

**Responding Effectively --  
Deliberating Juries With  
Questions  
or  
Claiming to be at Impasse**

Practical Guidance:  
A.B.A. Principles for  
Juries & Jury Trials

**“Deliberating jurors should be offered assistance when apparent impasse is reported.”**

- I. Problems with legal concepts.**
- II. Questions about evidence.**
- III. Mixed issues of law & fact.**

# What to do in response?

- **Consult with trial counsel.**
- **Repeat earlier instruction?**
- **Re-open the evidence?**
- **Further argument from parties?**
- **Seek clarification from jury?**
- **Arizona instruction?**
- **Do nothing more?**

# Avoid a hung jury?

- **Merits?**
- **Costs?**
- **Doing justice.**

# Why do Juries Hang?

- **Weak, competing evidence**
- **Case complexity**
- **Dysfunctional deliberation process**
- **Police credibility**
- **Views about fairness of the law**