

FINAL SCRIPT 7-11-2023- Petit Jury Orientation Video "Your Turn"

0:00

You've been called for jury duty. Everyone who is eligible must serve rich or poor of any religious or racial background. Today, we know more than ever that the right to a fair trial cannot be ensured by police or any other authorities. It can only be ensured by the direct day-to-day participation of We the people. And that's why you are here today.

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I'm Byron Pitts, and I'm going to take you through what you can expect when you sit on a jury. Of course, one of the reasons courtrooms and trials are so popular with the media is that in many ways, they're like dramatic theater.

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First of all, we have a conflict, a dispute that comes to a showdown in a courtroom, and we don't know how we'll come out until the trial ends. In a criminal trial, we have on one side the people of the state of New York, represented by a prosecuting attorney. On the other side, a defendant charged with violating a state law or laws. In a criminal trial, the jury decides if the District Attorney has proved, beyond reasonable doubt, that the defendant violated the law. In a civil trial, we have a plaintiff,

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a party who claims to have been wronged and on the other side of defendant, who allegedly committed the wrongdoing.

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In a civil trial, the jury decides the merits of the plaintiff's claims.

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Other differences between a civil and criminal trial include the number of jurors to sit on a case and the standard of proof to be applied to the evidence presented. The judge in your particular trial will explain these differences to you.

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Another similarity between courtroom trials and dramatic theater is that each features a cast of characters. We have the judge who's responsible for the conduct of the trial in accordance with the law.

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There behind the stenographic machine is the court reporter who must transcribe and produce a word by word record of the trial.

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Over there you will find the court officers, the people charged with maintaining order in the courtroom and, according to the judges instructions, attending to the jury.

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And then we have the clerk who swears in the jury and all witnesses and is responsible for all documents and physical evidence in the trial.

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And those two tables facing the judge, we have the disputing parties represented by counsel.

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In a criminal trial, one table is occupied by the prosecuting attorney representing the people of the state of New York. In a civil trial, instead of a prosecuting attorney, we have the attorney for the plaintiff, the party who claims to have been wronged.

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At the other table sits the attorney for the defendant, the party accused of the wrongdoing. And now all the characters of the drama are in place except for one vital part, the jury. That's going to be your role.

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Once you've been chosen, you and your fellow jurors will be asked to sit through a process known as Voir Dire, a French phrase that means, literally, to see them say. During this process, attorneys representing each of the parties to the dispute will ask you questions to see you say "Can you base your verdict solely on the evidence and the law?"

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Remember, the attorneys for each party want to wind up with jurors they feel will be most receptive to their arguments. So if you're excused during this process, it is in no way a reflection on your intelligence or integrity. Sometimes when you're sitting on a jury, it may seem as if all you're doing a lot of is waiting around. But to the contrary, having the jury there ready to hear the evidence and render a verdict is helping to resolve the case. You're not just sitting around, but rather playing an indispensable role in our

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justice system. But now let's take a look at the flow of a typical trial.

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Whether you're serving on a civil or criminal trial, there's a general procedure that is followed. "Are the remaining jurors satisfactory to the people?"

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Once you're selected as a juror, you'll be sworn in by the clerk.

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"Will the jurors please rise and raise your right hand."

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"Jurors, do you solemnly swear or affirm that you will try the case of the People of the State of New York against James Smith, the defendant, in a just and impartial way, with the best of your judgment

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in accordance with the law and the evidence?" "I do,"

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In this age of instant electronic communication and research, you'll be instructed to refrain from sharing information about the cases with anyone, by any means whatsoever.

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"I want to emphasize that in addition to not talking to anyone face to face about this case, you must not communicate with anyone about this case by any other means such as telephone, text messaging, e-mail, Internet chat, chat rooms, blogs, or social websites such as Facebook, Myspace, and Twitter."

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The judge will also instruct you not to use Google or other Internet tools to search information about the case, the lawyers or any of the individuals involved in the trial.

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"Ladies and gentlemen of the jury, I submit to you that the evidence that you are about to hear." You may hear opening statements by the opposing attorneys, each presenting their sides of the dispute. This is not evidence. This is the way they see it.

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"Finally, I'm confident that after hearing all the evidence, you will return a verdict of not guilty."

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Then, under the watchful eye of the presiding judge, the accusing side will present evidence to support their argument, witnesses, exhibits, documents.

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"No further questions, Your Honor".

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"Mr. Edwards, on that day, what time did you arrive to work?" "8:00 AM." The attorney for the defense has the opportunity to cross examine these witnesses. "And what did your supervisor say to you?" "Objection."

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"Council approached the bench for a sidebar." There may be interruptions from time to time when the attorneys huddled with the judge.

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"Council, what's your objection?" These discussions concern points of law and are not meant for the ears of the jury.

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Next, the defense may present its evidence. This presentation may in turn be challenged by the opposing side.

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"Ladies and gentlemen of the jury, we have come to the end of the trial. You have heard all of the evidence and soon it will be your chance to go into that jury room and do your job as jurors."

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After both sides have presented their cases, they will make closing arguments.

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And now it comes down to you, the jury. "Jurors, we have now come to the part of the trial where you will begin your active functions as jurors. First, I would like to emphasize what I said to you before. Please do not communicate with anyone concerning this case."

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The judge will instruct you as to how the law applies to this case and you will retire to deliberate.

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During the deliberation, all you need to be a good juror is an open mind, fairness, the ability to reconsider your opinion, and common sense: Were the witness is telling the truth? Was the evidence credible? What are the actual facts of the case as you see them?

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Remember, your opinion is equal to anyone else in the jury room.

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Once the jury reaches its verdict, the court will hear it.

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"We the jury find the defendant, James Smith."

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And that's the end of your service. Of course, every trial is different, but whatever the case you sit on, you're most likely going to find it fascinating. Most people who serve on juries come away with a more favorable view of our legal system than they ever had before. But this is the important part. Remember that when we serve on juries, as many thousands of us do all the time, all over the country, we're not only guaranteeing the rights of others to a fair trial, but guaranteeing the same rights for ourselves.

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and our families.

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New York State has had courthouses long before the United States came into being.

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Although the courthouses across our state look very different from each other, some are large, some are small, some are very old and some are brand new.

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They are exactly the same in what matters most. They are the places in which we attempt to fulfill the promise of equal justice for all.

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Since New York's beginnings, the right to trial by jury, which is guaranteed in New York's own constitution, has been essential to the court's paramount objective of providing equal justice to all those who enter through the courthouse doors.

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But the courts provision of equal justice depends on your service as jurors.

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It is both an awesome responsibility and a great privilege to serve as a juror. It directly calls on you, as members of our society to help resolve disputes by determining the truth so that our courts can produce just results.

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I'm Rowan Wilson, Chief Judge of the State of New York. Thank you for being here today to participate in the work of your court system.

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I myself have been called to serve on a jury half a dozen times and I have served twice.

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I thought of it as my duty to do so, but came away thinking how lucky I had been to work with my fellow citizens to help the court arrive at the best decision possible.

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We know that New Yorkers lead very busy lives and that you have many demands on your time.

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Most trials last only a few days, though, and our experience is that without undue hardship, almost everyone is able to serve on a jury.

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Like voting or holding elective office, jury service gives you the opportunity to participate in a very direct and personal way in our democracy.

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During your brief service as a juror, you will be performing an important and extraordinary public service.

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If any of us found ourselves in court as a party to a dispute, we would hope to have an attentive, caring, fair and impartial jury of New Yorkers like you as the judges of the facts.

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That is the idea behind the phrase a jury of your peers.

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Most people who serve as jurors have found it to be a rewarding, educational and meaningful experience, even if they were not looking forward to it.

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You will learn more about how the criminal justice or civil justice process works, and if you were selected to serve on a jury, you will be a vital part of New York's judicial branch of government.

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Jurors are responsible for evaluating the testimony and other evidence presented at trial.

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A trial jurors, not the judge or lawyers, will decide what the facts are, who is telling the truth, and while following the legal instructions given to you by the judge, what the result of the trial will be. Jury service calls upon you to make decisions that directly affect the lives of members of our community.

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Being a good juror does not require training in the law or any kind of special knowledge. Instead, it depends on your common sense, careful attention to the evidence and instructions from the court, and dedicated effort to work with your fellow jurors to arrive at a good decision.

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As Chief Judge and on behalf of all the members of the judiciary, we are immensely grateful that you are here and ready to serve. Only together can we deliver justice throughout the many courthouses across our great state. Once again, thank you for doing your part to ensure that we live up to the promise of justice for all.

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