



# CITIZEN ADVOCACY CENTER

## **Jury Duty: First Hand Participation in Government**

### LESSON PLAN AND ACTIVITIES

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Funding for lesson plans was provided to the Citizen Advocacy Center by the McCormick Foundation.

## **Jury Duty: First-Hand Participation in Government**

### **Lesson Plan and Activities**

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**Grade Level:** 7, 8, 9, 10, 11, 12

**Subject(s):**

- Social Studies: United States Government, State Government, Local Government; and
- Language Arts: Reading, Writing.

**Duration:** 1-2 class sessions

**Description:** This lesson provides an overview of the American jury system and the civic obligation to serve on a jury through discussion and a mock trial.

**Goals:**

Illinois Learning Standards

*A. Social Science:* 14A, 14B, 4D; and

*B. English/Language Arts:* 3A, 4A 4B, 5A.

**Objectives:**

1. Understand the basic history of the American jury system;
2. Appreciate the role of the citizen in meting out fair and appropriate justice;
3. Understand the role of the average citizen in a jury; and
4. Identify the importance of a citizen jury.

**Materials:**

1. Paper
2. Pens

**Instruction and Activities**

**Lecture**

Many people cringe in horror at the thought of being called for jury duty. But why? Jury duty is an essential element of our criminal and civil justice system. The fate of an accused person or entity is placed in the hands of six to twelve citizens instead of the military, politicians, or “experts.” The system relies on individuals to become a “jury of peers” in order to fairly and accurately weigh the facts and law to decide a case. A judge runs the courtroom, determines what law is appropriate to govern the case, and tells the jury what law to apply. However, it is a group of average individuals, representing a cross-section of society, with no connection to the case, who are responsible for impartially deciding the guilt or liability of a party based on the evidence (facts) presented at trial.

Q: Why would you want a jury to decide a case as opposed to a judge? A politician? A military officer? What are the advantages of having a jury?

A:

- Impartiality;
- No political stake in the outcome;
- Each case unique to a jury. A judge or military officer might hear the same type of case regularly, and might not pay attention to the particular facts of the individual case; and
- Composed of individuals who can possibly empathize with the defendant.

Q: What are the disadvantages to having a jury?

A:

- Individuals who might not understand the law decide the case;
- Expensive
- Time-consuming;
- Individuals on the jury who do not want to serve, and who might not take the process seriously.

Q: Who can become a juror?

A: Every citizen is eligible for jury duty in the United States. In Illinois state law places the duty of randomly selecting and calling jurors in the hands of the county governments. Counties usually compile their lists of potential jurors annually from voter registration, driver's license, State ID, and State Disabled lists. The county eliminates duplicates, estimates how many jurors it will need for the year, and then randomly picks the required number of names from the list. Jurors then receive notice of their impending jury duty approximately a month in advance of the date.

Q: Why is a "jury of peers" important?

A: A jury of peers ensures that people who are similarly situated to the defendant decide the defendant's fate – individuals who might be able to empathize or understand the defendant.

### **Activity**

The classroom is going to become a mini-mock trial room. The teacher is the judge. Pick one student to be the defendant in an armed robbery case. Pick one person to be the prosecutor who will question the defendant. Split the rest of the class into two juries. Jury #1 will pretend to be senior citizens. Jury #2 will act as themselves.

1. Have each jury group identify their main social and personal concerns in the world. For example, the students' concerns might be going to school, grades, sports, friends, etc. The seniors' concerns might be health insurance and health care, retirement, politics, family, etc.

2. Have each group identify their general attitudes about young people. Do they like young people? Do they like to hang around young people? Do they like/trust young people of their own race? Do they like/trust young people of another race? Do they like/trust young people of their sex? Do they like/trust young people of the opposite sex? Are they afraid of young people? Are they more fearful if they observe a group of young people as opposed to an individual? Do they trust young people to be truthful? Do they think that young people have enough to do to occupy their time? While jury #2 must answer as themselves, jury #1 must answer as though they were their grandparents or grandparents' friends.
3. The general scenario for the case: Two young individuals entered a doughnut store late at night. Person "A" pulled a gun on the storeowner, and demanded all of the cash in the cash register. When the owner took too long to open the register, Person "A" hit the owner with the butt of the gun, and stole the cash register in its entirety. Person "B" stood by the whole time as a lookout, and held the door open for Person "A" as he dragged the cash register out of the door. Two security cameras captured grainy pictures of the robbery and assault. Defendant's best friend has been convicted of being the individual with the gun, Person "A."

The defendant in this case is accused of being the lookout, Person "B." Although the lookout might not have pulled the gun or hit the storeowner, his/her alleged participation in those felonies as lookout and by holding the door assures that s/he will be as liable for any damage that occurred as a result of the commission of those crimes.

4. The prosecutor has five minutes to question the defendant. Sample questions should include:
  - a. Defendant's background – where Defendant attends school, after-school activities; work history;
  - b. Defendant's whereabouts on the night in question, at the time in question;
  - c. the extent of Defendant's friendship with the individual with the gun;
  - d. whether Defendant had ever been to that doughnut shop before;
  - e. whether Defendant owns clothing similar to that seen in the security video;
  - f. whether Defendant has ever owned a gun; and
  - g. Defendant's spending habits after the robbery – did they increase? Where did that money come from?
5. Allow both juries three to five minutes to deliberate about Defendant's testimony.
6. Poll both juries. Did they believe Defendant? Why or why not? Did the senior citizens' views of Defendant differ from the students' perspectives? How?
7. Continue the discussion of the importance of serving on juries to allow everyone a fair trial in front of a jury of peers who are a true cross section of society. Individuals avoiding jury service end up limiting the jury pool because there are fewer potential

jurors from which to choose. These individuals assure that their voices will not be heard in the administration of justice.

8. Create different jury member profiles involving issues such as economic status, race, or sex, as well as different case facts to test the theories of the importance of a jury composed of a true cross-section of society.
9. Ask the students about well-known legal cases that are currently in the news (past examples include Martha Stewart, Kobe Bryant, Scott Peterson, Michael Jackson). What would be the best type of jury for these defendants? What type of jury would the prosecution like to have?