

# IADC NATIONAL JURY TRIAL INNOVATIONS PROJECT

Updated 08.08.2005

## Idaho Jury Innovations

### 1. Note Taking

A judge will allow jurors to take notes.

<http://www.isc.idaho.gov/jurybook.pdf> (Idaho Supreme Court Handbook for Jurors)

### 2. Juror Handbooks/Notebooks

N/A

### 3. Juror Questions and Questioning of Witnesses

N/A

### 4. Juror Pay/Compensation

#### **Mileage and per diem of jurors**

A juror shall be paid mileage for his travel expenses from his residence to the place of holding court and return at the same rate per mile as established by resolution of the county commissioners for county employees in the county where the juror resides, and shall be compensated at the following rate, to be paid from the county treasury:

(1) Five dollars (\$ 5.00) for each one-half (1/2) day, or portion thereof, unless the juror travels more than thirty (30) miles from his residence in which event he shall receive ten dollars (\$ 10.00) for each one-half (1/2) day or portion thereof;

(2) Ten dollars (\$ 10.00) for each day's required attendance at court of more than one-half (1/2) day.

Idaho Code § 2-215 (2005)

### 5. Alternate Jurors

N/A

### 6. Discussions pre-deliberation

Jurors may not discuss the case with anyone during the course of the trial – this includes discussions with fellow jurors until such time as jury deliberations commence. When the trial is over, the juror may discuss it with others or may keep silent.

<http://www.isc.idaho.gov/jurybook.pdf> (Idaho Supreme Court Handbook for Jurors)

If a juror accidentally hears something about the trial outside the courtroom, or if someone contacts a juror about the trial while it still in session, the juror should advise the bailiff immediately. Under no circumstances should the juror tell anyone about the incident except the jury commissioner, bailiff, or the judge.

<http://www.isc.idaho.gov/jurybook.pdf> (Idaho Supreme Court Handbook for Jurors)

## **7. Deliberation**

When the trial is concluded and the case is submitted to the jury for a decision, the jury will retire to the jury room and begin deliberations. At that time, the Court will give the jury a second handbook entitled, “A Guide for Jury Deliberations.” This Guide will suggest certain ways to reach a decision. It is not binding, as [jurors] are free to deliberate any way that [they] wish, but it may be helpful in organizing your work and helping [jurors] reach a decision. If [jurors] have a question during deliberations, [they] may submit it in writing to the bailiff through the presiding juror for delivery to the judge.

<http://www.isc.idaho.gov/jurybook.pdf> (Idaho Supreme Court Handbook for Jurors)

## **8. Length of Service**

N/A

## **9. Length of Time Restrictions on Trials**

N/A

## **10. Judge’s Responses to Jury Questions**

N/A

## **11. Jury Size**

N/A

## **12. Number of Jurors Needed to Return a Verdict**

### **Trial jury defined -- Verdict in civil actions**

A trial jury is a body of men or women, or both, returned from the citizens of a particular county before a court or officer of competent jurisdiction and sworn to try and determine by a verdict a question of fact. Three-fourths (3/4) of the jury may render a verdict in a civil action, and such verdict shall have the same effect as a unanimous verdict.

Idaho Code § 2-104 (2005)

## **13. Juror Admonition**

N/A

**14. Jury Nullification**

N/A

**15. The Use of Plain English**

N/A

**16. Absence of the Jury**

N/A

**17. Jury Instructions**

N/A

**18. Child-Care for Jurors**

N/A

**19. Jury Room**

N/A

**20. Accommodation**

N/A

**21. Juror's Bill of Rights**

**Jurors' Rights**

Every juror should:

Be randomly called in for jury service free from discrimination on the basis of race, ethnicity, gender, age, religion, economic status, or physical disability;

Be treated with courtesy and respect at all times;

Be allowed to express concerns, complaints, and recommendations to court personnel;

Be informed about the trial schedule; and

Be informed of the trial process and of the applicable law

<http://www.isc.idaho.gov/jurybook.pdf> (Idaho Supreme Court Handbook for Jurors)

**22. Materials Permitted in Possession of the Jury**

N/A

**23. Various Rules**

N/A

## **24. Various Recommendations**

N/A