

Improving the Jury System

Jury Instructions: Helping Jurors Understand the Evidence and the Law *

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Abstract

Critics of the jury system characterize it as inefficient and unreliable. Several relatively simple reforms, however, might help juries to understand the evidence and the law they are expected to apply, allowing them to reach verdicts more quickly and more reliably. If juries were instructed about the law at the beginning of the trial, and then again before final arguments, and if they were allowed to question witnesses and to discuss the evidence among themselves as it is presented, their verdicts might be more reliable, increasing public confidence in jury trials generally.

* This paper is one of four in this volume on improving the jury system. The other papers are: *Peremptory Challenges*, *Reducing Jury Size*, and *Nonunanimous Verdicts*.