

John Edwards Trial Highlighted Challenges of Jury Trials

by Christine M. Vanek on June 4, 2012

The public corruption trial of two-time presidential candidate John Edwards highlighted the challenges posed by jury trials, specifically jury misconduct. Juror misconduct occurs when a juror engages in improper conduct that affects his ability to remain impartial and unbiased. Common examples of juror misconduct include consulting outside, non-evidentiary materials, improper contact with third parties, and pre-deliberation discussions.

In the Edwards trial, much of the media attention focused on the behavior of four alternate jurors as well as the stern warnings handed out by Judge Catherine Eagles. The focus on the jury started when the four alternate jurors began dressing alike. On one day they wore red to court and on another they wore yellow. One of the alternatives, an attractive young woman, also raised eyebrows when some in the courtroom reported that she appeared to be flirting with Edwards.

Before excusing the jurors for the Memorial Day weekend, Judge Eagles also met with prosecutors and defense attorneys behind closed doors to discuss an “issue with a juror.” While she did not discuss the issue in open court, she did warn jurors about their obligations during deliberations.

“All of your deliberations should take place while you are in the jury room and together,” Eagles said. “Don’t discuss the case in small groups.”

Judge Eagles reiterated the warning when the jury returned on Tuesday to continue deliberations. While it is unclear what triggered the court to admonish the jury, it could have been the basis for an appeal if Edwards was ultimately convicted on any of the campaign-finance charges.

Of course, juror misconduct is not limited to criminal trials. In New Jersey commercial litigation, jurors are also required to pay attention in court, listen to all the evidence presented, and render a verdict based upon the evidence presented and the law, as instructed by the judge. When juror misconduct taints the verdict, the losing party can petition the court for a mistrial.

Technology has also increased the risk of juror misconduct in both criminal and civil trials. Jurors are increasingly turning to sites like Google and Wikipedia to research legal issues and posting information about cases on social media sites like Twitter and Facebook.