to the law in this particular case, what verdicts can be rendered, and the consequences of each verdict. You and your fellow jurors will then be escorted to the jury deliberation room.

At this time, you will select one juror to be your foreperson. This person will preside over your deliberations and will bring the verdict into court. In many cases, one of the parties will ask, or the court will order, that the jury be polled. This means the court will ask each juror individually if this is his/her own verdict.

The judge will then thank you and dismiss you. When dismissed, you may be asked to report back to the courtroom for service on any remaining cases during your jury term.

DEFINITIONS

Bailiff – the official in each courtroom who attends to the needs and comforts of judges, jurors, and the court in general

Bench – the seat occupied by the judges in court

Challenge – during the selection of a particular jury, attorneys for either side may wish to suggest to the court that certain individuals be excused from service for this particular jury. There are two types of challenges: (a) challenge for cause is made when an attorney believes that the individual being challenged is not properly qualified to serve on a particular case in some way. For example, a person was recently a party to a personal injury suit or who is a relative of the attorneys or parties in the present suit may find it difficult or impossible to be objective about the present case. The decision as to the validity of a challenge for cause is made by the judge. (b) peremptory challenge is a challenge exercised by an attorney without a stated reason. This challenge is automatically granted by the judge. Each side in the case has a limited number of peremptory challenges which it may exercise if it chooses.

Chambers – the private room or office of a judge

Civil Law – civil trials, as distinguished from criminal trials, deal with disputes between individuals, corporations, private and/or public entities (such as the city, parish, or state) in which no violation of a specific criminal law is charged

Criminal Law – that law dealing with actions or omissions which have been identified by a legislative body as being contrary to the public interest and to which specific criminal penalties have been attached

Cross-Examination – examination of a witness by the party opposed to the one who produced him in order to further develop and test the truth of his testimony

Defendant – in a civil action, the party against whom suit is brought (i.e., the party being sued). In a criminal case, the defendant is the person who is charged with violation of a criminal statute.

Direct Examination – the first examination of a witness by the party on whose behalf he is called

Expert Witness – a person qualified to speak authoritatively on a certain subject on the basis of skill, training, or experience. The court is responsible for determining the qualifications of an expert witness. An expert witness may, within their field of expertise, offer opinions as well as observations.

Grand Jury – a special jury which serves each session of criminal court as a body to inquire into complaints and accusations of violations of criminal laws. Grand juries may hear testimony and receive evidence and may bring charges in the form of an indictment against individuals. Grand juries do not find innocence or guilt. They simply determine whether or not sufficient evidence exists to bring formal charges

Indictment – a formal accusation by a grand jury that a person has violated one or more specific criminal statutes. The charge is presented to the court. The indictment is not evidence.

Instructions – the directions given by the judge to the jury concerning the law which applies in the case at hand and the manner in which the jury is to apply it to the facts as they find them.

Intervenor – a person who voluntarily enters an action or other proceeding

Jury Pool – a randomly chosen group of qualified individuals from which individual jury panels are chosen

Jury Term – the length of time for which a citizen serves in a jury pool

Motion – a formal request to the court by an attorney for a specific action by the court. For example: "Your Honor, the defense moves that the last witness's testimony be stricken from the record."

Objection – in a trial, a lawyer may object (or raise an objection) to a procedure or action in the trial such as an attempt to introduce certain evidence or to elicit certain testimony that the lawyers feel should not be permitted under the rules of law that govern the conduct of trials. The judge will make a decision as to whether or not the objection is to be sustained or overruled.

Panel – a specific group of prospective jurors from which the jury for a specific case will be chosen. The jury pool is, for convenience, divided up into panels which are questioned as prospective jurors.

Petit Jury – a jury of individuals who determine the facts and render a verdict thereon in a particular criminal trial

Plaintiff – in a civil action, the person who brings a petition to the court (the party who initiates the action by filing suit).

Plea – a defendant's statement answering the charges against him or showing why he should not answer

Settlement – an agreement by which the parties having disputed matters between them reach an agreement which concludes the dispute without going to trial

Statute – a written law enacted by a legislative body (city, council, State legislature, U.S. Congress, etc.)

Verdict – the formal decision of the jury. In a criminal case, the decision relates to the guilt or innocence of the defendant. In a civil suit, the decision is whether or not the plaintiff has proved their case against the defendant and may also include finding as to the amount of damage suffered.

Voir Dire – prospective jurors, prior to being sworn in to serve in a trial, are questioned by the judge and the attorneys in that case in order to determine whether they are competent and qualified to hear the particular case in question.

Witness – a person who testifies under oath to what they have seen, heard, or otherwise observed and whose statement is received as part of the evidence in the case.

WHO THEY ARE

List of Court Personnel and their functions

Judge – An officer who is elected to preside over the trial and to administer the law in a court of justice. The judge strives to assure that the trial proceeds in a fair and impartial manner.

District Attorney (D.A.) – The prosecuting officer who represents the state in criminal trials.

Plaintiff – The party who complains or sues in a civil action.

Defendant – The party summoned to answer a charge of complaint in civil or criminal law; the party against whom an action or suit is filed.

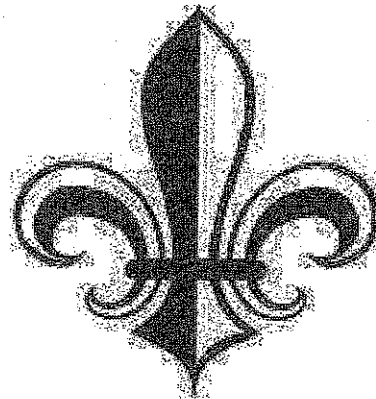
Lawyer/Attorney/Counsel – The legal representative of a party in a trial.

Bailiff – An administrative officer of the court who attends to the needs of the judge, jurors, witnesses, and court.

Court Reporter – A person responsible for the taking and transcribing of formal or official presentations of fact, evidence, and legal procedures in a trial.

Minute Clerk – A deputy clerk of court who administers the oath to jurors and witnesses and whose duty is to keep the minutes of court.

Witness – A person who gives testimony concerning the issue.



**JUDGE AND OFFICIALS OF THE
31ST JUDICIAL DISTRICT COURT**

Honorable Judge Steve Gunnell

**District Attorney
Michael C. Cassidy**

**Clerk of Court
Richard M. Arceneaux**

IMPORTANCE OF JURY SERVICE

We would like to thank you once again for serving. Jurors perform a vital role in our American system of justice. The protection of our rights and liberties is largely achieved through the teamwork of a judge and jury who, working together in a common effort, put into practice the principles of our great heritage of freedom.

Jury service is a high duty of citizenship. Jurors aid in the maintenance of law and order and uphold justice among their fellow citizens. Your greatest reward is the knowledge that you have discharged this duty faithfully, honorably, and well.

Jury service is evidence of the importance that our society places on the participation of its citizens in the judicial process.

