Multiple Choice Questions

1. The Sixth Amendment guarantees a trial by jury for ____________.
   a. all felony cases
   b. all misdemeanor cases
   c. all civil cases
   d. all of the above

2. In ____________, the Supreme Court determined that there is no right to a trial by jury when someone is charged with multiple petty misdemeanors.
   a. Duncan v. Louisiana
   b. McKeiver v. Pennsylvania
   c. Taylor v. Louisiana
   d. Lewis v. United States

3. Which of the following is not a source used to compile lists of potential jurors?
   a. Employment records
   b. Registered drivers
   c. Tax rolls
   d. Registered voters

4. Many jurors describe their job as choosing the story that ____________.
   a. makes the most sense
   b. is the most contradictory
   c. is the most favorable to the prosecution
   d. will result in the most just sentence being imposed

5. Who presides over jury deliberations?
   a. Jury foreperson
   b. Judge
   c. Jury commissioner
   d. Bailiff

6. What is one reason to utilize juries with fewer than twelve members?
   a. They are more likely to reach a fair verdict
   b. They save time
   c. They are a better representative sample of the community
   d. They are less likely to prejudge the facts of the case
7. Lay witnesses testify as to their ____________.
   a. knowledge of a case’s facts
   b. knowledge of a case’s law
   c. professional opinion
   d. opinion on sentencing

8. Expert witnesses testify as to their ____________.
   a. knowledge of a case’s facts
   b. knowledge of a case’s law
   c. professional opinion
   d. opinion on sentencing

9. Who decides whether a witness has sufficient credentials to be recognized as an expert witness?
   a. Attorney who called the witness
   b. Opposing attorney
   c. Judge
   d. Jury

10. What organization was formed from the merger of two organizations and is now devoted to improving the administration of justice, providing education and training, and improving public access to courts?
    a. Administrative Office of Courts
    b. National Association for Court Administration
    c. National Association of Trial Court Administrators
    d. National Association for Court Management

11. When did court administration begin to emerge as a profession?
    a. Late 1800s
    b. Early 1900s
    c. 1960s
    d. 1970s

12. What process allows counsel for the opposing side to know in advance the nature of an expert witness’s expertise and the substance of their testimony?
    a. Voir dire
    b. Deposition
    c. Trial transcription
    d. Expert perception

13. The number of people seated on a jury originated in ____________.
    a. France
    b. Spain
    c. England
    d. the United States
14. A twelve-person jury is required for all ____________.
   a. civil cases
   b. misdemeanor cases
   c. felony cases
   d. death penalty cases

15. Which of the following is not a duty of bailiffs?
   a. Taking trial transcriptions
   b. Providing security at courthouse entrances
   c. Announcing the judge’s entrance into a courtroom
   d. Escorting members of the jury into the courtroom

**Multiple Choice Answer Key**

1. a
2. d
3. a
4. a
5. a
6. b
7. a
8. c
9. c
10. d
11. d
12. b
13. c
14. d
15. a
True/False Questions

1. State constitutions cannot allow jury trials in situations where they are not required by the U.S. Constitution.

2. Relatively few cases involve a jury trial.

3. People who are not U.S. citizens may be selected for jury service.

4. People may be excused from jury service if they are members of certain professions.

5. The composition of a jury in the U.S. means that the jurors will have sociological characteristics that are similar to the defendant.

6. Most states use multiple information sources to compile lists of potential jurors.

7. Some states accept volunteers for jury duty.

8. Jury commissioners have more extensive duties than court clerks.

9. In all states, individuals may be summoned for jury once a year.

10. Some juries may convict a defendant based upon a non-unanimous verdict.

11. The number limit on challenges for cause varies based upon the type of case being heard.

12. There are no restrictions on the reasons for which peremptory challenges may be exercised.

13. As a result of juror exclusions, most seated juries are neutral as to the case’s facts and outcome.

14. Jury members are permitted to take notes throughout a trial to refresh their memory during deliberations.

15. The jury foreperson has more power than the other jurors.
True/False Answer Key

1. F
2. T
3. F
4. T
5. F
6. T
7. T
8. F
9. F
10. T
11. F
12. F
13. T
14. F
15. F

Study Questions

1. Discuss the pervasive attitudes that citizens have regarding jury service. What issues might this create for society and the legal system? Be specific and give examples.

2. Discuss the existence, or lack thereof, of juries in other nations. How does the existence or lack of a jury system shape and influence the justice system and case outcome? What are the advantages and disadvantages to each?

3. What is the ultimate purpose of trial by jury? Do jury trials fulfill this purpose? Explain your reasoning.

4. In a jury trial, people with no legal education are called upon to make a very important decision that will impact many lives. Even with instructions from a judge, are lay people prepared to make a good decision on a legal matter? Should jury trials be retained or replaced with bench trials? Explain your reasoning.

5. Discuss the advantages and disadvantages of requiring unanimous jury decisions. What approach should be utilized, and under what circumstances? Explain your reasoning.
Matching Questions

1. Offense that does not require a jury trial
2. Device used to assemble lists of potential jurors
3. The purpose of a jury is to guard against __________.
4. Age that a person must reach to qualify for jury service
5. The idea that convicted offenders lose many of their citizenship rights
6. Crime that may disqualify a person from jury service
7. Reason that a judge may exclude an individual from jury service
8. Composition of a U.S. jury
9. Individual who is responsible for maintaining court records, setting dockets, and summoning potential jurors
10. Process of questioning potential jurors about their background and knowledge of the case
11. Used to exclude a juror when they have a prejudice toward one side or another
12. Group of potential jurors who are contacted about jury service
13. Juries are responsible for deciding a case’s __________.
14. Used to exclude a juror without any required justification
15. Judges are responsible for deciding a case’s __________.

Word Bank

a. majority
b. master list
c. court clerk
d. moral turpitude
e. voir dire
f. peers
g. petty misdemeanor
h. peremptory challenge
i. undue hardship
j. law
k. civil death
l. arbitrary power
m. challenge for cause
n. facts
o. venire
Matching Answer Key

1. g
2. b
3. l
4. a
5. k
6. d
7. i
8. f
9. c
10. e
11. m
12. o
13. n
14. h
15. j
Chapter Summary

The right to a jury trial is guaranteed by the Sixth Amendment of the U.S. Constitution. This guarantee is applicable to the states and applies only to criminal cases. Few cases utilize a trial jury. The public perceives jury service as either an honor or a disruption. The ability to serve on a jury is limited by age, U.S. citizenship, felony conviction, and professional exemptions.

A jury is comprised of the defendant’s peers, though this does not mean that the jury will resemble the defendant. Potential jurors are assembled using master lists, which are compiled from a variety of sources. Potential jurors are contacted by court clerks or jury commissioners. The frequency with which people can be called for jury service varies by state.

A twelve-member jury is selected from a group of thirty-six to forty-eight potential jurors. During selection, potential jurors are questioned in a process called voir dire. The attorneys for both sides are able to exclude potential jurors through challenges for cause or peremptory challenges. Challenges for cause are used when a person has a prejudice or prejudgment regarding the case. Peremptory challenges may be exercised by each attorney in limited number, and no reason needs to be given for the challenge. However, peremptory challenges cannot be exercised in a discriminatory way. Each attorney’s goal is to choose a jury that is most advantageous to their side, which usually results in the selection of a neutral jury.

A juror’s duty is to listen to the evidence and decide what the truth is. The judge gives instructions to the jury, and the jury begins deliberations by selecting a foreperson and determining a verdict. Juries are traditionally composed of twelve people, though smaller juries can be used in some instances. Smaller juries save time and money, but may not be truly representative. Traditionally, jury verdicts must be unanimous. This is always necessary in death penalty cases, though there are some instances where a unanimous verdict may not be required. If there is a hung jury, which is a jury that cannot reach a unanimous verdict, the judge may either dismiss the charges or retry the case.

Lay witnesses, or eyewitnesses, are individuals who have personal knowledge of facts. Lay witnesses can testify about anything that they have perceived through their physical senses. Expert witnesses testify regarding their professional opinions on issues. Their expertise must be established, and they are generally paid for their testimony. Attorneys are allowed to take depositions of expert witnesses prior to trial.

Bailiffs are responsible for providing courtroom security and other functions. Court scheduling is handled by court clerks and administrators. Roscoe Pound’s four principles of court reform are court unification, judicial superintendents, administrative personnel, and policy research. Administrative personnel became a significant issue as it emerged as a profession in the 1970s. Court administrators have responsibility for budgeting, personnel administration, jury management, and case scheduling. Court reporters are responsible for maintaining a verbatim transcript of court proceedings, and interpreters provide assistance in other languages.