

TEX-ABOTA Board Resolution

on Jury Procedures

TEX-ABOTA Resolution

"TEX-ABOTA is supportive of proposals that improve the jury system. We encourage measures that enhance a juror's experience in a positive manner and procedures that assist a jury's comprehension of the evidence. In order to obtain these goals, in appropriate cases, and at the discretion of the trial judge, we support the following:

1. Jury note-taking - Note-taking aids juror memory, encourages more active participation, and helps to decrease deliberation time by allowing jurors to more efficiently consider evidence.
2. Allowing jurors to submit written questions – Written jury questions enable the jury to be more attentive during trial, help jurors resolve questions they have about the evidence, and allow attorneys to identify and resolve issues troubling the jury. These questions should be submitted in writing to the judge and attorneys should be allowed to object out of the hearing of the jury.
3. Interim summation - Long, complex trials often lend themselves to a periodic summary of the evidence presented.

"It is the position of TEX-ABOTA that the final decision on using these procedures be left to the sound discretion of the trial judge. The trial judge is in the best position to decide which, if any, of these procedures would best assist jurors in a specific case.

"TEX-ABOTA does not support interim deliberation by the jury. Our members believe that jurors should have the benefit of all the evidence prior to discussing the case."