

Rules of Juror Conduct in Civil Cases

(Supreme Court Rule of Civil Procedure 226a)

The judge will instruct you to adhere to the following basic rules:

- Do not mingle with nor talk to the lawyers, the witnesses, the parties, or any other person who might be connected with or interested in the case, except for casual greetings. They will have the same instructions and you will understand it when they do.
- Do not accept from, nor give to, any of those persons any favors however slight, such as rides, food, or refreshments.
Do not discuss anything about this case, or even mention it to anyone whomsoever, including your wife or husband nor permit anyone to mention it in your hearing until you are discharged as jurors or excused from this case. If anyone attempts to discuss the case, report it to the judge at once.
- Do not even discuss this case among yourselves until after you have heard all of the evidence, the court's charge, and the attorneys' arguments and until I have sent you to the jury room to consider your verdict.
- Do not make any investigation about the facts of this case. Occasionally, we have a juror who privately seeks out information about a case on trial. This is improper. All evidence must be presented in open court so that each side may question the witnesses and make proper objection. This avoids a trial based upon secret evidence. These rules apply to jurors the same as they apply to the parties and to me. If you know of, or learn anything about, this case except from the evidence admitted during the course of this trial, you should tell me about it at once. You have just taken an oath that you will render a verdict on the evidence submitted to you under the judge's rulings.
- Do not make personal inspections, observations, investigations, or experiments nor personally view premises, things or articles not produced in court. Do not let anyone else do any of these things for you.
- Do not tell other jurors your own personal experiences nor those of other persons, nor relate any special information. A juror may have special knowledge of matters such as business, technical or professional matters or he may have expert knowledge or opinions, or he may know what happened in this or some other lawsuit. To tell the other jurors any of this information is a violation of these instructions.
- Do not discuss or consider attorney's fees unless evidence about attorney's fees is admitted.
- Do not consider, discuss, nor speculate whether or not any party is or is not protected in whole or in part by insurance of any kind.
- Do not seek information contained in law books, dictionaries, public or private records or elsewhere, which is not admitted in evidence.

At the conclusion of all the evidence, the judge may give you a written charge that asks you some specific questions. Because you will need to consider all of the evidence admitted by the judge, it is important that you pay close attention to the evidence as it is presented at trial. You will not be asked, and you should not consider, whether one party or the other should win.

Note that jurors and others can be called upon to testify in open court about acts of jury misconduct. As a result, you need to follow all of the jury instructions given by the judge throughout the case very carefully.