



Clark County Law Library



Trial by Jury

Trial by jury generally means that the outcome of a case is decided by jurors instead of a judge. Not all cases are eligible for jury trial. It is important to research laws and court rules prior to beginning any type of lawsuit. The Nevada Revised Statutes and court rules may be found online at www.leg.state.nv.us/law1.cfm.

A trial by jury must be requested by one of the parties involved in the case. The party requesting the jury trial is usually required to post jury fees. Jury fees are deposits for the payment of jurors and can vary in cost.

Jury selection occurs in a courtroom. The judge typically begins with general questions about the background of each potential juror, allowing either party to challenge a juror based on cause. A challenge based upon cause means that based on the background questions, either party believes a particular juror would not be impartial.

Another type of challenge is called a peremptory challenge. Each party is allowed to dismiss a limited number of jurors without reason or approval by the judge. Consult the Nevada laws and court rules for the current limitation to the number of challenges.

Jury instructions are given to a jury by the judge before deliberation. In Nevada, these instructions are often prepared by the litigants involved in the case. The *Nevada Civil Practice Manual* provides valuable information about the preparation of jury instructions.

The following print titles, and their locations in the Law Library, may be useful in preparing jury instructions:

- *Nevada Pattern Jury Instructions-Civil*..... Reference Desk
- *American Jurisprudence Proof of Facts, 3rd Series* KF 8933 .A422
- *American Jurisprudence Trials: an Encyclopedic Guide to the Modern Practices, Techniques, and Tactics Used in Preparing and Trying Cases, with Model Programs for the Handling of All Types of Litigation* KF 8915 .A74
- *The Criminal Law Handbook: Know Your Rights, Survive the System* KF 9619.85 .B47
- *Nevada Civil Practice Manual*.....KFN 1130 .N482
- *Nevada Rules of Court: State and Federal*.....KFN 1129 .A19

Additional titles about jury trials and jury instructions may be found by searching our catalog at www.ClarkCountyNV.Gov/LawLibrary.

You may also be able to locate language or information about jury instructions using one of the legal research databases available at the Law Library. Please ask Reference Desk staff for assistance in locating titles or to sign up for a computer.