

Juries and Opening Statements

Juries

The punishment for some crimes is imprisonment. When a crime has imprisonment as a possible punishment, the person accused of the crime may **ask for a jury trial at arraignment**. The jury will consist of six enrolled members of the Tribe, selected at random from a list of eligible jurors. This list is made yearly by the Chief Justice.

The presiding judge is responsible for instructing the jury on the applicable law. The jury can only make their decisions based on the facts and the applicable law. Jury deliberations are conducted in secret. A unanimous verdict of either guilty or not guilty must be reached. Once a decision is reached, the judge will announce the verdict the jury decided. Jurors are paid from Tribal funds based on a fee schedule and are paid back for mileage to and from court.

A potential juror must be an enrolled Tribal member who:

- Resides within the reservation boundaries
- Is at least eighteen (18) years old
- Has not been convicted of a felony
- Meets other qualifications as defined by the Court's general rule-making authority

During jury selection, you can ask the judge not to include someone on the jury who does not seem capable of making a fair and impartial decision. This could be because of the person's bias. You must tell the judge a specific reason why the juror does not seem able to be fair and impartial. You can do this an unlimited number of times. A judge will decide whether or not the person can be on the jury.

Additionally, you are entitled to three peremptory challenges. For these challenges, you can ask the judge not to include someone on the jury and you do not need to provide a reason. A judge cannot deny your request.

Opening Statements

At the beginning of trial, both the prosecution and you can make opening statements. During the opening statements, each side gives the Court a brief summary of their case and supporting evidence.

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