

## **Improving the Jury System: Peremptory Challenges \***

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### **Abstract**

Critics of the jury system characterize it as inefficient, unreliable and unpopular. The system, they argue, contributes significantly to the expense and delay that characterize both the civil and criminal justice systems today. Verdicts, at least in several recent and highly publicized cases, appear to depart from what common sense and the evidence, as the media report it, seems to indicate. The public seems disillusioned, and increasingly views jury service as unpopular and burdensome.

Critics have suggested that eliminating or reducing the number of peremptory challenges available to each party would save money by speeding jury selection, and improve the public's attitude toward jury trials by removing the suspicion that lawyers can rig the outcome by selecting a jury predisposed to their client. Yet, peremptory challenges play an important role in assuring each party that it will be judged fairly, by an unbiased and impartial jury.

\* This paper is one of four in this volume on improving the jury system. The other papers are: *Jury Instructions: Helping Jurors Understand the Evidence and the Law, Reducing Jury Size, and Nonunanimous Verdicts.*