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## News and Publications

# Jury Trial in Bankruptcy Case - Why Not?

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In this article, Samuel Israel and William Stassen outline their recent bankruptcy case brought on behalf of a Chapter 7 trustee that resulted in an extremely rare trial in front of a jury in the U.S. Virgin Islands.

Although juries are seldom used in bankruptcy cases, Israel and Stassen advise others to consider the process and "fear not the jury," as it resulted in a \$17 million verdict in favor of their client.

Throughout the article, Israel and Stassen outline the issues incurred when trying such cases in front of a jury and provide tips to help others who end up in a similar situation.

Because most jurors are unaware of bankruptcy jargon, the attorneys suggest simplifying trial presentations so jurors can easily comprehend the issues and facts surrounding the case. They also suggest eliminating what many seminars will advise you to do during a trial -- create a theme. Instead, they say to replace bankruptcy concepts with stories that will resonate with the jury.

In their particular case, Israel and Stassen focused on the everyday creditors who were not going to be paid because fraudulent transfers were made to fund a lavish lifestyle.

In addition to building a story, they also touch on the importance of developing jury instructions and interrogatories and offer keys to selecting a solid panel of jurors.

Although they had originally opposed the jury demand, Israel and Stassen were successful in their trial and recommend other attorneys consider requesting a jury.