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Give Jurors Tools To Do Job Well

The article featuring former Judge Michael Dann (*Arizona Attorney*, February 2001) regarding jury reform was exceptional. I would like to add a few notable comments to what was a great piece of work.

It is essential that all jurors fully comprehend the power that is bestowed on them, the responsibility, the purpose, the expectation and the obligation—more important, their purpose of deciding what may be the elusive truth. In the report *The Power of 12* co-authored by Judge Dann, the majority of the committee’s 55 recommendations will likely be included in any future reform. Our current system is antiquated and is only functional inasmuch as the trials do get completed; however, the result is often much different from the intention, per the U.S.

Constitution. Several publicized trials of the past decade are evidence of the ineffectiveness of the current jury system.

For example, how can one attain the truth if he does not have the ability to make inquiries? Why not furnish each juror with a copy of the jury instructions for his review during deliberations? Why not promulgate a “bill of rights” for jurors educating them on their rights, responsibilities and expectations upon them? Most jurors know where they are going, just not how to get there.

If a juror cannot take notes, how is he to mentally review the entire trial? The trial lawyers don’t. The judges can’t, yet

the system places the burden of “attaining the truth” upon the jurors under these restrictions. Let’s allow the system to adapt to the technology and knowledge that we have available to us, in hopes of more effectively administering justice.

Philip J. Marino

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