

Types of Juries at the State and Federal Level

There are two types of juries used in the United States, grand juries and petit or trial juries.

A grand jury consists of a group of people who decide if enough evidence exists to charge somebody with a crime. If a grand jury believes enough evidence exists, an indictment, or formal charge will be issued, and the case will most likely continue to a trial. The legal standard used by grand juries to determine if an indictment should be issued is probable cause. Probable cause simply means that there is reasonable evidence to believe a crime was committed. Grand juries meet in secret and the disclosure of their proceedings are not made public. Because of our dual court system, there are some differences in the grand jury structure between federal and state courts. In federal court, a grand jury has between 16 and 23 people. In a Florida court, a grand jury has between 15 and 21 people. In federal cases, a grand jury is called if a felony is suspected of being committed under federal law. Under Florida law, a grand jury is called if a person is accused of committing a capital offense or a crime that may be punishable by death. Grand juries may also be called under Florida law to investigate public wrongdoing by officials, whether a crime has been committed or not. To indict someone of a crime, both federal and state grand juries require 12 grand jurors to agree.



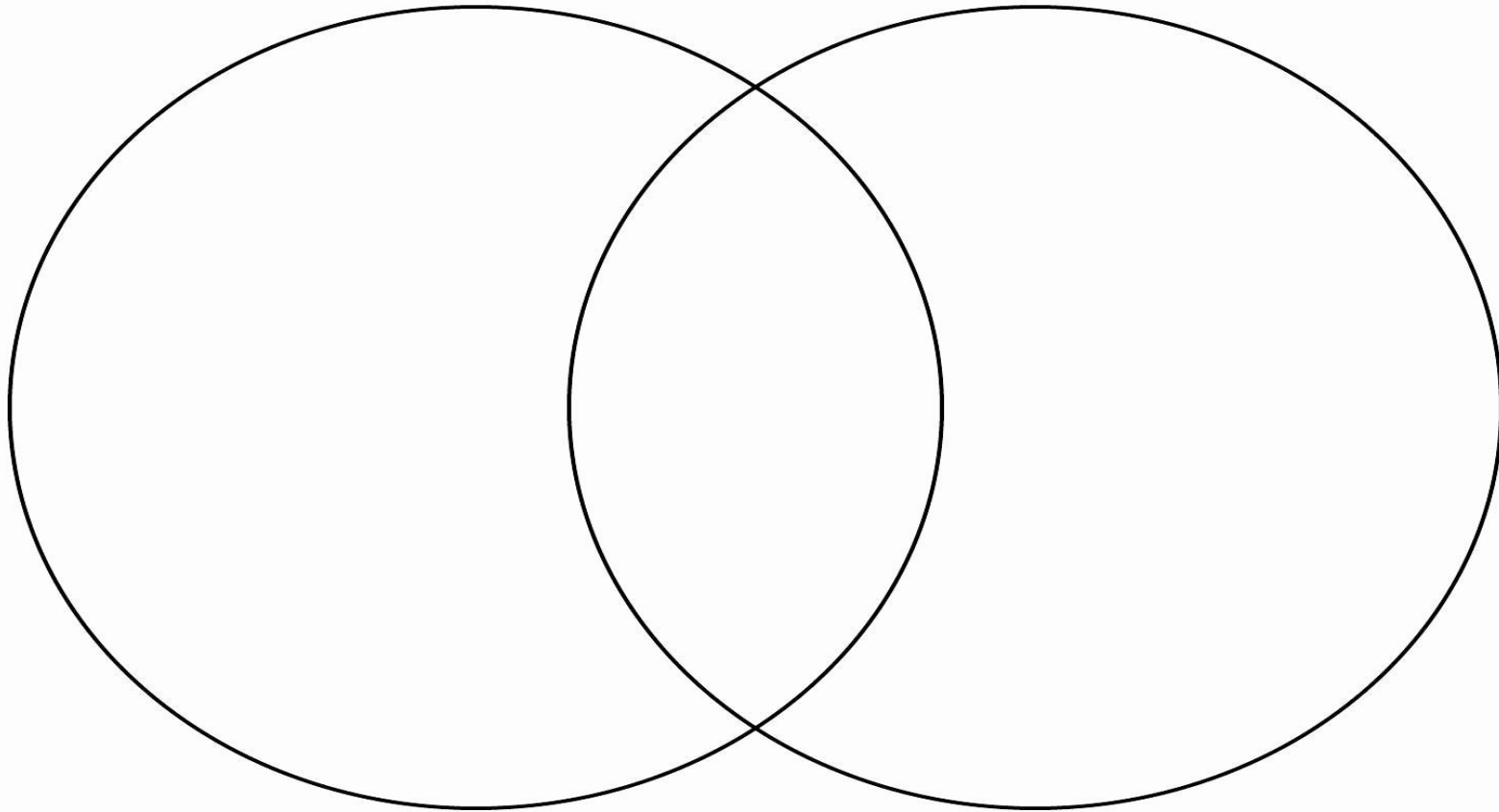
A petit jury is also known as a trial jury, and these terms may be used interchangeably. Petit juries exist under federal and state law. If the petit jury is sitting for a criminal case, they decide if the person accused of committing a crime/s is guilty or not guilty. If the petit jury is sitting for a civil case, they decide in favor of the plaintiff or the defendant. Petit juries, at both the federal and state level, consist of six or twelve people.

Directions: Sort the following terms and facts into the appropriate places on the venn diagram below:

jury	trial jury	decide guilt/innocence; in favor/not in favor	decide if enough evidence exists to charge someone with a crime	indictment
sits for criminal & civil cases	6-12 people at both federal and state level	16-23 people at federal level	15-21 people at state level	felony and/or capital cases

GRAND

PETIT



Criminal Jury Trials vs. Civil Jury Trials

There are two types of jury trials held in the United States. They are criminal jury trials and civil jury trials.

In a criminal trial, an individual is accused of committing a crime against society. In these cases, the jury consists of twelve people, as well as alternates. Alternate jurors are back-up jurors, and serve alongside the jury in case one of the jurors is unable to continue hearing the case being tried before them. A unanimous decision must be reached by the jury for a defendant to be found guilty of the crime/s for which they are accused of committing. The attorney representing the government is called a prosecutor. They have the burden of proving to the jury that a crime was committed, "beyond a reasonable doubt." The defendant is the person accused of committing the crime/s. Defendants are represented by attorneys as well. They are called defense attorneys. If the accused pleads guilty to committing the crime or if the prosecuting and defense attorneys reach a plea agreement, no jury trial is needed, and the judge will deliver a sentence consistent with the plea agreement.



In civil trials, a remedy for a private wrong is being sought. In a civil case, the private wrong does not affect the broader society, which is what classifies it as a private wrong. Generally, the remedy being sought is financial in nature. In these trials, a person or company brings a complaint before the court. The person or company that brings the complaint is called a plaintiff. Plaintiffs believe they have been wronged under the law in some way which is why they file a civil suit. The person the plaintiff is suing is called the defendant because they are "defending" themselves against the complaint. Both plaintiffs and defendants are generally represented by attorneys in these cases. Since someone is being sued, these cases are often referred to as a civil suit. In these cases, the jury consists of six people. If a jury sits to decide a civil case, unanimity of the decision is not always a must. State law may just require a majority of the jurors to find in favor of the plaintiff or the defendant in deciding the outcome of the case. The standard of proof used in a civil trial is based on the "preponderance of evidence" or "more true than not." In most civil cases, juries are not seated because a settlement is reached between the two parties.



Directions: Sort the following terms and facts into the appropriate places on the venn diagram below:

alternate jurors	complaint against a person or company	plaintiff	prosecutor	someone is sued
beyond a reasonable doubt	defendant	preponderance of evidence	6 member jury	12 member jury
unanimous	crime against society	attorneys	jury	pleas/settlements can be reached prior to trial

CRIMINAL

CIVIL

