

TRIAL BY JURY

A trial by jury generally means that the outcome of a case is decided by a group of jurors instead of a single judge. Not all cases are eligible for jury trials. Laws and court rules govern all aspects of a court case. Research the applicable laws and rules prior to beginning any type of lawsuit. The Nevada Revised Statutes and court rules may be found online at www.leg.state.nv.us/law1.cfm.

Trials by jury must be requested by one of the parties involved in the case. The party requesting the jury trial is usually required to post jury fees. Jury fees are deposits for the payment of jurors and can vary in cost.

Jury selection occurs in a courtroom. The judge typically begins with general questions about the background of each potential juror, allowing either party to challenge a juror based on cause. A challenge based upon cause means that either party believes a particular juror would not be impartial based on the background questions.

Another type of challenge is called a peremptory challenge. This means that a limited number of jurors may be dismissed without reason. The judge does not have to approve this type of challenge. Consult the Nevada laws and court rules for the current number of limitations to challenges.

Jury instructions are the legal instructions given by a judge to the jury before deliberation. In Nevada the preparation of these instructions often relies upon the litigants involved in the case. The *Nevada Civil Practice Manual* provides some valuable information regarding the preparation of these instructions.

The Clark County Law Library maintains many sets of jury instructions, including a set of sample jury instructions provided by the Clark County District Court, which can be purchased for \$6.00 at the Reference Desk. A link to Nevada Jury Instructions is available on our Legal Forms page at www.accessclarkcounty.com/law_library.

The following material may be useful in preparing jury instructions:

KF 8933 .A422
American Jurisprudence Proof of Facts, 3rd Series. St. Paul, MN: West Group, ©1988. Updated by volume and pocket part.

KF 8915 .A74
American Jurisprudence Trials: an Encyclopedic Guide to the Modern Practices, Techniques, and Tactics Used in Preparing and Trying Cases, with Model Programs for the Handling of All Types of Litigation. St. Paul, MN: West Group, ©1964. Updated by volume and pocket part.

KF 9616.6 .B47 2008
Bergman, Paul and Berman, Sara J. *The Criminal Law Handbook: Know Your Rights, Survive the System*. 10th ed. Berkeley, CA: Nolo, ©2008.

KF 8984 .D4 2000
O'Malley, Kevin F., et al. *Federal Jury Practice and Instructions*. 6th ed. St. Paul, MN: West Group, ©2000. Updated by pocket part.

KF 8984 .E156 1998
Eades, Ronald W. *Jury Instructions on Damages in Tort Actions*. 4th ed. Charlottesville, VA: LEXIS Law Pub., ©1998. Updated by pocket part.

KF 8984 .A65 E22 2004
Eades, Ronald W. *Jury Instructions on Medical Issues*. 6th ed. Newark, NJ: LexisNexis, ©2004. Updated by pocket part.

KF 8984 .E16 1999
Eades, Ronald W. *Jury Instructions on Products Liability*. 3rd ed. Charlottesville, VA: Lexis Law Publishing, ©1999. Updated by pocket part.

KFN 1130 .N482
Nevada Civil Practice Manual, 5th edition. Continuing Legal Education Committee of State Bar of Nevada. Newark, NJ: LexisNexis, ©2001. Updated by looseleaf pages.

KFN 1182 .N4 1986
Nevada Pattern Jury Instructions-Civil. State Bar of Nevada; Compiled and edited by Jerry Carr Whitehead and Richard Edward Thornley. Charlottesville, VA: Michie, ©1986.

KFN 1129 .A195 2009 State
Nevada Rules of Court: State and Federal. St. Paul, MN: West Group, ©2009. Updated by replacement and pocket part.

Search our catalog for additional material on jury trials and jury instructions at www.accessclarkcounty.com/law_library.

Legal terms and phrases that are not defined within the laws may often be looked up in one of the library's dictionaries, such as *Black's Law Dictionary*.

Legal encyclopedias, such as *American Jurisprudence*, 2nd edition and *Corpus Juris Secundum*, are a good place to look for definitions or discussions of legal subjects or topics.