

Responding Effectively to Misconduct & Mishaps during Deliberations

Practical Guidance:
A.B.A. Principles for
Juries & Jury Trials
&
U.S. v. Warner

“Appropriate inquiries into allegations of juror misconduct should be promptly undertaken....”

- I. Prompt action**
- II. Court/lawyer consultation**
- III. Careful questioning**

“Alternate jurors in the order in which they are called shall replace jurors who, prior to [retiring to deliberate], ... are found to be unable or disqualified to perform their duties.”

Is Great Umpiring Enough?

Judge also a Manager?

Director of trial drama?

Judge as Educator?

Builder of Public Trust?