



Civil Justice And The Jury

Robert J. MacCoun, Rand Corporation



Civil Justice And The Jury :

Civil Justice and the Jury Charles W. Joiner, 1972 This book is a critique of the jury and a collection of statements about various aspects of the jury made by observers during the past 200 years Its purpose is to help laymen think about and understand issues involving the jury *Civil Juries and Civil Justice* Brian H. Bornstein, Richard L. Wiener, Robert Schopp, Steven L. Willborn, 2007-12-03 At last here is an empirical volume that addresses head on the thorny issue of tort reform in the US Ongoing policy debates regarding tort reform have led both legal analysts and empirical researchers to reevaluate the civil jury s role in meting out civil justice Some reform advocates have called for removing certain types of more complex cases from the jury s purview yet much of the policy debate has proceeded in the absence of data on what the effects of such reforms would be In addressing these issues this crucial work takes an empirical approach relying on archival and experimental data It stands at the vanguard of the debate and provides information relevant to both state and national civil justice systems *Verdict* Robert E. Litan, 2011-09-01 The right to a jury trial is a fundamental feature of the American justice system In recent years however aspects of the civil jury system have increasingly come under attack Many question the ability of lay jurors to decide complex scientific and technical questions that often arise in civil suits Others debate the high and rising costs of litigation the staggering delay in resolving disputes and the quality of justice Federal and state courts crowded with growing numbers of criminal cases complain about handling difficult civil matters As a result the jury trial is effectively being challenged as a means for resolving disputes in America Juries have been reduced in size their selection procedures altered and the unanimity requirement suspended For many this development is viewed as necessary For others it arouses deep concern In this book a distinguished group of scholars attorneys and judges examine the civil jury system and discuss whether certain features should be modified or reformed The book features papers presented at a conference cosponsored by the Brookings Institution and the Litigation Section of the American Bar Association together with an introductory chapter by Robert E Litan While the authors present competing views of the objectives of the civil jury system all agree that the jury still has and will continue to have an important role in the American system of civil justice The book begins with a brief history of the jury system and explains how juries have become increasingly responsible for decisions of great difficulty Contributors then provide an overview of the system s objectives and discuss whether and to what extent actual practice meets those objectives They summarize how juries function and what attitudes lawyers judges litigants former jurors and the public at large hold about the current system The second half of the book is devoted to a wide range of recommendations that will both improve citizens access to jury determinations and help resolve disputes in a more effective and efficient manner Among their many suggestions the authors call for changes in trial procedures and techniques that would improve the ability of jurors to understand the lay and evidence a reduction in administrative costs and delays and a change in they way juries are chosen The authors also recommend shorter hours and more pay for jurors greater flexibility in

court schedules and elimination of alternate jurors In the final chapter the civil jury is considered in the broader context of how society resolves or manages civil disputes

Re-thinking American Civil Justice Sean Gordon Overland,2006 This dissertation contributes to several current debates on the nature and function of the American civil jury A brief introduction frames the debates on the civil jury Chapter 1 argues that the Supreme Court s decisions on the use of the peremptory challenge during jury selection reflect two conflicting goals The Court s decisions attempt to preserve the power of the peremptory challenge while continuing the Court s long history of combating race and gender discrimination in jury selection Chapter 2 examines the empirical links between jurors characteristics and their verdicts in three areas of civil litigation Logit regression analysis of previously unavailable data on juror decision making shows that individual level factors such as race gender and case relevant attitudes can affect jurors verdict decisions Chapter 3 reviews the literature on juror decision making and identifies common problems that may have led researchers to incorrect conclusions about the determinants of jurors 3 reviews the literature on juror decision making and identifies common problems that may have led researchers to incorrect conclusions about the determinants of jurors verdicts Chapter 4 explores the effects of deliberations on jurors verdict decision Data drawn from post trial interviews with members of eleven civil juries reveal that pre deliberation verdict preferences faction sizes and even juror demographics can affect jurors propensity to change their minds during deliberations The conclusion summarizes the findings of the dissertation and offers a brief look at proposals for reform of the American civil justice system

Civil Justice and the Jury Charles Wycliffe Joiner,2013-09

Charting a Future for the Civil Jury System American Bar Association,1992-12 Juries are the one place where common citizens play an important part in the governmental process But both the jury system and the American legal system itself have been under attack Juries have been reduced in size their selection procedures altered and the unanimity requirement suspended Many now question the ability of lay jurors to decide increasingly complex technical and scientific questions arising in civil suits and have advocated sharp limitations on the right to a jury trial At the same time the civil justice system itself has been criticized for the high and rising costs of litigation along with the rising number of lawsuits that have strained the capacity of many courts which have effectively curtailed access to the courts This report of a conference in June 1992 cosponsored by the Brookings Institution and the litigation section of the American Bar Association brings together leading academic scholars attorneys federal and state judges and federal and state legislative representatives and their staffs They examine the civil jury system and offer policy recommendations to help resolve disputes in a more effective and efficient manner

Civil Justice and the Jury ,1962

Getting Inside the Black Box Robert J. MacCoun,Rand Corporation,1987

Jury Verdicts and the "crisis" in Civil Justice Stephen Daniels,1980

Juries, Voir Dire, Batson, and Beyond James E. Rooks, Jr.,2022-03 Report of the virtual 2021 Forum For State Appellate Court Judges sponsored by The Pound Civil Justice Institute Features academic research by Valerie Hans of Cornell Law School and Shari Seidman Diamond of Northwestern University Pritzker School of

Law commentary by panels of legal experts judges and practicing attorneys and dialogue among 67 judges from 28 jurisdictions during small discussion groups as well as comments from academics and attorneys in attendance Wyoming Compiled Statutes, Annotated, 1910 Wyoming, 1910 **Business on Trial** Valerie P. Hans, 2000-01-01 Annotation Are jury verdicts in business trials influenced less by a corporation's negligence than by sympathy for the plaintiffs prejudice against business and a belief in the corporation's deep pockets Many members of the public and corporate executives believe that this is so and they feel that the jury's decision making presents serious problems for American business competitiveness and its justice system This book the first to provide a systematic account of how juries make decisions in typical business cases shows that these assumptions are false or exaggerated Drawing on interviews with civil jurors experiments with mock jurors and public opinion polling Valerie P Hans explores how jurors determine whether businesses should be held responsible for an injury She finds that many civil jurors rather than being overly sympathetic to plaintiffs who bring civil lawsuits are actually hostile to them that there are only occasional instances of anti business prejudice and that there is no evidence of the deep pockets hypothesis Hans concludes that jurors do treat businesses differently than individuals but this is because the public has higher expectations of corporations and more rigorous standards for their conduct Department of Justice United States Department of Justice, 1991 **Product Liability** United States. Congress. House. Committee on Energy and Commerce. Subcommittee on Commerce, Consumer Protection, and Competitiveness, 1988 Manuals of Emergency Legislation. Defence of the Realm Regulations Great Britain, 1918 *Departmental Committee Appointed to Inquire Into and Report Upon the Law and Practice with Regard to the Constitution, Qualifications, Selection, Summoning, &c. of Juries* Great Britain. Home Office. Committee on Jury Law and Practice, 1913 *Report* Ontario. Dept. of Public Records and Archives, Ontario. Department of Public Records and Archives, 1918 *Manual of Emergency Legislation* Great Britain, 1915 *The Consolidated Statutes of British Columbia* British Columbia, 1877 **Verdict; the Jury System** Morris J. Bloomstein, 1968 This discussion of the jury system traces its early beginnings and discusses juries around the world but concentrates on the system in America It covers selection of jurors different kinds of verdict the roles of judge and lawyers at a trial variations in state and federal jury requirements and practices the pros and cons of retaining the system today

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Table of Contents Civil Justice And The Jury

1. Understanding the eBook Civil Justice And The Jury
 - The Rise of Digital Reading Civil Justice And The Jury
 - Advantages of eBooks Over Traditional Books
2. Identifying Civil Justice And The Jury
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Civil Justice And The Jury
 - User-Friendly Interface
4. Exploring eBook Recommendations from Civil Justice And The Jury
 - Personalized Recommendations
 - Civil Justice And The Jury User Reviews and Ratings
 - Civil Justice And The Jury and Bestseller Lists
5. Accessing Civil Justice And The Jury Free and Paid eBooks
 - Civil Justice And The Jury Public Domain eBooks

- Civil Justice And The Jury eBook Subscription Services
- Civil Justice And The Jury Budget-Friendly Options
- 6. Navigating Civil Justice And The Jury eBook Formats
 - ePub, PDF, MOBI, and More
 - Civil Justice And The Jury Compatibility with Devices
 - Civil Justice And The Jury Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Civil Justice And The Jury
 - Highlighting and Note-Taking Civil Justice And The Jury
 - Interactive Elements Civil Justice And The Jury
- 8. Staying Engaged with Civil Justice And The Jury
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Civil Justice And The Jury
- 9. Balancing eBooks and Physical Books Civil Justice And The Jury
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Civil Justice And The Jury
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Civil Justice And The Jury
 - Setting Reading Goals Civil Justice And The Jury
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Civil Justice And The Jury
 - Fact-Checking eBook Content of Civil Justice And The Jury
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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