

MOCK JURY SELECTION

STUDENT HANDOUT

This mock jury selection exercise is designed to help you understand the process of establishing an impartial jury. While many of us understand the process of how jurors collaborate and deliberate on a case, the selection process is not often discussed or well understood. Many movies and television shows demonstrate how lawyers persuade jurors when presenting an argument; however, few media sources show the process of forming jury panels and selecting jury members for individual trials.

This simulation will assess jury selection in hypothetical scenarios. When incorporated into a lesson, this task will simulate the entire process of jury selection. The re-enactment of this task requires students to play the role of lawyers, a judge, a registrar, prospective jurors, and the accused.

INTRODUCTION TO JURY DUTY

Jury duty is one of many responsibilities that Canadian citizens are required to carry out. A jury is a group of individuals that makes a decision about a court hearing in an impartial manner. By being impartial, jurors are required to reach a decision based on the evidence presented in court, and reach a decision without any biases. In order to ensure that jurors are not biased, a series of steps occurs in the jury selection process to ensure that qualified and impartial jurors are selected to participate on juries.

The jury selection process is a critical process for the parties involved in a legal matter because the jury will ultimately decide the outcome of the trial. Therefore, it is important for both sides to have an impartial jury.

THE JURIES ACT

The legislation governing the rules and regulations related to juries in Ontario is called the *Juries Act*.¹ It outlines the laws related to the eligibility of jurors, the preparation of jury rolls, the preparation of jury panels, the drawing of juries during a trial, and bringing challenges against potential jurors on the grounds that they might be biased or otherwise unsuitable to act as a juror.

ELIGIBILITY OF JURORS

According to s. 2 of the *Juries Act*, in order to be eligible to act as a juror in Ontario, one must:

- (1) reside in Ontario,
- (2) be a Canadian citizen,
- (3) be at least 18 years of age at the beginning of the year in which the jury is selected, and
- (4) be able to speak, read, and understand English or French.

A person may be **ineligible** to serve as a juror depending on their occupation, their connection with the court matter that they are a potential juror for, the recency of their previous jury service, or any personal circumstances that may prevent them from carrying out their jury duty.

¹ *Juries Act*, RS O 1990, c J3

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Ineligibility due to Occupation

Individuals who work in certain occupations are not eligible to be a juror. These include:

- Every member of the Privy Council of Canada or the Executive Council of Ontario
- Every member of the Senate, House of Commons of Canada or the Assembly
- Judges
- Every judge and justice of the peace
- Every lawyer and law school student
- Every legally qualified medical practitioner and veterinary surgeon who is actively engaged in practice
- Every coroner
- Every person engaged in law enforcement, including sheriffs, wardens, police officers, firefighters, and officers of a court of justice

Ineligibility due to Connection with the Court Action

Any individual who has been summoned as a witness or is likely to be called as a witness in a criminal or civil proceeding, or has an interest in an action, is not eligible to serve as a juror.

Ineligibility due to Previous Jury Service

Individuals who have been selected to serve as a juror or attended a coroner's inquest within the past 3 years are ineligible to participate as a potential juror.

Ineligibility due to Personal Reasons

Personal circumstances also shape the eligibility of serving as a potential juror. Individuals who have a physical or mental disability that impairs their ability to take on the duties and responsibilities of a juror are ineligible to serve as a juror. Courts will, however,

take steps to accommodate jurors with disabilities by providing services such as sign language interpreters, assistive devices, or other supports that may be needed.

In addition, individuals who have been convicted of an offence that may be prosecuted by indictment, unless granted a record suspension or pardon, are not eligible to participate as a juror.

TYPES OF MATTERS INVOLVING A JURY

Criminal Cases

Juries are used for some, but not all, criminal cases. Cases that are classified as summary conviction offenses, which are more minor offences in the *Criminal Code* (usually consisting of a fine up to \$5000 or six months jail, or both) are tried before a judge alone. For more serious cases where the accused could spend five years or more in prison, there is a constitutional right to trial by jury which is protected under section 11(f) of the *Charter of Rights and Freedoms*. For indictable offenses, which are more serious offences with greater consequences than a summary conviction offence, the accused can opt to be tried before a judge or a judge and a jury. In cases involving very serious offenses such as murder or treason, both a judge and jury are mandatory.

Twelve people sit on a jury in a criminal trial. In more complex or lengthy cases, a judge may order that one or two alternate jurors also be appointed. In criminal proceedings, the burden of proof is "beyond a reasonable doubt" meaning that in order to secure a conviction, the Crown must prove to the jury based on the evidence presented at trial that the accused committed the crime beyond a reasonable doubt. In criminal trials, all final decisions from the jury must be unanimous.

Civil Cases

Like criminal cases, juries are only used in some civil matters, but there are none where a jury is mandatory. In many civil law matters, juries are prohibited. This includes family law cases, small claims court matters, cases brought against government bodies and municipalities, and many types of property disputes. Apart from these, either party in a civil law dispute (i.e. the plaintiff or defendant) can request a jury trial by filing a Jury Notice with the court before the close of pleadings in their matter.

Six people sit on a jury in civil cases. The burden of proof in civil matters is “on a balance of probabilities” meaning that the jury must decide based on the information presented at trial that it is more likely to have happened one way instead of another. This is a lower standard of proof than the criminal standard of “beyond a reasonable doubt”. In civil cases, a decision does not have to be unanimous. Instead, only 5 jurors have to agree on the verdict.

Coroner’s Inquests

A Coroner’s Inquest is a public hearing presided over by a coroner, a specially-trained physician, to investigate suspicious or unexpected deaths. The verdict of this investigation is delivered by a jury. The rules and requirements that govern Coroner’s Inquests in Ontario are outlined in the *Coroners Act*.² A Coroner’s Inquest seeks to answer five questions, which are outlined in section 31(1)(a)-(e) in the *Coroners Act*:

- (a) Who was the deceased?;
- (b) How did the deceased come to their death?;

- (c) When did the death(s) occur?;
- (b) Where did the death(s) occur?; and
- (c) By what means did the death(s) occur?

Findings generated from Coroner’s Inquests are used to develop recommendations for public safety measures designed to prevent similar deaths in the future.

Five people sit on a jury at a Coroner’s Inquest. To reach a verdict, there only needs to be a majority, and not unanimity like in criminal trials.

JURY SOURCE LIST

Names for potential jurors are compiled into a jury source list on or before June 1 each year through data obtained from the Minister of Health and Long-term Care.³ The names of potential jurors are gathered from the Ontario Health Insurance Plan (OHIP) database based on the eligibility criteria for jurors in Ontario. The information is disclosed to the Jury Sheriff at the Provincial Jury Centre and is used for the purposes of creating the jury roll each year.

Prior to 2019, the jury source list was filled by Ontarians drawn primarily from the Municipal Property Assessment Corporation, the province’s property ownership database.⁴ This method had come under widespread criticism for failing to include a diverse and representative sample of Ontarians, including renters, boarders, students, seniors, spouses not named on property titles, transient and low income people, Indigenous people, and those unable to afford property in increasingly unaffordable real estate markets.⁵

² R.S.O. 1990, c. C. 37.

³ *Juries Act*, *supra*, s. 4.1(1)

⁴ Information and Privacy Commissioner of Ontario, *Criminal Jury System in Ontario* (Ontario), online: https://www.ipc.on.ca/site_documents/po-2826-chapter_4.0.pdf.

⁵ See for example, Ebyan Abdigi et al, ‘How a broken jury list makes Ontario justice whiter, richer and less like your community’, *Toronto Star* (2018), online: < <https://www.thestar.com/news/investigations/2018/02/16/how-a-broken-jury-list-makes-ontario-justice-whiter-richer-and-less-like-your-community.html>>; Robert Cribb and Jim Rankin, ‘Ontario abandons property ownership as source of jurors’, *Toronto Star* (2019), online: < <https://www.thestar.com/news/investigations/2019/04/18/ontario-abandons-property-ownership-as-source-of-jurors.html>>; Omar Ha-Redeye, ‘Amendments to the Juries Act in Ontario’, *Slaw* (2019), online: <http://www.slaw.ca/2019/04/21/amendments-to-the-juries-act-in-ontario/>>.

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A two-year study conducted by the Toronto Star and Ryerson University looked at the racial makeup of jurors in 52 criminal trials in Toronto and Brampton.⁶ The investigation, published in 2018, showed that 71% of the 632 jurors, were white even though in Toronto, more than 50% of residents identify as visible minorities; in Brampton, the figure is more than 73%. The racial identity of the accused persons presented a very different picture: of the 59 documented accused (some trials had more than one), 27 (46%) were Black; 13 (22 %) were white; 11 (19 %) were brown; five (8 %) were Asian and three were counted as other. The investigation raised concerns that the former jury source list, drawn from the provincial property ownership database, failed to reflect the GTA's diversity and excluded potentially millions of Ontarians from serving their civic duty.

In 2013, former Supreme Court of Canada Justice Frank Iacobucci conducted an independent review of and authored a report on the lack of Indigenous representation on jury rolls on First Nations reserves in Ontario.⁷ In discussing the importance of having representative juries, he stated:

Impartial and representative juries play an important function in maintaining public confidence in the legal system. The public is more likely to perceive trials, and by extension the legal system as a whole, as being fair if prospective jurors are representative of the wider community from which they are drawn. Conversely, the wholesale exclusion of particular groups from the jury pool risks undermining public acceptance of the fairness of the

criminal justice system. A jury cannot act as the conscience of the community unless it is viewed favorably by the society that it serves.⁸

Justice Iacobucci stated that the principle of representativeness requires that jurors be randomly selected from a jury pool whose composition is representative of Canadian society as whole and from which no group has been systematically excluded.⁹ To that end, one of the key recommendations in his report was that the Ministry of the Attorney General undertake a prompt and urgent review of the feasibility of using the OHIP database for the purposes of compiling the jury roll.¹⁰ The report also recommended that, in an effort to increase Indigenous representation on juries, the Ministry consider all other potential sources for generating a comprehensive and representative database, including band residency information, Ministry of Transportation information and other records as appropriate.¹¹

Accordingly, the switch from the property ownership database to Ontario's healthcare database is a positive step towards increasing the representativeness of the jury roll in the province.

JURY SELECTION PROCESS

Jury selection is the process whereby individuals are selected from a larger population to serve as a collective decision maker on a court case.¹²

⁶ See Ebyan Abdigi et al, 'How a broken jury list makes Ontario whiter, richer and less like your community', *Toronto Star* (2018), online: <<https://www.thestar.com/news/investigations/2018/02/16/how-a-broken-jury-list-makes-ontario-justice-whiter-richer-and-less-like-your-community.html>>.

⁷ Report of the Independent Review Conducted by The Honourable Frank Iacobucci, *First Nations Representation on Ontario Juries* (February 2013), online: <https://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/iacobucci/First_Nations_Representation_Ontario_Juries.html>.

⁸ *Ibid* at para. 116.

⁹ *Ibid* at para. 130.

¹⁰ *Ibid* at para. 376.

¹¹ *Ibid*.

¹² See also Ministry of the Attorney General, 'Jury Duty Information', online: <<https://www.attorneygeneral.jus.gov.on.ca/english/courts/jury/>>; Ministry of the Attorney General, 'Jury Duty and You' (Video), online: https://www.attorneygeneral.jus.gov.on.ca/english/courts/jury/jury_selection_video.php.

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TIMELINE

Jury selection in Ontario is a year-round process. The following chart provides an overview of the approximate timeline in Ontario for the various steps involved in the jury selection process.¹³ Further details on the key steps are provided below the chart.

Approximate Annual Time	Step in Jury Selection Process
March	Required number of jurors is calculated The required number of jurors is calculated by each Superior Court of Justice for the upcoming year based on the previous year and the anticipated number of trials. The estimate is sent to the Provincial Jury Centre.
June - September	Questionnaires sent to potential jurors Jury Questionnaires are mailed to randomly selected potential jurors across the province to determine whether they meet the qualifications for jury service. People who receive a questionnaire are required to complete the form and return it to the Provincial Jury Centre within 30 calendar days of receipt.
December	Jury roll created and certified The completed Jury Questionnaires are sorted for eligibility for jury duty. Jurors must reside in Ontario, be Canadian citizens, be at least 18 years old, and speak, read, and write English or French. Some people are ineligible pursuant to the <i>Juries Act</i> . People who are eligible to serve are put on a list of potential jurors called the jury roll. The jury roll is created and certified. Jury panels for the next year are randomly selected from the jury rolls for each judicial district.
January – December of the following year (year round)	Jury panels are established Each court estimates the number of jurors they need for upcoming trials and sends the request to the Provincial Jury Centre. The Provincial Jury Centre uses a computer program to randomly select jury panels from the jury roll. Potential jurors receive a Summons in the mail to attend a specific courthouse in the province and jury panels are established of 50 to 300 people.
January – December of the following year (year round)	Juries selected Potential jurors attend the courthouse location on the date noted on their Summons. A Court Services Officer divides potential jurors into groups called “panels” for each trial that day. Panel members are given ballot cards with an assigned number. They are called into a courtroom so that the lawyers, judge, and parties can see the prospective jurors. Court staff randomly select ballot cards and call out numbers of panel numbers to appear as potential jurors. Panel members are given an opportunity to notify the judge of any reason they may not be able to attend for jury duty. Prospective jurors who are not selected may be assigned to another panel on the same day or asked to return the following day.
January – December of the following year (year round)	Trial If selected to serve as a juror, jurors attend at the court location on the time and date specified by the judge. Most trials begin on the same day as the jury selection.

¹³ Information from chart is largely obtained from Ministry of the Attorney General ‘The Annual Jury Selection Process’ online: < https://www.attorneygeneral.jus.gov.on.ca/english/courts/jury/jury_selection_process.php >

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JURY QUESTIONNAIRE AND SUMMONS

The Jury Questionnaire is a form used to determine whether individuals meet the requirements for jury service in Ontario.¹⁴ Each year, approximately 500,000 questionnaires are mailed out across the province to potential jurors to canvass their eligibility for jury duty.¹⁵ Jury Questionnaires are mailed to randomly selected prospective jurors drawn from the jury source list.

The questions in the Jury Questionnaire are based on the eligibility requirements outlined in the *Juries Act*, and discussed above. That is, it asks whether the individual:

- Is a Canadian citizen;
- Is 18 years of age or older;
- Has attended jury selection in this or the preceding two years;
- Does work that would disqualify them from jury service;
- Has a disability that would prevent them from serving as a juror;
- Has been convicted of an indictable offence for which they have not been given a record suspension or pardon; and
- Speaks, reads, and understands English or French.

Eligibility to serve as a juror is based on the answers provided in the Questionnaire. People who receive a Jury Questionnaire are required to complete the form and return it to the Provincial Jury Centre within 30 calendar days of receipt.

After completing and returning the Jury Questionnaire, if it is determined that the individual is eligible based on the *Juries Act* requirement to be a prospective juror, they may be selected at random to receive a document in the mail called a **Summons**.¹⁶ The Summons will request that the prospective juror appear in a specific courthouse at a specific date and time to be considered for jury duty.

JURY ROLL

Once received by the Provincial Jury Centre, the completed Jury Questionnaires are sorted for eligibility based on the legal requirements. People who are eligible to serve are put on a list of potential jurors called the **jury roll**. Jury panels for the next year are randomly selected from the jury rolls for each judicial district in the province.

JURY PANELS

Each year, the Superior Courts of Justice throughout the province must estimate the number of jurors they need for upcoming trials and send those numbers to the Provincial Jury Centre. The Provincial Jury Centre then uses a computer program to randomly select **jury panels** – large groups of prospective jurors from which juries will be selected – from the jury roll, based on local court needs. It is at this time that the potential jurors receive a Summons in the mail, which indicates which courthouse and what date and time they are to attend for jury duty.

Jury panels usually consist of 50 to 300 people, and about 180,000 people in Ontario are summoned to jury duty in Ontario each year.¹⁷

¹⁴ A copy of the Jury Questionnaire can be downloaded from the *Juries Act* forms website here: <http://ontariocourtforms.on.ca/en/juries-act-forms>

¹⁵ Ministry of the Attorney General, 'Frequently Asked Questions about the Juror Questionnaire', online: < <https://www.attorneygeneral.jus.gov.on.ca/english/courts/jury/faq.php> >.

¹⁶ A copy of the Summons can be downloaded from the *Juries Act* forms website here: <http://ontariocourtforms.on.ca/en/juries-act-forms/>

¹⁷ Ministry of the Attorney General, 'The Annual Jury Selection Process', online: < https://www.attorneygeneral.jus.gov.on.ca/english/courts/jury/jury_selection_process.php >.

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CREATING THE JURY FROM THE JURY PANEL

Potential jurors attend the courthouse location on the date noted on their Summons. A Court Services Officer divides potential jurors into jury panels for each trial that day. Panel members are given ballot cards with an assigned number. The assigned number on the card will be the same as the number on the Summons. In addition to the assigned number, the individual's occupation and place of residence will also appear on the card. The information will be written down similar to this:

15. ZAKIR SIDDIQUE

**OF LOT NO. 11, IN THE 7TH CON. OF
BURLINGTON**

PROFESSOR

The jury panel is called into a courtroom so that the lawyers, judge, and parties can see the prospective jurors. Inside the courtroom, the ballots are placed in a container that is provided by the sheriff and delivered to the registrar of the court. Many courtrooms use a lottery-style drum to hold the ballot cards. Upon receiving the container, the court registrar will shake it to ensure all ballots are mixed together sufficiently. The registrar will then randomly select six (6) cards, one after another in order, causing the container to be shaken after each name is drawn. In the event that a potential juror is drawn and is not present or is challenged as a juror by lawyers for either party (explained further below), further names will be

drawn until six jurors are selected.¹⁸ Prospective jurors who are not selected may be assigned to another panel on the same day or asked to return the following day.

The six people selected will come to the front of the courtroom. There, they have the opportunity to let the judge know of any reasons why they cannot serve on the jury, such as illness, employment, schooling, or a scheduled vacation. Potential jurors may be excused from jury duty if they can provide a valid reason. The *Juries Act* states that individuals summoned for jury duty may be excused by a judge from service for the following reasons:

Religious Reasons

An individual may be excused by a judge from service as a juror on the grounds that their religious beliefs or practices are incompatible with their service as a juror.¹⁹

Illness or Hardship

A person summoned for jury duty may also be excused by a judge (1) if the individual is ill, (2) if their service as a juror may cause serious hardships or loss to person or others, or (3) if that person does not reside within a reasonable distance of the place where the jury is to be tried.²⁰

A hardship could include an employer not paying a potential juror for their time off work whilst on a jury, an individual who has to care for an elderly parent, a parent who is unable to afford childcare if they become a juror, or other situations that would create problems or put them in a difficult situation.

¹⁸ This process is outlined at s. 27(2) of the *Juries Act*.

¹⁹ *Juries Act, supra*, s. 23(1).

²⁰ *Juries Act, supra*, s. 23(2).

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Potential jurors may request to be excused from jury duty before the first day of attendance, by any judge of the Superior Court of Justice. The formal application must be made to the local sheriff for the jury area. Additionally, one may make a request on or after the first day of attendance by the judge presiding at the sitting.²¹

Depending on the individual's circumstances, the judge may excuse the panel member, defer their jury service to a later date, or require them to serve jury duty.

CHALLENGING POTENTIAL JURORS

During the jury selection process for both criminal and civil trials, the parties have the opportunity to challenge potential jurors, however the processes involved in the challenges look very different in each case.

Criminal Trials – Challenge for Cause

In a criminal trial, a **challenge for cause** is when either party challenges the suitability of a potential juror and poses questions to the individual to determine if they will be able to decide the case impartially and free of bias or prejudice.

The lawyer representing the government in criminal proceedings is called a Crown Attorney and the lawyer representing the accused person is called a defence counsel. When the potential juror goes to the front of the courtroom during the jury selection process for a criminal trial, they face the accused.

The person is then either accepted by each of the lawyers or challenged by either side.

A prosecutor or accused is entitled to make an unlimited number of challenges for cause. The accused is called on before the prosecutor to declare whether they have any challenges to the first juror, and after that the prosecutor and the accused are called alternately in respect of the remaining jurors.²²

There are specific grounds for which challenges can be brought and they are outlined in s. 638 of the *Criminal Code*. They are:

- (a) the name of a juror does not appear on the panel;
- (b) the juror is not impartial;
- (c) the juror has been convicted of an offence for which they were sentenced to two or more years in prison, and for which no pardon or record suspension was given;
- (d) the juror is unable to speak, read, and understand English or French.
- (e) the juror is physically unable to perform the duties of a juror, even with the aid of technical, personal, interpretative or other support services; and
- (f) the juror does not speak the official language of Canada that is the language of the accused or the official language of Canada in which the accused can best give testimony or both official languages of Canada. The accused is required under s. 530 of the *Criminal Code* to be tried before a judge and jury who speaks English or French, depending on the nature of the trial and the accused.

In most cases, a challenge is made on the basis that the potential juror is not impartial (s. 638(b)). If a lawyer raises a challenge for cause, they then have the opportunity to ask the potential juror specific

²¹ *Juries Act, supra*, s. 23(3).

²² *Criminal Code, supra*, s. 635(1).

questions related to the ground raised and the juror's ability to decide the case impartially and free of bias.

Once the questioning of the potential juror is complete, the judge will determine whether the alleged ground is true or not. If the judge is satisfied that the ground alleged is true, the juror will not be sworn in for jury duty.

This full process continues until 12 jurors are sworn in.

Civil Trials – Peremptory Challenges

In civil cases, the six selected jurors are brought to the front of the courtroom and seated in the jury box. Counsel for the plaintiff and the defendant are then asked if they wished to challenge any of the jurors. Civil matters use **peremptory challenges**; lawyers either accept or reject an individual as a juror without providing reasons and without questioning them. If challenged, the individual will not serve as a juror. The person leaves the jury box and is replaced by another prospective juror, called randomly from the jury roll. The judge determines if the person who has been challenged returns to the general jury panel or is dismissed entirely from jury duty obligations.

Peremptory challenges are limited to four per party. In civil cases, there is no challenge for cause procedure. This full process continues until six jurors are sworn in.

DURING THE TRIAL: JUROR COMPENSATION, TRAVEL EXPENSES, AND TIME OFF WORK

Once selected to attend a trial, jurors in Ontario receive the following compensation for jury duty:

- From day 1 to 10 of the trial: No compensation
- From day 11 to 49: \$40 per day
- From day 50 to the last day of the trial: \$100 per day

Jurors who live outside the city in which the courthouse is located will be paid a daily travel expense, but those living in the same city are not. Jurors are typically allowed to go home each day and are usually only sequestered in a hotel if, during a criminal trial, they have already begun their deliberations but have not yet reached their verdict by late in the evening.

Jurors are not provided with an allowance for childcare.

Employers are required by law to give employees time off work to attend for jury duty; however, the law does not require employers to pay the salary or wages of employees who have been summoned for jury duty. Some employers do pay employees, and some benefits plans cover the salary for missed work days due to jury duty.

There has been widespread criticism for many years of Ontario's low compensation rates for jurors and its failure to provide for childcare expenses as well as stipends for meals, transportation, and parking.²³

The observation has been made that many potential jurors have had to ask to be excused on the grounds of hardship due to the financial constraints that jury duty would place on them, and that this also contributes to the problem of lack of representation on juries as it weeds out low income people who may not have jobs whose employers are subsidizing 100% of their salaries while completing their jury service.

Ontario pays lower than several other provinces and does not offer the additional benefits and supports such as childcare that would make it feasible for many people to complete to jury duty.

²³ See for example Ebyan Abdigir, 'Got jury duty? Ontario asks you to serve for below minimum wage — and won't pay your expenses', *Toronto Star* (2018), online: < https://www.thestar.com/news/investigations/2018/02/16/got-jury-duty-ontario-asks-you-to-serve-for-below-minimum-wage-and-wont-pay-your-expenses.html?li_source=LI&li_medium=star_web_ymbii >.

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A comparison of jury compensation across the country is provided here:

Province	Monetary Compensation	Additional Allowances
Ontario	- Day 1-10: no compensation - Day 11-49: \$40 per day - Day 50 to the last day of the trial: \$100 per day	N/A
Alberta ²⁴	\$50 per day	- The actual fare for public transportation or mileage - Reasonable accommodation expenses - Reasonable meal expenses
British Columbia ²⁵	- Day 1-10: \$20 per day - Day 11-49: \$60 per day - Day 50 to the last day of the trial: \$100 per day	- Up to \$20 per day for parking costs \$0.50/km in excess of 32 km per day - Up to \$15 per day for taxi costs - Up to \$10 per day for public transportation - Up to \$50 per day per child for child care
Manitoba ²⁶	- Day 1-10: no compensation - Day 11 to last day of trial: \$30 per day	- Additional fees may be paid up to \$10 per day for each day over 10 days that the juror is required to be in court - The actual fare for public transportation or mileage - Reasonable meal expenses - Reasonable accommodation expenses
New Brunswick ²⁷	<10 days: \$20 for each half day and \$40 for each full day >10 days: \$40 for each half day and \$80 for each full day	- Meals - Travel allowance
Newfoundland and Labrador ²⁸	No compensation	- The actual fare for public transportation or mileage - Actual cost for childcare, eldercare, or care for disabled person
Northwest Territories ²⁹	\$80 per day	N/A

²⁴ Alberta Regulation 68/1983

²⁵ B.C. Reg. 282/95.

²⁶ Man Reg 320/87.

²⁷ NB Reg 95-126.

²⁸ CNLR 17/96.

²⁹ NWT Reg 032-96.

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Nova Scotia ³⁰	• \$40 per day	• Mileage
Nunavut ³¹	• Day 1-5: \$100 per day • Day 6 to the last day of the trial: \$150 per day	• N/A
Prince Edward Island ³²	• \$25 per half day of service	• Travel expenses
Quebec ³³	• Day 1-56: \$103 per day • Day 57 to the last day of the trial: \$160 per day • Where there are evenings or deliberations, the juror is entitled to an additional amount of \$52 • A juror is entitled to an additional amount of \$103 if they are required for duty on a holiday or weekend.	• Meal allowance • Travel allowance • Accommodation allowance • A juror is entitled to, on the order of a judge, childcare allowance of \$136 for one person; \$179 for two persons; \$228 for three persons; and \$270 for four persons • A juror is entitled to, on the order of a judge, to psychological treatment up to a maximum of \$65 per hour for up to 5 hours of treatment
Saskatchewan ³⁴	• Civil Trials: \$25 per day • Criminal Trials: \$80 per day; no fee is provided if the person is receiving income from their employer while serving as a juror	• The actual fare for public transportation or mileage • Accommodation expenses • Meal expenses • Parking expenses
Yukon ³⁵	• \$80 per day	• For meals, up to \$25 per day if the juror resides 50km or more from the courthouse • For travel, \$0.10/km if the juror resides 50km or more from the courthouse • For accommodation, up to \$110 per day if the juror resides 100km or more from the courthouse

³⁰ NS Reg 126/2000.

³¹ Nu Reg 017-2009.

³² PEI Reg EC446/12.

³³ CQLR c J-2, r 1.

³⁴ RRS c J-4.2 Reg 1.

³⁵ YOIC 2007/209.

AFTER THE TRIAL

In Canada, it is a criminal offence for jurors to disclose any information relating to the private jury deliberations that took place outside of the open court proceedings.³⁶ Jurors must keep all information about the private jury proceedings confidential unless it is in connection with an investigation and trial of the offence of obstruction of justice in relation to a juror. This is very different than in the United States, where jurors from high profile cases are routinely interviewed and appear in the media to discuss jury deliberations.

In Ontario, the Ministry of the Attorney offers a Juror Support Program to jurors who have completed their jury duty, which provides free, confidential, and professional counselling to jurors.³⁷ It is available to jurors after they complete jury duty on a criminal or civil trial, or on a Coroner's Inquest. Jurors initially receive up to four one-hour counselling sessions and can choose to receive the sessions in-person, over the phone, via email, or by videoconference.

³⁶ *Criminal Code*, RS C 1985, c C-46, s 649.

³⁷ Ministry of the Attorney General, 'Free and confidential support for jurors after a trial', online: <<https://www.attorneygeneral.jus.gov.on.ca/english/courts/jury/jurorsupport.php>>.

Time Chart for Jury Selection Activity

Step	Time
Court registrar opens court, calls court to order, and reads out charges.	3 min
Judge describes the jury selection process to the jurors.	1 min
Court registrar selects names of first six potential jurors from container. • Ensure that all of the ballot cards for each member of the jury panel are placed in the container or drum used to hold the cards. • Shake it sufficiently to ensure all ballots are mixed together. • Randomly select a card and read aloud the juror number on the card (jurors are typically referred to in open court by their number rather than their name, unless ordered by the presiding judge). • Call the individual up to the registrar's desk and confirm that they are the person who appears on the card by checking their identification or Summons. • Place the card face up on the desk in the order it was taken from the container. Direct the juror to take their place in line at the front of the court. • Repeat this for six (6) cards, one after another in order, causing the container to be shaken after each name is drawn. In the event that a potential juror is drawn and is not present or is challenged as a juror by lawyers for either party, draw further names until six jurors are eventually selected and sworn in. • Prospective jurors who are not selected may be assigned to another panel on the same day or asked to return the following day. • Direct the six people selected to come to the front of the courtroom. There, they have the opportunity to let the judge know of any reasons why they cannot serve on the jury, such as illness, employment, schooling, or a scheduled vacation.	5 - 7 min
Judge will excuse anyone that has physical or mental disabilities, medical problems, hearing problems, problems understanding, or potential jurors who know anyone involved in the trial. One by one, jurors will be asked if there is a reason why they should be excused. The judge will either accept their reason and excuse you, or dismiss the excuse. If the excuse is not accepted, the juror may be chosen as a juror or challenged by one of the lawyers.	20 - 30 min
Crown or defence lawyer may raise a challenge for cause whereby they pose questions to a potential juror to determine if they will be able to decide the case impartially and free of bias or prejudice. • The judge will ask the lawyers if they accept or challenge the potential juror. They will reply "content" or "challenge" for each individual. • The court registrar asks the accused and the potential juror to face each other. • The court registrar swears in or affirms the prospective juror giving evidence.	15 - 20 min

MOCK JURY SELECTION

Step	Time
• The Crown and defence will then ask the potential juror questions to determine bias. • Once the questioning of the potential juror is complete, the judge will determine whether the alleged ground is true or not. • If the judge is satisfied that the ground alleged is true, the juror will not be sworn in for jury duty. • If the judge finds that the grounds for the challenge are false, the court registrar swears in or affirms the juror. • Once sworn in, the court registrar tells the juror which juror number they are (juror number 1, 2, etc.). • The juror will then take a seat in the jury box.	
Repeat the full process until twelve jurors are sworn in.	30 min - 1 hour
Court registrar on completion of jury selection confirms to the judge that all jurors have been sworn or affirmed. • Court registrar calls on jury to look to accuse, re-reads indictment, and states the role of the jury. • The trial is then ready to proceed.	3 min
Court registrar closes the court.	1 min

Courtroom Etiquette

Similar to a court case, the jury selection process is held in a courtroom and is conducted in a formal fashion. Here are some tips for courtroom etiquette during jury selection:

- When the judge enters the courtroom, everyone must stand up. After the judge enters, the registrar will instruct everyone when to stand and when to sit.
- When facing the judge, the accused and the defence lawyer usually sit at the table to the left whereas the crown lawyer sits at a table to the right.
- When you are getting ready to address the judge, either stand at your table, or by the podium (if there is one). Wait until the judge seems ready to proceed. The judge may nod or may say that you can proceed. If you are not sure, ask the judge if you may proceed.
- Responses should be loud and clear. Do not use slang.
- Address the judge in a formal and respectful manner. Refer to each judge as "Justice [name]" or "Your Honour."
- Refer to your co-counsel as "my colleague" or "my co-counsel". Opposing counsel should be referred to as "my friend" or "counsel for [position or name of the client]".
- Do not interrupt the judge or lawyers when they are speaking. Do not speak unless you are being addressed by a judge, lawyer, registrar, or courtroom official.
- If it is not your turn to address the judge, pay attention to what is happening.
- Do not wear a hat, sunglasses, eat food, or chew gum. Drinking is also prohibited in the court room unless you have a medical issue that has been addressed prior to entering the court room.

MOCK JURY SELECTION SCENARIO

What Happened?

On February 7, 20** in the City of ***, at around 3:30AM, Mr. Tariq Rahman, a 36-year old father of two, woke up to a noise from outside his bedroom window. He looked out the window and saw what he believed was someone trying to steal his pickup truck from the driveway. He lived in a rural area with few houses nearby. Mr. Rahman loaded his shotgun and went outside to confront the stranger. The stranger was Mr. Cody Brook, a 27-year old Indigenous man who lived on the First Nations reserve nearby.

When Mr. Rahman got outside, he yelled at Mr. Brook to move away from the truck. When Mr. Brook went to raise his hands, the sudden movement and shadows scared Mr. Rahman. It may have looked like Mr. Brook was pulling out a weapon. Mr. Rahman pulled the trigger of his shotgun twice. One of the shots hit Mr. Brook in the stomach and seriously injured him.

Mr. Rahman called the police and was arrested and charged with attempted murder contrary to s. 239(1) of the *Criminal Code*. Mr. Brook is in the hospital on life support.

Criminal Code of Canada

Attempt to commit murder

239 (1) Every person who attempts by any means to commit murder is guilty of an indictable offence and liable

(a) if a restricted firearm or prohibited firearm is used in the commission of the offence or if any firearm is used in the commission of the offence and the offence is committed for the benefit of, at the direction of, or in association with, a criminal organization, to imprisonment for life and to a minimum punishment of imprisonment for a term of

(i) in the case of a first offence, five years, and

(ii) in the case of a second or subsequent offence, seven years;

(a.1) in any other case where a firearm is used in the commission of the offence, to imprisonment for life and to a minimum punishment of imprisonment for a term of four years; and

(b) in any other case, to imprisonment for life.

INDICTMENT

SUPERIOR COURT OF JUSTICE

CANADA
PROVINCE OF ONTARIO
TORONTO REGION

HER MAJESTY THE QUEEN
AGAINST
TARIQ RAHMAN

TARIQ RAHMAN stands charged:

I. That he, on or about the 7th day of February, 20 in the City of ***, did commit the offence of attempted murder contrary to section 239(1) of the *Criminal Code*.**

DATED this 12th day of February, 20 at Anywhere, Ontario**

Signed _____

Crown Attorney and Agent for the Attorney General of Ontario

YOU ARE THE JUDGE

During the jury selection process, the judge's role is to:

- Describe the jury selection process to potential jurors and ensure that they understand the process and the questions being asked of them.
- Be a referee in the jury selection process, including making decisions about challenges for cause.
- Explain the case and identify who is involved, including the accused, counsel, witnesses, etc., to ensure that the potential jurors do not have a connection to anyone which requires them to be excused.
- Excuse a potential juror if they have a medical or serious hardship and need to be excused.

1. Describe the Jury Selection Process

- At the beginning of the court session, you are required to describe the process of jury selection to potential jurors.
- In order to complete this task, you may want to start by stating the following:³⁸
 - *Members of the jury panel, the registrar has just read out the charge. [Name of Accused] has pleaded not guilty.*
 - *The lawyers estimate that the trial will take (specify) to complete. This is only an estimate. The trial could actually take more or less time than the lawyers estimate.*
 - *We will now choose twelve of you as jurors, whose duty will be to consider the evidence and in the end decide whether [Name of Accused] is guilty or not guilty.*

2. Excusing Jurors

a. Identify if Any Potential Jurors Have Knowledge of Any Witnesses or Other Participants in the Trial Process

- First it is ideal to indicate the charges against the defendant by reading the applicable portion of the indictment.
 - *The charge against [Name of Accused]: (Read or summarize the applicable part of the indictment)*

³⁸ All transcript suggestions for judge role excerpted from National Judicial Institute, 'Preliminary Instructions', online: <<https://www.nji-inm.ca/index.cfm/publications/model-jury-instructions/?langSwitch=en>>.

MOCK JURY SELECTION

- After reading the charges, you will ask the potential jurors about their knowledge of the witnesses and other participants by stating the following:
 - *Every juror must be impartial, which means that every juror must approach the trial with an open mind and without preconceived ideas.*
 - *He/ she must decide the case solely on the basis of the evidence at trial and the instructions on the law from (me) the trial judge.*
 - *A person who has or ever had an association with anyone involved in this case might not be able to be impartial, that is, to approach the case with an open mind.*
 - *If you have or ever had such an association with anyone involved in the case — for example, [Name of Accused]; Crown or defence counsel (identify by name); the witnesses, the investigating officer(s); or (me) the trial judge, or if you have any doubt about it, please come forward. I am now going to ask Crown counsel to read out the names of the witnesses and investigating officers.*
- If someone comes forward, have them explain and determine if they need to be excused based on the information provided.

b. Identify if Any Potential Jurors Have Knowledge of the Case

- At this point you are required to summarize the case and describe the circumstances of the offence.
- You will also ask the potential jurors if they have had personal knowledge of the case at hand. If so, they will be requested to step forward in order to be excused.

- *The case involves (briefly describe the circumstances of the offence).*
- *If anyone has personal knowledge of the circumstances of this case, please come forward.*

c. Identify if Any Potential Jurors Have Prior Involvement in or Knowledge of Similar Offences

- *A person who has been accused of any offence of this nature, or been a victim of such an offence, or has otherwise been involved in a similar offence or experience might not be able to approach the case impartially - that is, with an open mind and without preconceived ideas.*
- *We do not wish to embarrass anyone by asking questions about personal matters. At the same time, we need to know if there is any personal matter that might make it too difficult for you to perform jury duty in this case. If this applies to you, please come forward.*

d. Identify if Any Potential Jurors Need to be Excused Based on the Citizenship Requirement

- *All jurors must be Canadian citizens. If you are not a Canadian citizen, please come forward.*

e. Identify if Any Potential Jurors Need to be Excused Based on their Ability to Hear

- *All jurors must be able to hear what is said in the courtroom. If you have difficulty hearing, please come forward.*

MOCK JURY SELECTION

f. Identify if Any Potential Jurors Need to be Excused Based on their Understanding the Language of the Trial

- All jurors must be able to read and understand the language that will be used in the trial. In this case, witnesses will testify and others involved in the case will speak in English/French. Documents written in English/French may be made exhibits.
- If you have difficulty reading or understanding English/French, please come forward.

g. Identify if Any Potential Jurors Need to be Excused Based on their Health

- The lawyers estimate that this trial will last about (specify) but, in reality, nobody knows for sure. It depends on many things. As a general rule, jurors sit each day, from Monday to Friday, from (specify time) to (specify time), with a morning, (and) lunch (and afternoon) break (or, specify). There might be a need to vary this schedule, depending on how the trial unfolds.
- Some of you might have health problems that require medical or other treatment. This might make it difficult for you to serve as a juror.
- We do not wish to embarrass anyone by asking about personal matters. But if you have a health problem, or if you are in a treatment or therapy program that might prevent you from serving as a juror, please come forward.

h. Identify if Any Potential Jurors Need to be Excused Based on Personal Hardship

- Jury service is the most important role that citizens can play in the administration of justice in Canada, and it is the duty of citizens to serve as jurors from time to time.

Most people chosen as jurors find jury duty a valuable experience, one that gives them a chance to play a direct part in the administration of justice in their community.

- If you are selected, jury service will require changes to your daily routine of work, family, religion, education, or leisure activities.
- In some cases, jury service may cause exceptional personal, financial or other hardship. If this applies to you, please come forward.

3. Challenge for Cause – Procedure

- Recall that a **challenge for cause** is when, in a criminal trial, either party challenges the suitability of a potential juror and poses questions to the individual to determine if they will be able to decide the case impartially and free of bias or prejudice.
- Once all of the potential jurors have been excused based on eligibility issues, explain to the jury what a challenge for cause is:
 - It is fundamental that a fair, impartial, and unbiased jury try any person charged with a criminal offence. As part of the jury selection process, each prospective juror may be asked questions by the lawyers about whether, for example publicity, notoriety, bias, etc. would affect their ability to judge [Name of Accused] impartially. This is called “challenge for cause”.
 - The question(s) will not pry unduly into your privacy.
 - I will then decide whether the prospective juror has opinions about the case that they cannot set aside and that would prevent them from reaching a verdict based solely on the evidence at trial.

MOCK JURY SELECTION

- *If I have found a person to be acceptable, either counsel may still challenge that person. If not challenged, that person will then be sworn in by the registrar and will sit as a juror.*
- The Crown and defence will then ask the potential juror questions to determine bias.
- Once the questioning of the potential juror is complete, you will determine whether the alleged ground is true or not. If you are satisfied that the ground alleged is true, the juror will not be sworn in for jury duty.
- If you find that the grounds for the challenge are false, the juror will be sworn in or affirmed as a juror by the court registrar.

4. Judge's Concluding Instructions to Jury Panel

- *Jury selection will continue until twelve jurors have been chosen. Then we will take a short break. Court staff will show you to the jury room. At that time, you may contact your families and employers to tell them you were selected as a juror. We will then continue the trial.*

YOU ARE THE COURT REGISTRAR

During the jury selection process, the court registrar's role is to:

- Open the court, call recesses, and close the court.
- Read out the charges that the accused has been charged with.
- Select the ballot cards with the names of potential jurors from the container provided by Sheriff.
- Request any clarifying information from jurors.
- Swear in jurors once they have been accepted.

1. Open the Court

- When all potential jurors are seated in the court room, bring the judge into the court and open the court.
 - *Order in the court, all rise. The Honourable Judge (name) presiding. You may be seated.*

2. Read Out the Charges

- In a loud voice, read out the charges against the accused as outlined in the indictment.

3. Select Names of Potential Jurors from the Jury Panel

- Ensure that all of the ballot cards for each member of the jury panel are placed in the container or drum used to hold the cards.
- Shake it sufficiently to ensure all ballots are mixed together.
- Randomly select a card and read aloud the juror number on the card (jurors are typically referred to in open court by their number rather than their name, unless ordered by the presiding judge).
- Call the individual up to the registrar's desk and confirm that they are the person who appears on the card by checking their identification or Summons form.
- Place the card face up on the desk in the order it was taken from the container. Direct the juror to take their place in line at the front of the court.
- Repeat this for six (6) cards, one after another in order, causing the container to be shaken after each name is drawn.

MOCK JURY SELECTION

- In the event that a potential juror is drawn and is not present or is challenged as a juror by lawyers for either party, draw further names until six jurors are eventually selected and sworn in.
- Prospective jurors who are not selected may be assigned to another panel on the same day or asked to return the following day.
- Direct the six people selected to come to the front of the courtroom. There, they have the opportunity to let the judge know of any reasons why they cannot serve on the jury, such as illness, employment, schooling, or a scheduled vacation.
- Repeat until twelve jurors are sworn in.

4. Challenge for Cause – Procedure

- Recall that a **challenge for cause** is when, in a criminal trial, either party challenges the suitability of a potential juror and poses questions to the individual to determine if they will be able to decide the case impartially and free of bias or prejudice. If this happens, the lawyer bringing the challenge will get to question the potential juror.
- State the following to the accused and the potential juror:
 - Accused (pause) look at the juror.
 - Juror (pause) look at the accused.
- Swear the prospective juror as follows:
 - Do you juror number (juror number) of panel number (panel number) swear/affirm that the evidence to be given by you to the court sworn upon this inquiry shall be the truth, the whole truth, and nothing but the truth, so help you God?" (OMIT "so help you God" if affirmation.)

- The Crown and defence will then ask the potential juror questions to determine bias.
- Once the questioning of the potential juror is complete, the judge will determine whether the alleged ground is true or not. If the judge is satisfied that the ground alleged is true, the juror will not be sworn in for jury duty.
- If the presiding judicial judge finds that the grounds for the challenge are false, swear or affirm the juror as outlined below.

5. How to Swear in (or Affirm) Potential Jurors

- When a juror has been accepted, you are required to swear them in. You will ask if the juror would like to be sworn in through an affirmation or an oath. The juror is able to choose either.
- If the juror is not challenged or asked to stand aside, swear or affirm the juror or alternate as follows:
 - Do you juror number (juror number) of panel number (panel number) swear/affirm that you shall well and truly try, and true deliverance make, between our Sovereign Lady the Queen and the accused at the bar whom you shall have in charge, and true verdict give, according to the evidence, so help you God?" (OMIT "so help you God", if affirmation.)
- Once sworn in, tell the juror which juror number they are (juror number 1, 2, etc.). The juror will then take a seat in the jury box.

MOCK JURY SELECTION

6. On Completion of Jury Selection

- After the required number of jurors (and any alternate jurors ordered) have been sworn or affirmed, instruct any other jurors that remain standing to take a seat in the body of the courtroom. State to the sworn or affirmed members of the jury:
 - *Members of the jury, as I call your number, stand and answer “sworn” or “affirmed” if you have been sworn or affirmed.*
 - Call the number of the first juror. After the first juror has answered, instruct the juror by number to take his or her seat. Repeat this procedure for each of the jurors and for any alternate jurors. Juror names should not be stated aloud unless the presiding judicial official orders that it is necessary for the proper administration of justice.
 - Announce the following to the judge:
 - *Twelve jurors have been sworn or affirmed, Your Honour.*
 - Place the cards of every juror who was called, except those sworn or affirmed, back in the box. Retain the cards of the members of the jury and any alternate jurors in the order in which they were sworn or affirmed and seated. Keep these cards until the jury has been discharged. The Court Services Officer in charge of the jury will ensure that the jurors occupy the same seats for the duration of the trial.
 - Announce the following to the members of the jury:
 - *Members of the jury, look upon the accused and harken to his/her charge. He/she stands indicted by the name of (first name) (surname) as follows:*
- Read the indictment commencing with the words:
 - *(Name of Accused) stands charged with (charge).*
 - Do not include any counts to which the accused has pleaded guilty or on which the Crown is not proceeding.
 - *Upon this indictment he/she hath been arraigned. Upon his/her arraignment he/she hath pleaded not guilty and for his/her trial hath put himself/herself upon his/her country, which country you are. Your charge, therefore, is to inquire whether he/she be guilty of the indictable offence charged or not guilty, and to harken to the evidence.*
 - The trial is then ready to proceed.

7. Close the Court

- The sittings of this court are now concluded. Long Live the Queen.

YOU ARE A LAWYER

During the jury selection process, the lawyer's role is to:

- Represent their client in the jury selection process.
- Assess if the potential jurors would make a good juror for the case at hand.
- Bring challenges for cause when appropriate.

1. Challenge for Cause – Procedure

- Recall that a **challenge for cause** is when, in a criminal trial, either party challenges the suitability of a potential juror and poses questions to the individual to determine if they will be able to decide the case impartially and free of bias or prejudice. If this happens, the lawyer bringing the challenge will get to question the potential juror.
- There are specific grounds for which challenges can be brought and they are outlined in s. 638 of the *Criminal Code*:
 - (a) the name of a juror does not appear on the panel;
 - (b) the juror is not impartial;
 - (c) the juror has been convicted of an offence for which they were sentenced to two or more years in prison, and for which no pardon or record suspension was given;
 - (d) the juror is not a Canadian citizen;
 - (e) the juror is physically unable to perform the duties of a juror, even with the aid of technical, personal, interpretative or other support services; and
 - (f) the juror does not speak the official language of Canada that is the language of the accused or the official language of Canada in which the accused can best give testimony or both official languages of Canada. The accused is required under s. 530 of the *Criminal Code* to be tried before a judge and jury who speaks English or French, depending on the nature of the trial and the *accused*.

MOCK JURY SELECTION

- In most cases, a challenge is made on the basis that the potential juror is not impartial (s. 638(b)). If a lawyer raises a challenge for cause, they then have the opportunity to ask the potential juror specific questions related to the ground raised and the jurors' ability to decide the case impartially and free of bias.
- When the potential juror goes to the front of the courtroom during the jury selection process for a criminal trial, they face the accused. The person is then either accepted by each of the lawyers or challenged by either side.

When the judge asks if you accept or challenge a potential juror, state:

o "Content" or "Challenge"

- If a potential juror is challenged, the Crown or defence lawyer who made the challenge will then ask the potential juror questions to determine bias. Before giving their evidence, the potential juror will be sworn in or affirmed by the court registrar.
- In preparing for your challenge for cause, think of questions that might get at the witness' biases or inability to be impartial in this case. Some examples might be:
 - o *Would your ability to judge the evidence in this case without bias be affected by anything you have heard or read about this case in the media?*
 - o *Do you have any personal experiences with *** that would affect your ability to judge this case impartially? Tell me more about that.*
 - o *Would your ability to judge the evidence in this case without bias, prejudice or partiality,*

*be affected by the fact that the victim is an *** person and the person charged with this crime is a *** person?*

- o *Would your views about someone charged with a crime involving *** affect your ability to be a neutral juror in this case?*
- Once the questioning of the potential juror is complete, the judge will determine whether the alleged ground is true or not. If the judge is satisfied that the ground alleged is true, the juror will not be sworn in for jury duty.
- If the presiding judge finds that the grounds for the challenge are false, the juror will be sworn in or affirmed by the court registrar.

YOU ARE A JUROR

- On the day you are summoned, you will be called into the courtroom that is identified on your Summons sheet.
- Once in the courtroom, the registrar will call six (6) people to the front of the courtroom by randomly selecting juror's numbers from a container.
- The judge will explain the process and excuse anyone that has physical or mental disabilities, medical problems, hearing problems, problems understanding, or potential jurors who know anyone involved in the trial (judge, lawyer, accused, victim, or witnesses, etc.). One by one, you will be asked if there is a reason why you should be excused. The judge will either accept your reason and excuse you, place you on standby, or dismiss your excuse. If your excuse is not accepted, you may be chosen as a juror or challenged by one of the lawyers.
- Once the excuses are complete, the lawyers may raise a "challenge for cause".
- Recall that a challenge for cause is when, in a criminal trial, either party challenges the suitability of a potential juror and poses questions to the individual to determine if they will be able to decide the case impartially and free of bias or prejudice. If this happens, the lawyer bringing the challenge will get to question the potential juror.
- When your number is called out loud, you are required to step forward. Here, the lawyers will determine if you will be kept on the jury list or if you will be discounted.

If both lawyers say "content", then you have moved on to the next stage. If you have been challenged by either side, then you must answer questions to determine your bias and suitability as a juror in this case.

- You must answer any questions in a respectful manner and to the best of your knowledge. Never interrupt the judge or the lawyers. Only speak when they are addressing you. Be certain to answer questions as loudly and as clearly as possible.

Jury Oath

- When the final jurors are selected, they are required to take the following oath and will be sworn in or affirmed by the court registrar. You will be asked if you would like to be sworn in through an affirmation or an oath and can choose either:
 - *Do you juror number (juror number) of panel number (panel number) swear/affirm that you shall well and truly try, and true deliverance make, between our Sovereign Lady the Queen and the accused at the bar whom you shall have in charge, and true verdict give, according to the evidence, so help you God?" (OMIT "so help you God", if affirmation.)*
- As a juror in a trial you must:
 - Listen to all of the evidence without making any decisions until the end of the trial about the liability or guilt of the defendant.
 - Listen to the judge describe the evidence and what the law is.

MOCK JURY SELECTION

- o Elect a Foreperson (spokesperson) to head the jury and give its final decision.
- o Talk about the evidence with other jurors behind closed doors. Based on the evidence, decide the verdict.
- o Come up with a unanimous decision.
- o Keep all of the deliberations of the jury confidential.



**My spouse is a
Crown Attorney.**

**I'm too important at
work.**

**I am indispensable to my
company/organization
and cannot be off work.**

**I have a back injury and
I can only sit for
20 minutes at a time.**

I don't hear very well.

**I have elective surgery
scheduled and it took
months to schedule this
surgery date.**

**I have an expensive
all-inclusive
holiday booked.**



**I run a small business
and am indispensable to
my company.**

**I just started a new job
and I'm in the
probationary period.
I might get fired.**

**I don't have childcare
for my 2 and 3 year
old children.**

**I'm legally blind. I have
10% vision in one eye.**

**I was recently a victim of
crime and won't be able
to judge fairly.**

**I provide primary care
for my elderly mother and
cannot leave her alone.**



**My son has surgery
this week.**

**I can tell if someone is
guilty or not just by
looking at them.**

**I am a farmer and will
lose my harvest if
I participate.**

**I won't get paid for the
time off and I won't
make my rent.**

**I know the individual
on trial.**

**I am a university
student and I have to
write exams.**



I'm a teacher and if I'm not in class, my students won't be ready for their exams.

I have a baby that will need to be nursed.

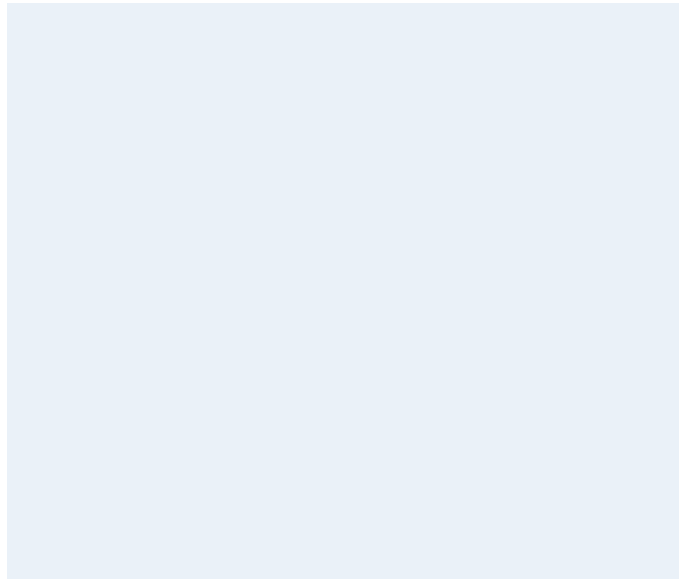
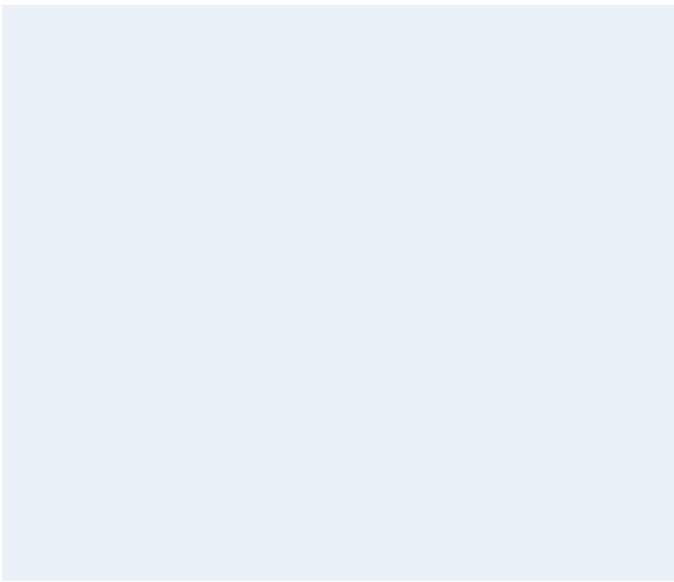
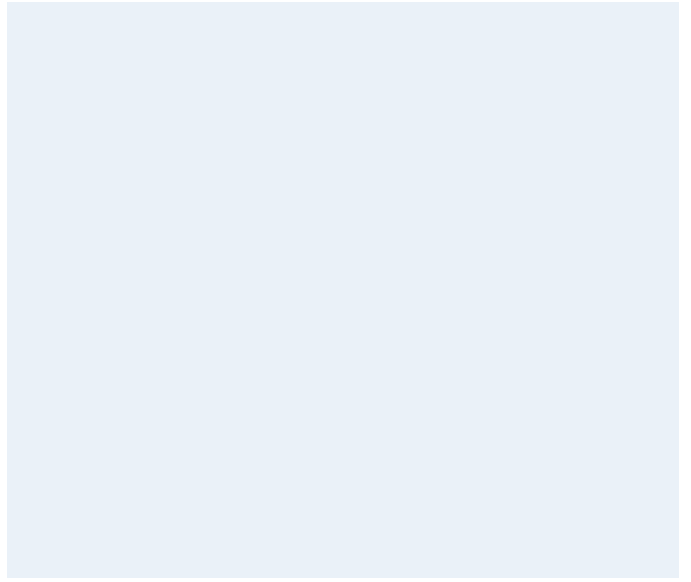
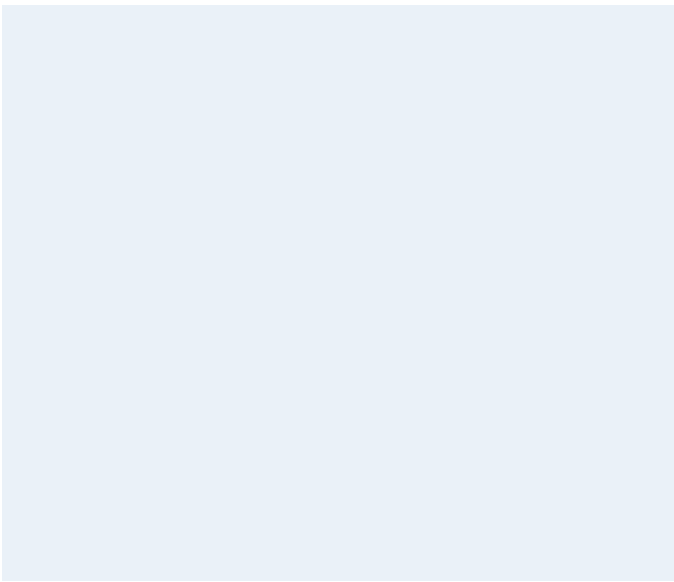
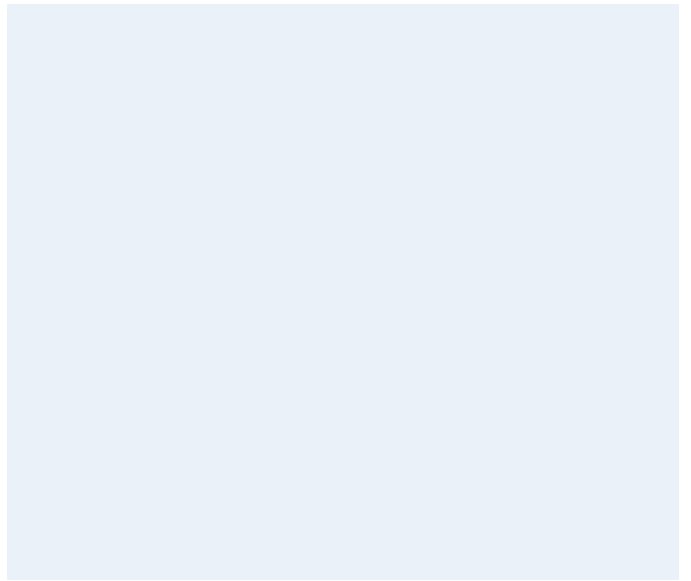
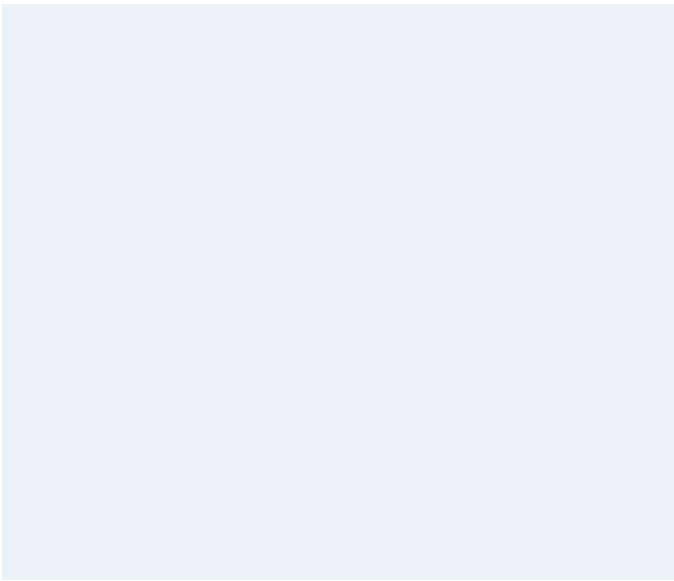
I am low income and cannot afford to be off work.

I went to high school with the defence counsel.

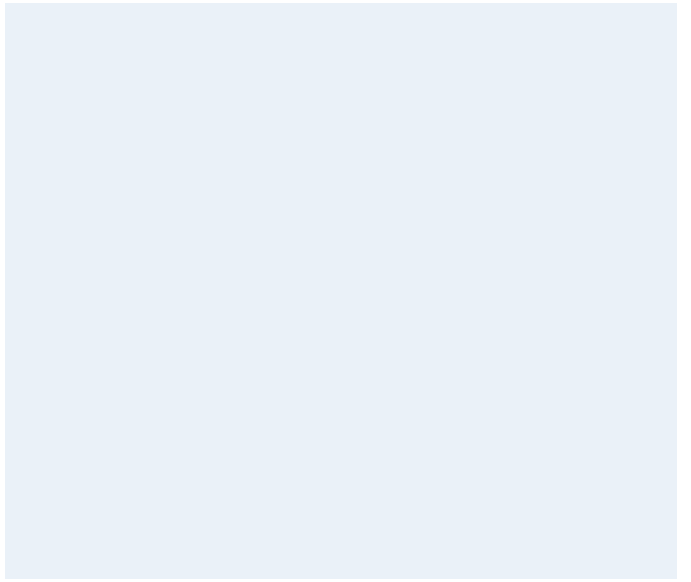
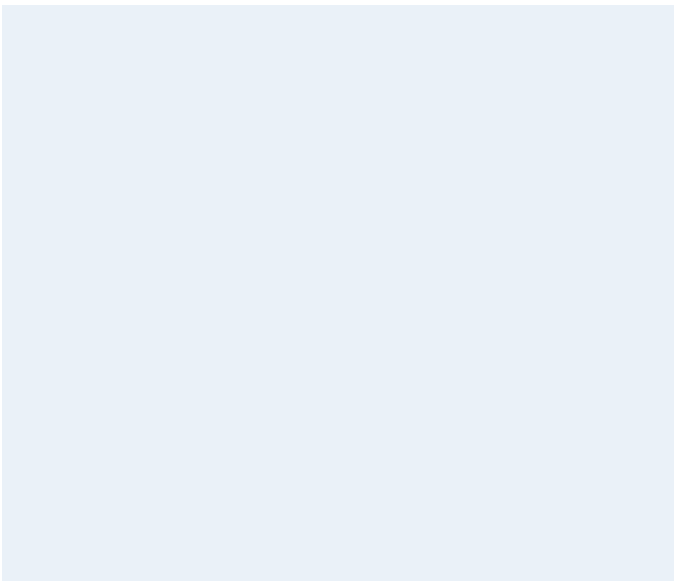
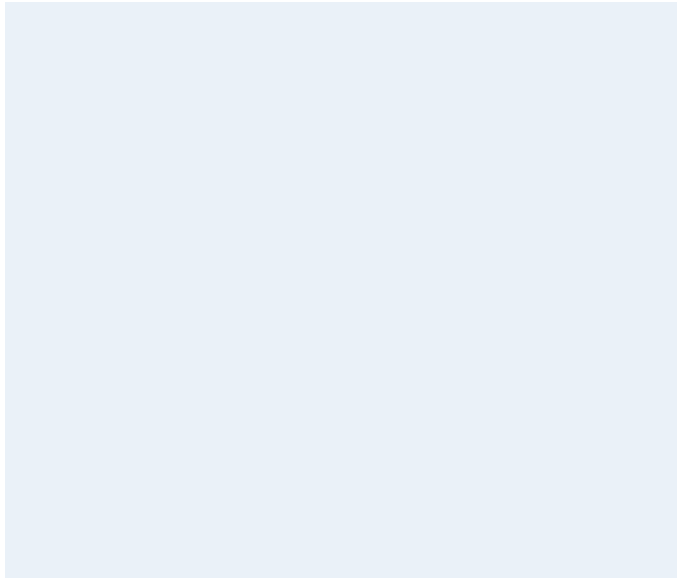
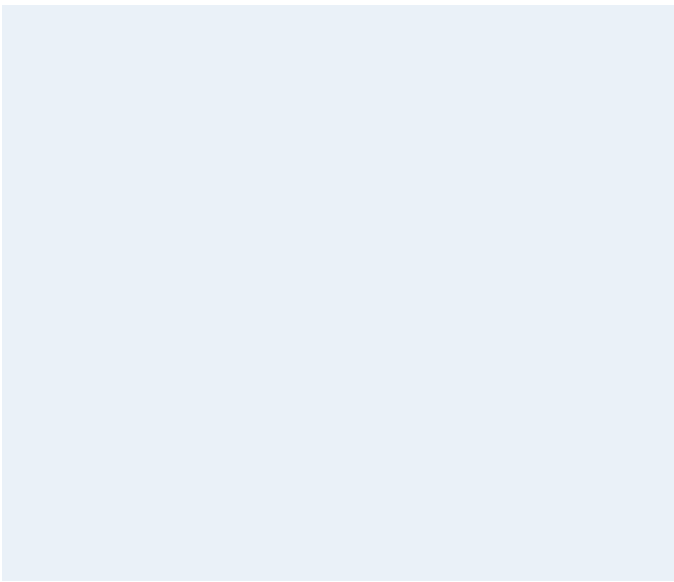
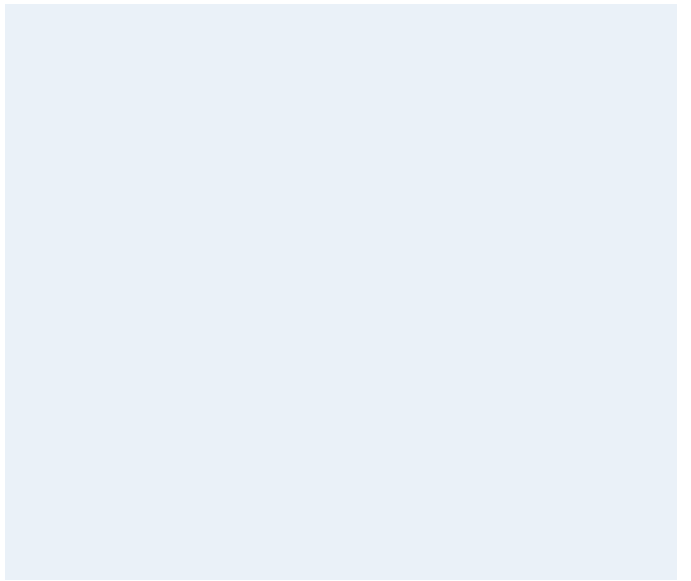
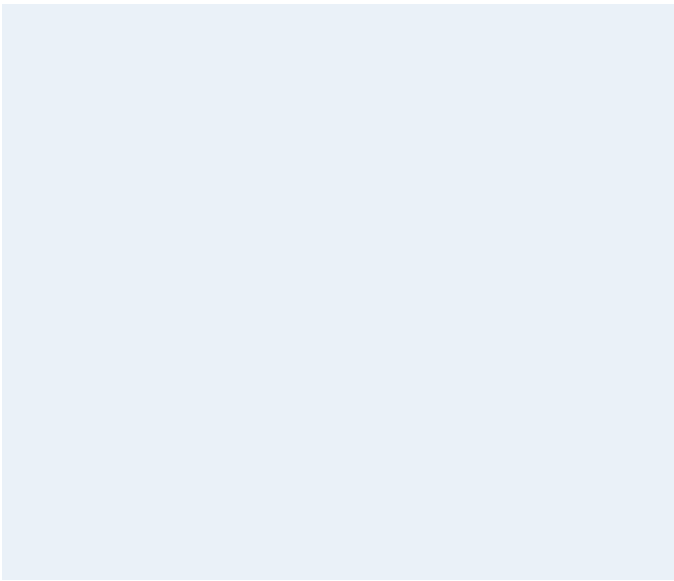
I live in a remote community in Northern Ontario.

I have severe anxiety and depression and cannot leave my home for long periods of time.









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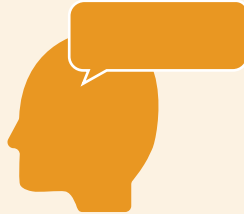
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MOCK JURY SELECTION

10001
Marlene Chow
911 Dispatcher
Windsor

10002
Anya Sekanaise
Aboriginal Outreach Worker
Brampton

10003
Monica Zeretsky
Administrator, House of Commons
Ottawa

10004
Mary Estrada
Agent, Securities
London

10005
Geoff Stevens
Bus Driver,
Toronto Transit Commission
Toronto

10006
Peter Cavanaugh
Fitness Instructor
Caledon

10007
Tajinder Perinparajah
Archaeologist
North Bay

10008
Jon Blaze
Tattoo Artist
Wasaga Beach

10009
Keithan Brown
Store Manager
Elliot Lake

10010
Mario Anthony
Automobile Appraiser
Aurora

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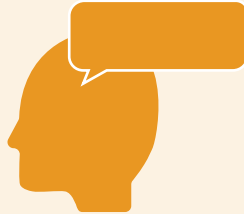
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MOCK JURY SELECTION

10011
Lloyd Cooper
Awning and Tent Repairer
Lake of Bays

10012
Lance Firagrove
Bacon Grader
Kitchener

10013
Amir Saadique
Bank President
Toronto

10014
Devin Steel
High School Teacher
Fenelon Falls

10015
Owen Yurban
Business Manager, Manufacturing
Waterloo

10016
Fabian Taddeo
Calculation Clerk- Insurance
Vaughan

10017
Lisa Gabbidon
Retired Criminologist
Cambridge

10018
Daniel Walsh
Cytochemist
Ajax

10019
Lance Elba
Deacon
Meaford

10020
Ben Cook
Dealer, Casino
Orillia

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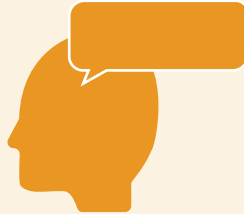
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10021
Ann Fray
Diagnostic Radiology Specialist
Gravenhurst

10022
Daria Alma
Dietary Technician
Oakville

10023
Tamia Singh
Director of Counseling
Port Colborne

10024
Ai Harakuma
Taxi Driver
Perth

10025
Era Boatang
Director of Immigration
and Settlement Services
Etobicoke

10026
Christina Charles
Dog Groomer
Leamington

10027
Megan Torres
Ecological Technician
East York

10028
Annette Lyn
Engineer
Scarborough

10029
Karen Gregory
Faculty of Science, Dean
Kingston

10030
Kel Williams
Fashion Stylist
Toronto

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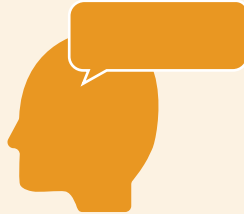
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MOCK JURY SELECTION

10031
Evan Sandler
Gambling Addictions Therapist
Barrie

10032
Tip Vaner
Geologist
Petawawa

10033
Mike Ealey
Go- Cart Ride Attendant
Parry Sound

10034
Idris Micheals
Gymnastics Coach
Lindsay

10035
Leivy Freeman
Gynecologist
Coboconk

10036
Pearson Rei
Health Educator
Sioux Lookout

10037
Damien Sinclair
Hospital Admitting
Clerks Supervisor
Champlain

10038
Mark Cole
Hygiene Technician
Niagara Falls

10039
Phillip Nasir
Retired Teacher
Espanola

10040
Ansel Reid
Retired Engineer
Atikokan

JUROR BALLOT CARDS



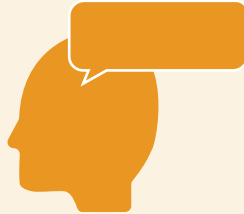
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MOCK JURY SELECTION

10041
Rosalie Arthurs
Mechanic
Belleville

10042
Cora Acosta
Translator
Ottawa

10043
Akema Nnebe
High School Teacher
Cobourg

10044
Keri-Lynn Jones
Music Instructor
Collingwood

10045
Jannus Drake
Chef
Gore Bay

10046
Hannus Atuka
Clerk at Stationary Store
Sudbury

10047
Fatima Muhammod
Retired Police Officer
Innisfil

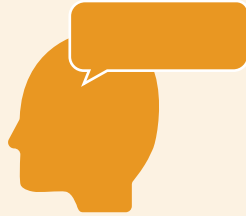
10048
Meghan Sobres
University Student
Peterborough

10049
Tina Chang
TTC Streetcar Driver
Toronto

10050
Barb Ybengizo
Engineer
London

JUROR BALLOT CARDS

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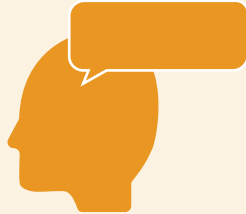
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10051
Bob Grechens
Nanny
North York

10052
Kiro Tosh
Narcotics Squad Detective
Toronto

10053
Beres Palmer
Natural Resources Technician
Thunder Bay

10054
Adijah Moses
Naturopathic Doctor
Mississauga

10055
Steven Gho
Architect
Brampton

10056
Marco Antonio
Network Designer
North York

10057
Lucille Picou
Nurse
Moosonee

10058
Coburn Gudmundsdottir
Chemist
Guelph

10059
Osmon Munis
Military Officer
Kingston

10060
Nate Echavenia
Retired Nurse
Richmond Hill

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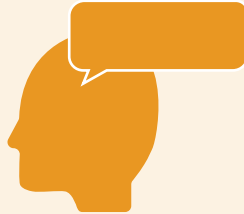
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10061
Giselle Therihault
Qualified Customs Broker
North York

10062
Bianka Sundel
Control Chemist
Kenora

10063
Camille Javier
Pharmaceutical Manager
Windsor

10064
Inga Khan
Laboratory Technician
Kapuskasing

10065
Pilar Baeza
Massage Therapist
Etobicoke

10066
Samile Persons
Homemaker
Omeme

10067
Kathleen Sue
Farmer
Burnt River

10068
Irene Finklord
Fundraiser
Elora

10069
Syd Cottkin-Summers
Barista
Hanover

10070
Paloma Granravine
Teacher
Rainy River

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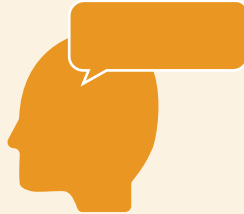
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MOCK JURY SELECTION

10071
Otis Nunez-Jackson
Architect
Whitby

10072
Jonah Corbin
Marriage Therapist
Stouffville

10073
Salemeh Como
Tile Floor Layer
Tecumseh

10074
Vaughan Hilroy
Public Health Inspector
Port Hope

10075
Merle Cyrus
Musician
Bracebridge

10076
Tristan Demsky
Vaccine Technician
Barrie

10077
Rayunzur Utomi
Fundraiser
Newmarket

10078
Eric Bishop
X-Ray Technician
Bancroft

10079
Bo Benson
Yarn Store Owner
Collingwood

10080
Eli London
Shoe Repairer
Hunstville

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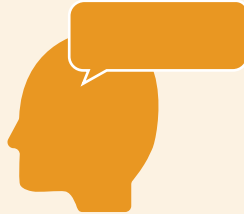
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MOCK JURY SELECTION

10081
June Lincon
Midwife
Fort Frances

10082
Kenderson Young
College Student
Kitchener

10083
Adrian Charles
Professional Dancer
Toronto

10084
Mo Henderson
Mechanic
Grimbsby

10085
Ike Genvinsky
Physician
Hawkesbury

10086
Ellie Sutherland
Student
Ottawa

10087
Nadine Lavar
Correctional Officer
Parry Sound

10088
Queenie Scott
Therapist
Milton

10089
Iyesha Gustaffani
Child Care Worker
Marathon

10090
Stephanie Abdulmajiid
MBA Student
St. Catherines

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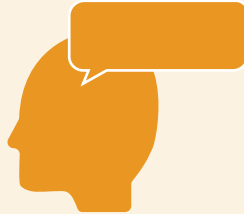
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MOCK JURY SELECTION

10091
Amar Rashid
Imam
Pickering

10092
Joe Diab
Lab Technician
Erin

10093
Robert McGuire
Professional Hockey Player
Gravenhurst

10094
Jerry Kulwinder
Gas Bar Attendant
Napanee

10095
Camille Brown
Customer Service Representative
Espanola

10096
Robert Wabbasse
Anishinaabe Rights Activist
Thunder Bay

10097
Julian Sylvian
University Student
Sudbury

10098
Harrold Ing
Administrative Assistant
King City

10099
Jonathan Taylor
Carpenter
Smiths Falls

10100
Tyrone Walsh
Teacher
Picton