



American Jury Trial System

The American jury trial system places twelve citizens in power to hear the sides of the accused and the complainant and decide what verdict should be given for the case. It has been estimated that the United States of America accounts for ninety percent of all jury trials in the world. The system adapted the different trial systems from the Egyptian, Greek, Roman, and European jury customs (Nineteenth Judicial Circuit Court). The goal of this paper is to analyze and assess the American jury trial system and to be able to identify to what extent it can be improved.

First, let us discuss about the system's history and evolution. England had an uneven system of juries during the time of Alfred (871-901 A. D.). Representatives of the tithing were brought jointly to fix on the questions set prior to them. While statement of witnesses did initiate to emerge, when Alfred died, the system collapsed. The Normans used the Saxon court system; including the appeals to the King, legal witnesses and ordeals; unraveling the secular and religious courts and selected "circuit" judges to embody the King all over the country.

In addition, trials were introduced through warfare (Nineteenth Judicial Circuit Court). Moreover, it is the Norman England that which instituted the fundamentals of modern jury system. The system gradually developed for cases wherein trial by combat was inappropriate. Restricted residents were brought to court to decree on matters they had beheld. In the 12th century under Henry II, the use of juries had increased. The defendants were offered to choose from trial by jury or by combat. Then, in the reign of Edward III, the characterization of jurors started to shift.

And, by the end of the 15th century, a jury is no longer a group of witnesses but a body that examined the statements of witnesses and necessarily convicts a criminal in a trial with a unanimous decision (Nineteenth Judicial Circuit Court). More evolution and development happened in the jury system between the 15th and 18th century. When knighthood wasn't a necessity for a juror anymore, trial by "peers" turned out to be more valid. Professionals and experts started to be used as witnesses and exemptions from jury duty were continuously developing, e.

g. Quakers, who couldn't pledge to oaths. For cause at common law indicates that the exemptions of being a juror include: having served on the accusing jury; being a serf or servant; being convicted of certain crimes; having a relation with one of the parties or the sheriff; or stating his opinion of the case in public. Eventually, calling of witnesses by the defendants and cross-examining of witnesses by the defense counsel were tolerated (Nineteenth Judicial Circuit Court).

An Essay On The Trial By Jury

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