

STATE OF MICHIGAN LAW DAY 2005 ESSAY CONTEST
“THE AMERICAN JURY: WE THE PEOPLE IN ACTION”
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Suppose that untrained laymen jurors are often confused when technical evidence is presented. Should Michigan experiment with using professionally trained jurors?

I do not believe Michigan should experiment with professionally trained jurors because they may become more susceptible to giving a biased opinion. One reason for this is that professional jurors will get paid, and if so, they may not care about the case as much as they care about the money they receive. Layman jurors, on the other hand, are more likely to give an honest opinion since they get paid less.

Though laymen jurors receive some money for one case, they are not paid a salary like a professional. Amendment VI to the Constitution ensures the right to a fair trial by jury. I believe professional paid jurors would violate this amendment. A fair jury is, in my opinion, a group of people who are unbiased lay people with no prior connection with the trial. A professional juror would most likely have heard about the trial and could have already decided how to vote perhaps even prior to the trial.

Even before the time of the Constitution and the Bill of Rights, the institution of a fair jury was almost universally revered. It even dates back to the time of the Magna Carta. Since then, it has changed very little, so why should we change such old tradition now by installing jurors who may or may not care about the issue at hand so long as they get paid? Professional jurors would be a danger to the fairness of the trial and an affront to the tradition and laws set down in the Constitution of the United States. They would, inevitably, become more and more attached to a particular trial. Perhaps eventually, professional jurors would be as familiar as lawyers.

On the other side of the issue, if technical evidence is presented, it is true that some jurors may be confused. If such a case occurs, I believe they should be directed and educated on such evidence before the trial occurs. In this way there can be a layman juror who still understands the evidence, and therefore will give an honest, unbiased opinion.

In the Supreme Court case Johnson v. Louisiana, 406 U.S. 356 (1972), Justice Blackmun stated that he thought that Louisiana's split-verdict system was an unwise procedure, and I believe that professional jurors are also an unwise procedure. The theme of this essay is "The American Jury: We the People in Action," and I do not believe that professional jurors fit into or express that theme or ideal in any way.