

**CRIMINAL**  
**JURY TRIAL CHECKLIST**

- ☐ 1. Bailiff opens Court (after everyone is in place)
- ☐ 2. Call the case: “Will the Clerk please call the case?” “State of Tennessee versus \_\_\_\_\_, the Criminal Court of \_\_\_\_\_ County, Tennessee, Case Number \_\_\_\_\_.”
- ☐ 3. The Clerk/Bailiff/Deputy will call individual jurors to the jury box. Seat remaining jurors in front of box and in the court benches. When all potential jurors have been called and seated, ADMINISTER OATH:

“Ladies and Gentlemen, please stand and raise your right hand.

“DO YOU SWEAR OR AFFIRM THAT YOU WILL ANSWER TRUTHFULLY ALL QUESTIONS TOUCHING UPON YOUR COMPETENCY TO SERVE AS A JUROR IN THIS CASE, SO HELP YOU GOD?”

- ☐ 4. Introduce yourself and Court personnel. Introduce attorneys and defendant (or ask the attorneys to).

Optional in presence of jury: “Is the Rule requested?” If so, explain the Rule and ask witnesses to step out.

- ☐ 5. “You have been summoned here as prospective jurors in a criminal case styled: “Case of State of Tennessee versus \_\_\_\_\_ wherein the defendant is charged with \_\_\_\_\_.”
- ☐ 6. ADMONITIONS: The jurors should now be charged with admonitions. During each recess or break for lunch or break for the day the jurors should be reminded of these admonitions: “Alright we are going to take a break/recess for lunch/adjourn for the day. During this break, do not discuss this case among yourselves or with anyone else, do not conduct your own independent research into the case, and we will see you back here in \_\_\_\_\_ minutes/at \_\_\_\_\_ o’clock.”
- ☐ 7. Prepare jury seating chart (Name, occupation, community, etc.). Assign each juror a number.
- ☐ 8. After the seating chart is complete, make a brief statement of the nature and type of action the case is:

“Ladies and Gentlemen, as previously stated, the defendant, \_\_\_\_\_, is charged in this case with \_\_\_\_\_, etc. This is a criminal case and the events are alleged to have occurred on (date) \_\_\_\_\_ at (location) \_\_\_\_\_.”

(BEFORE VOIR DIRE)

- ☐ 9. “Ladies and Gentlemen you will be asked several questions by the attorneys. Although some of the questions may seem to be personal, they are intended to find out if you have any knowledge of this particular case, if you have an opinion that you cannot put aside or if you have had any experience in life that might cause you to identify yourself with one party or another. Jurors must be as free as humanly possible from bias, prejudice, or sympathy and must not be influenced by preconceived ideas about the facts or the law. The parties are entitled to jurors who approach this case with open minds until a verdict is reached.

“Each party has a right to request that a certain number of prospective jurors be excused. If you are excused you should not consider it a reflection on you in any way, because a lawyer who challenges you today might want you to serve on a different type of case tomorrow. The attorneys are simply engaging in a process of “educated guessing” as to whether or not you will be favorable to his/her side of the case or the other side of the case; so, do not take it personally if you are challenged. If you are challenged and therefore excused, you will need to call the clerk’s office/jury coordinator back on (date) \_\_\_\_\_.”

- ☐ 10. CHARGE: BEYOND A REASONABLE DOUBT.

“Ladies and Gentlemen, before the attorneys begin asking you questions, I am going to charge you (meaning I’ll give you the law) as to the State’s burden of proof which is beyond a reasonable doubt. I will charge you again with this instruction at the end of the trial:

“Reasonable doubt is that doubt created by an investigation of all the proof in the case and an inability, after such investigation, to let the mind rest easily upon the certainty of guilt. Absolute certainty of guilt is not demanded by the law to convict of any criminal charge but moral certainty is required, and this certainty is required as to every element of proof needed to constitute the offense.”

- ☐ 11. “(State) \_\_\_\_\_, you may now voir dire the jury panel.”
- ☐ 12. “(Defense counsel) \_\_\_\_\_, you may now voir dire the jury panel.”

- 13. CHALLENGES SUBMITTED BY THE ATTORNEYS. Keep track of the race and gender of the jurors excused by each side, in case there are any Batson objections by either the state or defense. If there are potential Batson problems, do not allow any of the jurors to leave the courtroom until those problems are resolved.
  - a) Clarify with attorneys which jurors are being considered (each round), i.e. “Alright, you may exercise your challenges as to the 12 jurors in the box (or 14 jurors in the top two rows) at this time.”
  - b) Check each name off the challenge sheet or jury chart, moving other jurors into those seats as you go.
  - c) Keep a running total of the challenges used by each side.
  - d) Advise each excused juror when to call back/when to return/where to go for further instructions, and thank them for their participation.
- 14. AFTER CHALLENGES ARE COMPLETED: Once a round is completed with no challenges exercised, inform the jury they are the ones chosen to try the case. Send them back to the jury room after the alternates, if any, are also chosen. After they have left, thank the rest of the venire and instruct them as to their future duties (i.e. call the clerk/jury coordinator).
- 15. SWEAR JURY: “LADIES AND GENTLEMEN, PLEASE STAND AND RAISE YOUR RIGHT HANDS...”

(Choose either of the following jury oaths)

- a) “DO YOU SOLEMNLY SWEAR OR AFFIRM THAT IN THIS CASE NOW FOR TRIAL YOU WILL WELL AND TRULY TRY THE ISSUES JOINED AND A TRUE VERDICT RENDER ACCORDING TO THE LAW AND THE EVIDENCE, SO HELP YOU GOD?”

OR

- b) “DO YOU SOLEMNLY SWEAR OR AFFIRM TO WELL AND TRULY TRY THE ISSUES THAT TRAVERSE HEREIN, JOINED BETWEEN THE STATE OF TENNESSEE AND THE DEFENDANT, \_\_\_\_\_, UPON A TRUE BILL OF INDICTMENT CHARGING HIM/HER WITH THE OFFENSE(S) OF \_\_\_\_\_, A TRUE DELIVERANCE MAKE, AND A TRUE VERDICT RENDER, ACCORDING TO THE LAW AND EVIDENCE, SO HELP YOU GOD?”

“PLEASE BE SEATED.”

If the jury is to be sequestered, as soon as the jury is sworn, administer the following oath to the court officers who will be with the jury:

“DO YOU SOLEMNLY SWEAR OR AFFIRM THAT YOU WILL TAKE CHARGE OF THIS JURY, KEEP THEM SEPARATE AND APART FROM ALL PERSONS, NOT ALLOW THEM TO COMMUNICATE IN ANY MANNER WITH ANYONE, NOR ANYONE WITH THEM, AND AS IT CONCERNS THE MATTER ON TRIAL NOR WITH YOU, NOR YOU WITH THEM, AND THAT YOU WILL DELIVER THEM SAFELY INTO COURT, SO HELP YOU GOD?”

- ☐ 16. AFTER THE JURY IS SWORN BUT BEFORE THE INDICTMENT IS READ:

Give the jury some basic instructions on procedures and law consistent with T.P.I. – Crim. 1.00, “Preliminary jury instructions.”

### **PRELIMINARY JURY INSTRUCTIONS**

Before we begin the trial, I would like to tell you a little bit about what will happen during the course of the proceedings. I want to describe basically how the trial will be conducted and what the attorneys, jurors, and judge will be doing over the course of the trial. At the end of the trial, I will give you more detailed instructions on how you are to go about reaching your decision, but now I simply want to explain how the trial will proceed.

The/Each defendant has been charged by the State of Tennessee with a violation of state law. The document containing the charge(s) is referred to as an indictment. An indictment is the formal accusation charging a defendant with a crime and is not evidence of anything.

The defendant(s) is/are charged with \_\_\_\_\_. The crime(s) is/are defined as \_\_\_\_\_.

### **OPTIONAL**

**The essential elements of the offense(s) are:**

\_\_\_\_\_.

The/Each defendant has pled not guilty to the charge(s). He/She is presumed innocent and may not be found guilty by you unless, after hearing all of the evidence, attorneys’ arguments, and instructions of law, the 12 jurors seated in this case unanimously find that the State has proven its case beyond a reasonable doubt.

The first step in the trial will be the attorneys' opening statements. The State will tell you about the evidence it intends to present so that you will have an idea what the State's case is about. This opening statement is not evidence. Its only purpose is to help you understand what the evidence will be and what the State will attempt to prove. After the State's opening statement, an attorney for the defendant(s) may make an opening statement if he or she should so choose. Again, statements of attorneys are not evidence.

Next will be the State's case-in-chief, in which the State will present its evidence. The evidence in the case will most likely consist of physical exhibits, documents, and the testimony of witnesses. The witnesses will testify by answering questions asked by the attorneys.

After the State completes its case-in-chief, the defense will be given an opportunity to present evidence through witnesses and exhibits. A defendant is not required to put on any evidence or to testify. The burden is always on the State to convince you that the defendant is guilty beyond a reasonable doubt. If the defense does present proof, the State may then put on what is known as "rebuttal" proof. After the State's rebuttal, the defense may put on further proof.

[Languages other than English may be used during this trial. The evidence that you are to consider is only that provided through the official court interpreter. Although some of you may know the language of the non-English language used, it is important that all jurors consider the same evidence. Therefore, you must base your decision on the evidence presented in the English interpretation. You must disregard any different meaning of the non-English words.]

After you have heard all of the evidence, the State and the defense may present final arguments. I previously told you that opening statements by the attorneys are not evidence. Likewise, closing arguments are not evidence. In closing arguments, the parties will attempt to summarize their cases and help you understand the evidence that was presented.

The final part of the trial occurs when I instruct you about the rules of law that you are to use in reaching your verdict. After you hear my instructions, I will *[select and excuse]* the alternate juror(s), and the final 12 jurors will leave the courtroom together as a group. You will then begin your deliberations to make a decision in the case. Your deliberations will be secret, and you will not be required to explain your verdict to anyone.

Now that I have described in outline form the trial itself, let me explain the functions that you and I will perform during the trial. I will decide which rules of law apply to the case. My decisions will be reflected in my responses to questions and objections the attorneys raise during the trial as well as in my final jury instructions. It is your job to determine what the facts are from the evidence. You must then apply the law in my instructions to the facts, and from that application you will arrive at a verdict.

The State has the burden of proving the guilt of the defendant beyond a reasonable doubt, and this burden remains on the State throughout the entire case. Keep in mind that the defendant is presumed to be innocent of the charge(s) against him/her. Thus, a defendant is not required to prove his/her innocence, to have his/her attorney make any statements or arguments, or to produce any evidence.

You, as jurors, must decide whether the State has proven beyond a reasonable doubt that the defendant [each of the defendants] has committed the crime(s) charged in the indictment. **(OPTIONAL: You must consider the evidence in each Count and each defendant separately.)** You must base that decision only on the evidence in the case and my instructions about the law. An important part of your job will be making judgments about the testimony of the witnesses who testify. You should decide whether you believe what each person says and the importance of his or her testimony. In making that decision I suggest that you ask yourself a few questions: Did the person impress you as honest? Did he or she have any particular reason not to tell the truth? Did he or she have a personal interest in the outcome of the case? Did the witness seem to have a memory of the events he or she testified about? Did the witness have the opportunity and ability to observe accurately the things he or she testified about? Did he or she appear to understand the questions clearly and answer them directly? Did a witness' testimony differ from the testimony of other witnesses? These are a few of the considerations that will help you determine the accuracy of each witness' testimony.

In making up your mind and reaching a verdict, do not base any decisions on the fact that there were more witnesses on one side than on the other. Likewise, do not reach a conclusion on a particular point just because more witnesses testified for one side on that point. Your job is to think about the testimony of each witness you heard and decide the facts.

Some of you have probably heard the terms "circumstantial evidence" and "direct evidence." These are the two basic types of evidence that exist in law. Direct evidence is direct proof of a fact, such as the testimony of an eyewitness. Circumstantial evidence is proof of facts from which you may infer or conclude that other facts exist. I will give you further instructions on these as well as other matters at the end of the case. Keep in mind that you may consider both kinds of evidence, which are considered to be of equal value in the law.

The Court will not provide you with a transcript of the testimony at the end of the trial. Therefore, you must listen very carefully to the testimony. Each of you will be allowed to take notes during the trial for your own use during your deliberations. You are not required to take notes. Independent memory can be as accurate as written notes. You will be provided with paper and a pen if you decide to take notes.

During the course of the trial, you should not talk with any witness, defendant, or attorney involved in this case. Please do not talk with them about any subject whatsoever.

You may see them in the hallway, on an elevator, or at some other location. If you do, perhaps the best standing rule is not to say anything.

You also should not discuss this case among yourselves until I instruct you on the law and you start deliberating at the end of the case. It is important that you wait until all of the evidence is received and you have heard all of my instructions on the rules of law before you deliberate among yourselves.

During the course of the trial, you will receive all of the evidence you may properly consider to decide the case. Because of this, you should not attempt to do any research on your own or gather any information on your own that you think might be helpful. Do not engage in any outside reading, visit any places mentioned in the case, or try to learn about the case outside of this courtroom in any other manner.

I do not know if there will be any media reports in the newspapers, on TV, or on the radio about this particular case. If there are, you are not permitted to read, watch, or listen to those reports. You, as jurors, must base your decision solely on the evidence you hear in the courtroom.

At times during the trial, an attorney may make an objection to a question that is asked by another attorney or to an answer that a witness gives. This simply means that the attorney is requesting that I make a decision on a particular rule of law. Do not draw any conclusions from the fact that an objection was made or from my ruling on that objection. My rulings only relate to the legal questions that I must determine and should not influence your thinking.

If I sustain an objection to a question, the witness will not be permitted to answer the question. Do not attempt to guess what the answer might have been, had the witness been permitted to give it. Similarly, if I tell you not to consider a particular statement that was made, you should put that statement out of your mind and you may not refer to that statement in your later deliberations.

**INSERT OPTION A**

**You may not ask questions. It is the responsibility of the attorneys to present the evidence. You must decide the case on the evidence presented to you.**

**OR**

**INSERT OPTION B**

**If you have a question about the testimony of a witness, write it down and present it to a court officer at the end of the witness' testimony. The court officer will then present the question to me. After consultation with the attorneys, I will decide whether the question may be asked of the witness.**

**(OPTIONAL)**

**During the course of the trial, I may ask a question or two of a witness. If I do, that does not indicate that I have any opinion about the facts in the case or that I have any opinion with respect to that witness' credibility.**

Finally, during the course of the trial, I may have to interrupt the proceedings to confer with the attorneys about the rules of law that should apply. In some cases, we may have bench conferences in the courtroom outside of your hearing. And in some instances, I may ask you to retire to the jury room while we discuss a matter out of your presence. I will try to avoid as many of these interruptions as possible. We will try to resolve some of these things in the morning before we get started. I ask your patience because these interruptions are necessary points in the trial where we have to resolve legal issues. In the long run, they save time for all of us.

If after your deliberations you find the defendant(s) guilty of any offense, the Court will set the punishment at a separate sentencing hearing. The jury will not be involved in setting the punishment. [Modify for LWOP and Death Penalty.]

This completes my opening comments to you. We will now proceed with the reading of the indictment.

☐ 17. INDICTMENT:

- a) DA or ADA reads the Indictment.
- b) Judge: "How does the defendant plead to the indictment [count]?" (If more than one indictment or count, you may wish to ask this after each indictment or count is read.)

**MAKE SURE THE PROSECUTOR INCLUDES THE DATE THE INDICTMENT WAS FOUND TO BE A TRUE BILL.**

☐ 18. OPENING STATEMENTS:

- a) "Does the State wish to make an opening statement?"
- b) "Does the Defense wish to make an opening statement?"

Limiting time on opening statements may be unconstitutional in a criminal case, unless both sides agree on a time limit, or if one side is being repetitive. Neither side is allowed to be persuasive, or to comment on anything other than what they expect the proof to show.

☐ 19. TESTIMONY: "State, you may call your first witness."

**BE SURE EACH WITNESS IS SWORN!**



“Do you solemnly swear or affirm to tell the truth, the whole truth, and nothing but the truth, so help you God?”

Direct Examination

Cross-Examination

Re-direct Examination

Re-cross Examination

(Depending on time of testimony—“Does anyone need a recess?”)

“Call your next witness.”

- 20. When the State rests its case in chief, ask the jury to step out. (You must entertain a motion for judgment of acquittal, inquire about a Momon hearing, and allow for the Defense to talk with the Defendant and decide whether or not to put on proof. If there will be no proof, you may wish to go over the jury instructions with the attorneys and let them prepare for closing argument before having them rest in front of the jury.)

“Members of the jury, we have a matter we need to take up outside your presence. Take a short break in the jury room. Remember the admonitions the Court gave earlier. Do not discuss the case among yourselves or anyone else, and we will be back with you in a few minutes.”

**JURY IS OUT**—“Are there any motions at this time?”

- 21. **DEFENSE MOTION FOR JUDGMENT OF ACQUITTAL:** Court rules on this Motion taking the State’s case at its best light.
- 22. While the jury is still out, discuss the following:
  - a) Length of defense proof (# of witnesses), remind defense counsel that a Momon hearing is required immediately prior to the defendant’s testimony or the decision to rest without the defendant testifying. If the defense is putting on no proof at all, have the hearing at this time.
  - b) Defense counsel must show at a minimum the defendant knows and understands the following:
    - i. Defendant has the right not to testify, and if the defendant does not testify, the jury (or the court) may not draw any inferences from the defendant’s failure to testify;
    - ii. Defendant has the right to testify and if the defendant wishes to exercise that right, no one can prevent the defendant from testifying; and

- iii. Defendant has consulted with his or her counsel in making the decision whether or not to testify; the defendant has been advised of the advantages and disadvantages of testifying; and the defendant has voluntarily and personally waived the right to testify.
- iv. This hearing cannot be waived.
- c) Next, determine if any jury instructions can be agreed on now?

Note: If the defense has no witnesses, or very few, agree on jury instructions now to avoid jury-in/jury-out.

- ☐ 23. Defense presents case.

Direct Examination (Defense)

Cross-Examination (State)

Re-direct Examination (Defense)

Re-cross Examination (State)

- ☐ 24. Does the State wish to present any rebuttal? If yes, call witness.
- ☐ 25. Defense sur-rebuttal (only if State presents rebuttal)
- ☐ 26. AFTER ALL PROF IS CONCLUDED:

Trial judge should excuse the jury again, stating “Ladies and Gentlemen, you have now heard all the proof in the case. We are now going to take a short break while I go over your instructions with the attorneys and let them have a few minutes to prepare their closing arguments, if any. The State may give a closing argument, and the Defense may give a closing argument. If the Defense gives a closing argument, the State will be allowed to give a final rebuttal argument if it wishes. This is because the State has the burden of proof in this case. During this break, even though you have heard all the proof, do not discuss the case among yourselves or with anyone else. We will be back with you in just a few minutes/at \_\_\_\_\_ o’clock.”

Go over the jury instructions with the attorneys and decide whether the jury will be charged before or after closing argument. By statute, the Defense should file a written motion for any lesser included offenses it wishes charged, and any special instructions by either side should be submitted in writing. You are encouraged to charge the jury prior to argument, and, if time permits, it would be helpful to give the jury and/or the attorneys a copy of the jury instructions to follow along with as the instructions are being read.

- 27. JURY CHARGE/CLOSING ARGUMENT. After the jury instructions have been read to the jury:

Ladies and Gentlemen of the jury, the Court will now instruct you as follows:

“Does the State wish to give a closing argument?”

“Does the Defense wish to give a closing argument?”

“Does the State wish to give a rebuttal argument?”

Trial judge should remember to ask the jurors, attorneys, or other court personnel if anyone needs a break if the charge or arguments are lengthy.

If the judge feels it necessary to set time limitations on closing arguments, the beginning and ending times should be recorded by the court reporter.

- 28. If there are alternates, ask “Is everyone doing ok?” Excuse the alternates and tell them not to go with the jury into the deliberation room. “Remain here in your seats, [or, “Have a seat in the back of the courtroom/in chambers...”] and I will give you further instructions after the jury leaves to begin deliberations. If you have any possessions in the jury room, the bailiff/court officer/deputy will get them for you once the jury is in place and all the exhibits have been taken to the jury room.”
- 29. SWEAR COURT OFFICER/BAILIFF. (It is not necessary to swear court officers unless the jury is sequestered. Some judges always do. If the jury is sequestered, the court officer should have been sworn immediately after the jury is sworn. Oath:

“Please state your name for the record... Do you solemnly swear or affirm that you will:

1. Take charge of this jury, and
2. Keep them separate and apart from all others, and
3. Not allow them to communicate with any other people, and
4. Bring them back at the appointed time, so help you God?”

- 30. JUROR QUESTIONS.

“Ladies and Gentlemen of the jury, if a question arises during deliberations and you need further instructions, please print your question on a sheet of paper, knock on the door of the jury room (or ring the bell), and hand the question to my court officer. You may not discuss the case with my court officer.

I will read your question and I may call you back into the courtroom to try to help you. Please understand that I may only answer questions about the law and I cannot answer questions about the facts of the case.”

- ☐ 31. IF BAILIFF/COURT OFFICER IS NEW: Instruct him/her:
  - a) WHERE DOORS ARE TO BE LOCKED.
  - b) TO SIT AT THE JURY ROOM DOOR (ENSURE ONLY ONE ENTRANCE)
  - c) DESIGNATE BREAKS AND PROVISIONS FOR SMOKERS
  - d) IF JURORS HAVE QUESTIONS, SEND NOTE THROUGH BAILIFF/COURT OFFICER
  - e) DO NOT DISCUSS THE CASE WITH THE JURORS
  - f) JURORS MAY NOT ASK BAILIFF/COURT OFFICER QUESTIONS ABOUT THE CASE.
- ☐ 32. “LADIES AND GENTLEMEN, YOU MAY NOW RETIRE TO DELIBERATE.” Record time-out.
- ☐ 33. JURY SENDS WORD THEY ARE READY. Record time back in. Round up attorneys, defendant, court reporter and clerk.
- ☐ 34. GO ON RECORD BEFORE THE JURY COMES IN. “Bring in the jury.”
- ☐ 35. COURT RECEIVES THE VERDICT. “I hear the jury has reached a verdict, is this correct?”

First, the judge should examine the verdict. If it is in an incorrect form it is better that the judge ask the jury to retire to correct it before it is read. Sometimes more than one form is filled out. “I’m sorry, but the verdict form is not one/contains more than one of the verdict forms given to you in your jury instructions, and so I am going to have to ask you to continue your deliberations at this time.”

When proper verdict forms are returned, the judge should say the following:

- a) “May I see the verdict form please?”
- b) “Ladies and Gentlemen, would you please identify the foreperson of this jury?”
- c) “(To foreperson) Have you reached a verdict in this case?”
- d) “(To foreperson) What is your verdict?” Or “The verdict reads as follows...”
- e) “Did you agree on a fine?” (Unnecessary if the fine is already included in the verdict form or if this has been waived)

- f) “(To the jury) Do each of you agree that is your verdict?” (Optional: “If so, please raise your right hand.”)
  - g) “Let the record reflect that each member of the jury has raised his or her hand and that there are no dissenting votes” or ask “Does anyone say this is not your verdict?”
  - h) If you use verdict forms, verify with the attorneys the content of the forms and mark them as the next numbered exhibit.
- ☐ 36. DISMISS THE JURY: “THANK YOU. THIS SYSTEM WORKS BECAUSE OF CITIZENS LIKE YOU. THANK YOU ON BEHALF OF THE COURT, THE ATTORNEYS, COURT PERSONNEL, AND THE CITIZENS OF THIS COUNTY FOR YOUR SERVICE TO THE COMMUNITY.”
  - ☐ 37. IF THE JURY IS HUNG, CONSIDER RE-INSTRUCTING THEM AS TO T.P.I.- CRIM. 43.02. IF STILL HUNG, YOU MUST QUESTION THE JURY USING THE PROCESS DESCRIBED IN T.C.R.P. 31(d)(2) FOR A HUNG JURY.

#### **AFTER JURY FILES OUT**

- ☐ 38. “DEFENDANT, PLEASE RISE... A JURY OF YOUR PEERS HAS FOUND YOU (GUILTY OF \_\_\_\_\_/NOT GUILTY OF \_\_\_\_\_).

(Dismiss the defendant if found not guilty.)

AND HAVE RETURNED A FINE OF \$\_\_\_\_\_. THIS COURT AGREES WITH AND APPROVES THE JURY’S VERDICT AS THE THIRTEENTH JUROR.”

- ☐ 39. DISCUSS BOND AND SENTENCING HEARING DATE. (IF A FELONY, ORDER A PRE-SENTENCE REPORT)

IF A MISEDMEANOR: “DOES ANYONE OBJECT TO SENTENCING THE DEFENDANT NOW?” OR “DO BOTH SIDES AGREE TO WAIVE A PRE-SENTENCE REPORT?”

ADJOURN COURT.