

JURY INSTRUCTIONS

LETTER FROM THE JUDGE

Ladies and gentlemen of the jury,

As jurors, it will be your job to decide whether the defendant is guilty or not guilty in the case that you hear. As the judge, it is my duty to instruct you in the law that applies to this case. You must follow these instructions. Your duty will be to decide what the facts are in this case based on the evidence you heard. You must then apply the rules of law to those facts. When you apply the rules of law, you *may not* use your own judgment. You *may not* rely on your own opinion about what the law should be. You must base your verdict only on the law that I give you in these instructions.

Consider Only the Evidence. To decide this case, you must consider the evidence. Evidence consists of the witnesses' testimony and the exhibits you saw. Any arguments or opinions the lawyers express are not evidence. Anything you have see or hear outside the courtroom is not evidence. In addition, you must disregard any evidence that is objected to if I *sustain* the objection. You may not use any other source of information to help you decide this case.

You will hear several witnesses testify, including the defendant. It is up to each of you to decide if you believe a witness is telling the truth or not. You should consider how the witness behaved on the stand and use your own common sense in deciding whether or not a witness was telling the truth.

Remember, "not guilty" is not the same thing as "innocent." Not guilty means that the defendant could be innocent or that the State did not meet it's Burden of Proof. This means that it is up to the prosecution to *prove* the defendant is guilty. The defense does not have to prove the defendant is innocent; if the prosecution has not proven its case, then the defendant is not guilty. You can only say the defendant is guilty if the prosecution has proven guilt beyond a reasonable doubt. "Beyond a reasonable doubt" means that you must be very sure. That means that you will still be sure tomorrow or next week or next year. It *does not* mean any doubt you can think up in your imagination.

All jurors must be unanimous in their decision in order to deliver a verdict.

Thank you for your time and your service to the Court.

Sincerely,

Your Mock Trial Judge



**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY, FLORIDA.**

STATE OF FLORIDA

Criminal Division

MOCK TRIAL JUROR QUESTIONNAIRE

Instructions

You are now a prospective juror in a criminal case. The purpose of this questionnaire is to assist the Court and attorneys to select a fair and impartial jury to hear and decide this case.

Please answer each question as completely and accurately as you can.

Truthful answers are necessary to ensure that both the state and the defense have a fair and impartial jury has been seated.

Please write legibly.

Now that you are a prospective juror it is important that, except as part of these proceedings, you are not exposed to any outside information about this case.
For this reason, you are not to read, watch or listen to press reports relating to this case or the trial. You are also instructed not to discuss the case with anyone, including another juror, or to let anyone talk to you about the case.

~Part 1~

1. Full Name: _____

2. Place and date of birth: _____

3. Are you a U.S. Citizen? ____yes ____no

4. Present Address: _____

5. Do you have any difficulty in reading, speaking, or understanding the written or spoken English language? ____yes ____no

6. Do you have any significant problems with your hearing or your eyesight?

____yes ____no

7. How long have you lived at your present address? _____

8. How long have you lived in Leon County? _____

9. Are you a registered voter? ____yes ____no

10. Are you presently married? ____yes ____no

If "yes," what is the full name of your spouse? _____

How long have you been married? _____

11. Spouse's Occupation _____

12. If you have children, please state their full names and ages, and occupations

Child's name	Age	Occupation (if employed)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

13. Place of employment: _____

What is the nature of your work? _____

14. How many years of formal education have you had? _____

What is the name of the last full-time school you attended? _____

When did you last attend school? _____

~Part 2~

15. Do you, to your knowledge, have any personal or family connection of any sort with:

the defendant? ☐yes ☐no

the attorneys for the State? ☐yes ☐no

the defense attorneys ☐yes ☐no

If any answer is "yes," please explain briefly.

16. Do you, to your knowledge, have any personal, family, or business connection of any sort with any of people who may be called as witnesses in this case? ☐yes ☐no

17. Do you have any first-hand knowledge of the facts of this case? ☐yes ☐no

If "yes," please explain briefly.

18. If you do have knowledge of this case, have you formed any opinions whatsoever, based on information from any source, of the defendant's guilt or innocence? ☐yes ☐no

If "yes," please explain briefly:

19. The jury will be instructed that the defendant is presumed to be innocent throughout the trial, and that he/she cannot be found guilty of any offense until the State has **proven** each element of that offense beyond a reasonable doubt.

Are you able to follow this instruction? ☐yes ☐no If "yes," please explain briefly:

20. The jury will be instructed not to read, watch, or listen to any news accounts of this trial whatsoever until it is over, and not to talk to anyone about the case, not even to one another, until it is time to deliberate upon the verdict.

Are you able to follow this instruction? ☐yes ☐no If "yes," please explain briefly:

21. What TV or radio news programs do you watch or listen to fairly regularly?

22. What newspapers or magazines do you read fairly regularly?

~Part III~

23. Other than as a voter, are you active politically? ☐yes ☐no

If "yes," please explain briefly.

24. Have you been active in the campaign of any candidate(s) for elective office in Leon County?

☐yes ☐no If "yes," please explain briefly.

25. Have you ever held elected or appointed office in the Leon County? ☐yes ☐no

If "yes," please explain briefly.

26. Have you ever been employed by Leon County? ☐yes ☐no

If "yes," please explain briefly including the department(s) or agency(ies) for which you have worked: _____

27. Have you ever contributed money or property to any candidate(s) for elective office in Leon County? ☐yes ☐no

If "yes," please explain briefly: _____

28. Have you had any major disputes or litigation with the United States or the State of Florida governments in the past four years? ☐yes ☐no

If "yes," please explain briefly.

~Part IV~

29. Have you, any member of your immediate family, or a close personal friend ever been employed by any local, state or federal law enforcement agency? ☐yes ☐no

If "yes," please explain briefly.

30. Have you, or any member of your immediate family ever studied law, practiced law, or been employed by a lawyer or law firm? ____yes ____no

If "yes," please explain briefly.

31. Have you ever served on a trial jury? ____yes ____no

If "yes," were the case(s): ☐ criminal? ☐ civil? ☐ other?

~Part V~

32. Do you have any opinion as to whether a person is ever justified in lying after having taken an oath to tell the truth? ____yes ____no

If "yes," please explain briefly.

33. Do you hold any personal opinions about the use of undercover, or "sting," operations by law enforcement agencies, in which, for example, friends or associates of a subject co-operate in monitoring the subject's activities? ____yes ____no

If "yes," please check the response below which most accurately reflects your opinion:

_____ I am opposed to such methods.

_____ I favor the use of such methods.

_____ I have some reservations about the use of such methods, but realize they are sometimes necessary. Please explain briefly, if you wish:

34. Do you have an opinion about the fairness of law enforcement agencies using concealed video and audio recording devices during the course of an undercover investigation? ____yes ____no

If "yes," please check the response below which most accurately reflects your opinion:

_____ I am opposed to the use of concealed recording devices.

_____ I favor the use of concealed recording devices.

_____ I have some reservations about the use of concealed recording devices, but realize they are sometimes necessary.

Please explain briefly, if you wish.

~Part VII~

35. Is there anything, or any reason at all, however personal or private, that makes you feel you should not serve as a juror on this case, or could not be a fair and impartial juror?

___yes ___no

If "yes," please explain briefly.

With my signature, I declare, under penalty of perjury, that the answers to each of these questions are true and correct, to the best of my knowledge and belief.

Signature

Date

JURY DUTY

A trial by jury is a fundamental right of every person in the United States and is a very important part of the Constitution. While jury duty is not always convenient and can cause a hardship, jury duty is still the duty and responsibility of every qualified citizen of this country to serve when called.

You do not need any knowledge of the legal system to be a juror. The duty of the jury is very important. The jury's duty is first to decide the disputed issues of fact, and then to reach and return a true verdict that is based solely and exclusively on the evidence, testimony and law that is presented during the trial.

Jurors are randomly selected from a list of all licensed drivers and persons who possess a Florida Identification Card who are eighteen years old and older and reside in Escambia County. The State of Florida Department of Highway Safety and Motor Vehicles provides this list to the Clerk quarterly.

Jury service in the State of Florida is for one day or the length of one trial. Some trials exceed one day. There is not a specific time of day that the courts conclude.

Most juries are selected on the initial reporting day. Some trials will begin and conclude on the same day. However, not all trials will finish or start on the same day. The length of the trial will be discussed during the selection process. If a juror finds that the length of the trial conflicts with a personal schedule, he/she may be given the opportunity to explain this to the Judge during the jury selection process.

Reporting for jury service, even if not selected to sit on a jury, will count as completing your duty for jury service for the year.

Court cases may resolve between the time the Summons was mailed and the time the juror is scheduled to report. Jurors must call the court the night before they are scheduled to find out if they are still required to report.

Watch "The Florida Juror" On-Line for some more great information!

<http://www.youtube.com/watch?v=IK1vaWSjTSQ>