

Criminal Jury Trial

1. This is the time previously set for trial in case number _____, the State of Nevada, Plaintiff versus _____, Defendant. Let the record show the presence of the Defendant in court, in person, and represented by his Attorney, _____, and that the State is represented by _____. Are you ready to proceed?
2. (If any prospective juror fails to appear) – will counsel stipulate that we may proceed in the absence of the prospective juror(s) who failed to appear? (If not stipulated, recess and send sheriff after absent members of the panel.)
3. The defendant is advised that challenges to individual jurors must be made before such juror is sworn.
4. The jury will be selected as follows: names will be drawn by the clerk. Those named will be seated and qualified for cause – any member excused for cause will be replaced by another member of the panel. Once the required number of prospective jurors have been qualified for cause, we will recess, and counsel will, in chambers exercise their peremptory challenges to reduce the number of jurors who will actually try the case. If any peremptory challenges are waived, an equal number of jurors will be stricken, in the reverse order in which they were originally drawn.
 - a. The clerk will now draw the names of the prospective jurors from the jury list. As your names are called please step forward and be seated in the jury box in the order

in which your names are called. The seats in the box are numbered. (indicate designation)

5. The clerk will now swear all prospective jurors – those in the box and those still outside the rail – to answer truthful to all questions propounded to them concerning their qualifications to serve as jurors in this case. Ladies and gentlemen, will you all please rise, face the clerk, raise your right hands and be sworn. (Oath: Do you, and each of you, (solemnly swear, or affirm under the pains and penalties of perjury) that you will well and truly answer all questions put to you touching upon your qualifications to serve as jurors in the case now pending before this court (so help you God)?)
6. This district attorney will now state the nature of the case to the prospective jurors. This includes not only those now seated in the jury box, but also those still outside the rail who may be called later.
7. The following comments are directed to all prospective jurors – those seated in the jury box as well as those still outside the rail. It is important that all of you pay close attention to what is going to happen not. It is not only possible but probable that some of the people now in the jury box will be excused and that some of you outside the rail will take their places.

The purpose of what not follows is to ascertain if you are qualified under the law to serve as a juror in this particular case. That is: are you so unrelated to the parties their attorneys and the facts of the case that would be able to act as a fair and totally impartial juror? To make this determination, I will first ask you a number of questions.

The attorneys will then be permitted to ask you questions on matters not covered by the Court. You are obligated by the oath you just took to answer all such questions fully and truthfully.

If any of your answers appear to reveal a legal basis for you to be excused as a juror, one of the attorneys will challenge you. That is, the attorney will request that you be excused. If the court agrees with the reasons stated for the challenge, you will be excused from further service in this case, and the name of another prospective juror will be drawn. These challenges are called challenges for cause.

Once the required number of jurors have been qualified for cause, the attorneys may then exercise another type of challenge called a peremptory challenge. Each side is allowed peremptory challenges. If either side, for any reason or for no reason at all, make this type of challenge against you, the court has no alternative but to excuse you. If that happens, don't feel that anything is wrong with you. It simply means that the attorney who so challenges you believes – rightly or wrongly – that you would not be as receptive to his case as another prospective juror might be. You will know if such a challenge has been exercised against you when the Court calls the roll of those who will serve as jurors.

During this questioning I ask all of you to bear in mind that neither I nor the attorneys want to embarrass you or to match wits with you. We are only seeking relevant information upon which to decide your qualifications as a possible juror.

I will now ask the questions I mentioned earlier. If any juror in the box would answer the following questions affirmatively, such juror will raise his hand. If any juror so indicates an affirmative answer, I will explore the matter further. I encourage you not

to hesitate to raise your hand should you feel it appropriate. The integrity of our entire judicial system depends upon obtaining jurors who are disinterested, unbiased, and unprejudiced, and the only way we can do this is through the question and answer process we are now to begin.

Initially, (District attorney), will you introduce yourself to the Court and advise the prospective jurors of the names of other attorneys in your office and the names of your office staff.

(Defense Counsel), will you introduce yourself and your client and also advise the prospective jurors of the names of other attorneys in your office.

8. Is any juror acquainted with the Defendant in this case?
9. Is any juror acquainted with any of the attorneys involved in this case or with any of his associates? (State the name of the members of the firm).
10. Are any of you acquainted with any member of the District Attorney's office of the County?
11. Is any juror acquainted with any law enforcement personnel – police officer, sheriff, deputy sheriff, highway patrolman, etc.?
12. If any law enforcement officer were to testify in this case, would any juror tend to give any more or any less weight to his testimony simply because he or she is a law enforcement officer?
13. Does anyone know anything about the facts of this case?
14. Have any of you read any newspaper accounts of, or seen or heard any radio or television broadcasts concerning this case?

15. Has any juror formed or expressed any opinion as to the guilt or innocence of the Defendant or as to any other matter connected with this case?
16. Do any of you have other than a passing interest in the outcome of this case?
17. Does any juror entertain any bias or prejudice for or against the State of Nevada or the Defendant?
18. The prospective witnesses in this case are (Have each side list the witnesses). Do you know any of the witnesses?
19. Sometimes harsh and foul words will be used by counsel quoting witnesses and by witnesses testifying as to the facts as they recall them. This can be embarrassing to those of you who do not use and hear such words in your ordinary life. Will that cause any of you to be so embarrassed as to prevent you from paying full attention to the evidence or serving as a fair and impartial juror?
20. At the conclusion of the evidence, I will state to you the law applicable to this case. I will instruct you that it is your duty to apply the law to the facts as found by you. Would any juror be reluctant to apply the general principles of law which will be so stated by the Court?
21. In this case the Defendant is charged with _____. Does any juror have any quarrel with the principle that _____ is declared to be a criminal offense in this state?
22. If the Court were to instruct you at the conclusion of this case that, "A defendant in a criminal action is presumed to be innocent until the contrary is proved; and in case of a

reasonable doubt whether the defendant's guilt is satisfactorily shown, the defendant is entitled to be acquitted." would each of you accept and follow that instruction?

23.If the Court were to instruct you that "A reasonable doubt is one based on reason. It is not mere possible doubt, but is such a doubt as would govern or control a person in the more weighty affairs of life. If the minds of the jurors, after the entire comparison and consideration of all the evidence, are in such a condition that they can say they feel an abiding conviction of the truth of the charge, there is not a reasonable doubt. Doubt to be reasonable must be actual, not mere possibility or speculation." would each of you accept and follow that instruction?

24.Have any of you ever served on a jury before – criminal, civil, or grand jury? (If yes, type of jury and whether a verdict was returned, and whether anything in that experience would prevent juror from being fair and impartial in this case.)

25.Are any of you now, or have you ever been, involved in any type of litigation – civil or criminal? (If yes, the nature of the litigation and involvement, and whether that experience would prevent juror from being fair and impartial in this case.)

26.(If applicable.) Does any juror harbor any prejudice whatsoever against the race or nationality of the attorneys or of the Defendant?

27.Is there any one of you who would not like to be tried by a jury composed of people having the same frame of mind you now have?

28.Does any juror have any health reasons which would prevent him or her from serving as an unbiased and impartial juror in this case, such as impaired vision or hearing, back injury, etc.?

29. Do any of you have any business or personal reason which you feel would interfere with your impartiality as a juror in this case?
30. Is there any juror now in the box who know of any reason why he or she could not act as fair and impartial juror in this matter?
31. I would now like each juror to stand, state his or her name, residence, occupation, marital status, spouse's occupation and ages of children, starting with juror number one.
32. The attorneys may now proceed with any supplemental examination of the jurors on matters not covered by the Court, commencing with the State. (Continue until able to pass those seated for cause.)
33. The Defendant may now examine the jurors.
34. (If any juror is excused for cause). The Clerk will now draw one additional name from the jury list to fill the vacant seat.
35. (Determine whether alternate jurors are needed.) Limited to 4 alternates. Clerk is directed to draw additional names from the jury list as alternates. After all are qualified for cause, each side has 1 peremptory challenge if there are 1 or 2 alternates, or 2 peremptory challenges if there are 3 to 4 alternates. These peremptory challenges may only be exercised against one of the alternates.
36. (After # jurors are passed for cause, recess and allow counsel to exercise peremptory challenges in chambers.)

37. The members of the panel whose names were not called, you are now excused. If any of you who wish to do stay you are invited to remain as spectators. I wish to thank all of you on behalf of the Court and the parties. Our system of trial by jury

cannot operate without a sufficient number of prospective jurors, from which the actual trial panel may be chosen. Your attendance at, and attention to these proceedings has permitted us to reach the stage where this case can be tried and finally decided. Checks for the statutory juror's fee will be mailed to each of you within the next week. Call the Clerk if you do not receive it.

38. Ladies and gentlemen of the jury, I would now like to explain briefly the role each person in the courtroom is to play in these proceedings. You, the Jury, will, at the conclusion of the evidence, determine the facts in the case and then apply those facts to the law which will be stated to you by the Court and, on that basis, reach a verdict consistent with the facts and law.

39. It is the duty of the attorneys to present their respective cases in the most favorable light consistent with the truth and the law. But statements and arguments of counsel made during the trial are not to be treated by you as evidence, except as to matters of fact which have been stipulated to by both attorneys.

40. Keep an open mind. You must refrain from forming or expressing any opinion concerning the case until all of the evidence is in, the attorneys have made their closing arguments, you have received the Court's instructions as to the law, and you have retired to the Jury room to find your verdict.

41. During the trial do not discuss the case among yourselves or with any other person. Do not allow anyone to speak of it in your presence. You are not to read, listen to or observe any newspaper, radio or television account of the trial while it is in progress. You are not to perform any independent investigation regarding the law or facts of this

case. You cannot discuss the case with anyone or post any information regarding the case on social media.

42. Not only must your conduct as jurors be above reproach, but you must avoid even the appearance of any improper conduct. Do not talk to the Defendant, the attorneys or the witnesses during the trial, even upon matters unconnected with the case. In the event that any person should attempt to influence you with respect to it, you are to advise the Bailiff who will, in turn, advise the Court.

43. Any rulings made by the Court during the course of this trial will be based upon controlling law of the State of Nevada. Accordingly, you must not infer any leaning on my part based upon such rulings or infer any feelings on my part for or against either side in this case.

44. If any objections to the admission of evidence is sustained, you must not speculate as to what the answer might have been or draw any inferences from the question itself.

45. During the course of the trial, matters of law may have to be decided outside the presence of the jury. Again, you are not to speculate or be concerned in any way to the reason for such occurrences. I assure you that they will be as limited in frequency and in duration as the law permits.

46. Observe carefully each witness as he or she testified and consider carefully all of the evidences it is presented for it is you who must determine the credibility of the witnesses and wherein the truth lies.

47. If, during the examination of witness some questions occur to you, be patient. The answers will probably be given before the case is concluded, if not, write your question on a slip of paper and hand it to the Bailiff during a recess. He will then give it to me, and, if the question is a proper one under the law, I will see that it is answered.

48. At the end of trial you will have to make your decision based on what you recall of the evidence. To assist notes during trial, and for that purpose you have been or will be provided with pencils and note pads. You are cautioned, however, that in the event of an irreconcilable conflict between the notes of the individual jurors during deliberations, you are not to rely upon your notes, as the reporter's notes contain the complete and authentic record of the trial. You will not have a written transcript to consult and it is difficult and time consuming for the reporter to read back lengthy testimony. I urge you to pay close attention to the testimony as it is given to avoid the necessity of difficult and time-consuming read backs by the reporter.

49. The clerk will now swear the jury (and the alternates) in.

50. Ladies and gentlemen of the jury you are admonished that (a) no juror may declare to his fellow jurors and fact relating to the case as of his own knowledge. And (b) if any juror discovers during the trial or after the jury has retired that he or she or any other juror has personal knowledge of any fact in controversy in the case, he or she shall disclose such situation to the judge out of the presence of the other jurors.

51. You are to use the jury room during all short recesses in the trial. The Bailiff will open the jury room for you following each noon or overnight recess. If you should need

anything for your personal comfort during the course of the trial, please advise the Bailiff, who will make every effort to accommodate you.

52. The clerk will now read to the jury the information filed by the State in this case and state to the jury the plea thereto entered by the Defendant.

53. We have now reached the stage of the proceedings where the attorneys may make their opening statements. The law provides that the District Attorney make his opening statement first. Defense Counsel may then make his opening statement or reserve it until the conclusion of the State's evidence. (District Attorney) you may proceed.

54. (Defense Counsel) do you want to make your opening statement now or reserve it until the close of the State's evidence?

55. The State will now call its first witness.

56. (After conclusion of the State's evidence). The Defense may now proceed.

57. (Rebuttal by the State).

58. (Sur-rebuttal by Defense).

59. Ladies and gentlemen of the Jury, Before the case may be argued by counsel and submitted to you for deliberations, it is necessary that the Court and counsel meet out of the presence of the jury for the purpose of settling the instructions that will be given to you on the law applicable to this case. We will attempt to expedite this process as much as possible. However, it is an extremely critical stage of this entire proceeding, and both counsel and I ask that you bear with us during this unavoidable delay. Court is in recess, subject to call. (Discussion in chambers of Court's proposed instructions and additional

proposed instructions and objections to instructions). Court reconvenes outside of the presence of the jury to settle instructions on record.

60. The record will reflect that Court has reconvened outside the presence of the jury for the purpose of settling the jury instructions. The record will further reflect that the Court has provided to the State and to the defense copies of those instructions which the Court proposes to give. Is that Correct?

61. Does the State object to any of the Court's proposed instructions? (If yes, objectionable instructions must be designated and objection stated).

62. Does the Defense object to any of the Court's proposed instructions? (If yes, objectionable instructions must be designated and objection stated).

63. Does the State wish to offer any instructions in addition to those proposed by the Court? (If yes, objectionable instructions must be designated and objection stated. Make ruling in or out. If out, sign and write not given and give to clerk to mark and file).

64. Does the defense wish to offer any instructions in addition to those proposed by the Court? (If yes, objectionable instructions must be designated and objection stated. Make ruling in or out. If out, sign and write not given and give to clerk to mark and file).

65. Will counsel stipulate on the record that the instructions have been settled in open court?

66. (Does either party request that the jury be instructed prior to argument?)

67. (Jurors return). Ladies and gentlemen of the jury, I am about to instruct you upon the law as it applies to this case. I would like to instruct you orally, without reading to you.

However, these instructions are of such importance that almost every word is critical.

Therefore, it is necessary for me to read to you from carefully prepared, written

instructions. The instructions are relatively long and complicated. If they are not especially clear when I read them to you, please bear in mind that when you go to the jury room, you will be able to take these written instructions with you, so that you can read and consider them carefully.

68.(Instructions read). Ask attorneys to stipulate that Court properly read the instructions.

69.(District Attorney) you may now make your closing argument.

70.(Defense Attorney) you may now make your closing argument.

71.(District Attorney) you may now conclude the arguments.

72.(Alternate juror must now be excused unless counsel will stipulate that he or she be placed in charge of officer, held apart from other jurors and taken to jury room if a vacancy occurs).

73.The jury may take with them to the jury room all papers and other items which have been received by as evidence in this case, except depositions; the written instructions given by the court; and all notes taken by the members of the jury further information or instruction.

74. Tell attorneys to review all evidence and make sure with court clerk that only admitted evidence is sent back to jury.

75.Court will be in recess, subject to the call of the jury.

76.(Jury returns and Court reconvenes). The clerk will now call the roll of the jury.

77.Ladies and gentlemen, which of you has been selected as foreperson?

78.(Foreperson), have you reached a verdict?

79.The foreperson will please hand the verdict to the bailiff who will, in turn, hand it to the Court.

80.The clerk will now read the verdict.

81.Ladies and gentlemen of the jury, is this your verdict so say one, so say you all?

82.Before the verdict is recorded, does either the State or the defense request that the jury be polled?

83.The Clerk will now record the verdict of the jury in the minutes of the Court.

84.(Thank the jury, explain that they are excused from further service for the balance of the year and the following year and that checks for the statutory jury fees will be mailed to them shortly).

85.(If the verdict is not guilty). The jury having found the Defendant not guilty, the Court now enters upon the minutes a judgment of acquittal. The Defendant is ordered released from custody and any bail posted exonerated.

86.(If verdict is Guilty). The jury having found the Defendant guilty, the Defendant is remanded to the custody of the Sheriff of this county to await the judgment of the Court on the verdict. The matter is referred to the Nevada State Department of parole and probation for presentence investigation and report. The ____ day of _____, _____, is fixed as the date and time for pronouncing judgment and imposing sentence.

(Bail at this stage is discretionary with the Court.)

Oath of Officers in Charge of Jury

Court: The Clerk will now swear the officers to take charge of the Jury.

Oath: Do you solemnly swear that you will conduct this jury to some private and convenient place for their deliberation; there keep them together; that you will suffer no person in any manner to speak to or communicate with them, nor do so yourselves, except to ask if they have reached a verdict, and when they have agreed, that you will conduct them into Court, unless otherwise ordered by the Court, so help you God.

Court: The Clerk will now swear the officers to take charge of the alternate juror(s)

Clerk: Do you solemnly swear that you will conduct this/these alternate juror(s) to some private and convenient place, other than where the jury is in deliberation, that you will suffer no person in any manner to speak or communicate with him/her/them, nor do so yourselves; that you will keep him/her/them in your charge until the further order of this Court.

Admonishment to Defendant Testifying

(Defendant), before you testify I want to admonish you that:

- A. You have the privilege against self-incrimination which is a constitutional privilege.
- B. Have you discussed this right with your attorney?
- C. Has your Attorney answered all of your questions regarding your right against self-incrimination?
- D. Do you understand that the decision as to whether you exercise your right against self-incrimination is your decision to make and not your attorney's decision to make?
- E. Do you understand that you have the right to avail yourself of the privilege and to not testify in these proceedings? Do you understand that?
- F. If you decide to do that, no inferences can be drawn from the fact that you remain silent and I will instruct the jury in that manner. Do you understand that?
- G. You also have the right to waive that privilege if you want to do that, but I have to make sure you do that freely, with a full understanding of the right and without coercion. Has anybody compelled you to testify today? Have you weighed the benefits of testifying against the bad consequences that might occur if you testify? Are you going to testify of your own free will?
- H. I make a finding that the Defendant is waiving his/her right against self-incrimination and has made his/her decision to testify voluntarily, knowingly and intelligently.

Statutes for Regarding The Jury

NRS 16.030 Drawing and examination of jurors; administration of oath or affirmation.

1. Except when the jurors are drawn by a jury commissioner, in preparing for the selection of the jury, the clerk, under the direction of the judge, shall place in a box ballots containing the names of the persons summoned who have appeared and have not been excused. The clerk shall mix the ballots and draw from the box the number of names needed to complete the jury in accordance with the procedure provided either in subsection 3 or subsection 4, as the judge directs.

2. Whenever the jurors are drawn by the jury commissioner, the judge may also direct the jury commissioner to draw, in advance, the names of additional jurors in the order they would be used to replace discharged or excused jurors pursuant to subsections 3 and 4.

3. The judge may require that eight names be drawn, and the persons whose names are called must be examined as to their qualifications to serve as jurors. If any persons are excused or discharged, or if the ballots are exhausted before the jury is selected, additional names shall be drawn from the jury box and those persons summoned and examined as provided by law until the jury is selected.

4. The judge may require that the clerk draw a number of names to form a panel of prospective jurors equal to the sum of the number of regular jurors and alternate jurors to be selected and the number of peremptory challenges to be exercised. The persons whose names are called must be examined as to their qualifications to serve as jurors. If any persons on the panel are excused for cause, they must be replaced by additional persons who

must also be examined as to their qualifications. The jury must consist of eight persons, unless the parties consent to a lesser number. The parties may consent to any number not less than four. This consent must be entered by the clerk in the minutes of the trial. When a sufficient number of prospective jurors has been qualified to complete the panel, each side shall exercise its peremptory challenges out of the hearing of the panel by alternately striking names from the list of persons on the panel. After the peremptory challenges have been exercised, the persons remaining on the panel who are needed to complete the jury shall, in the order in which their names were drawn, be regular jurors or alternate jurors.

5. Before persons whose names have been drawn are examined as to their qualifications to serve as jurors, the judge or the judge's clerk shall administer an oath or affirmation to them in substantially the following form:

Do you, and each of you, (solemnly swear, or affirm under the pains and penalties of perjury) that you will well and truly answer all questions put to you touching upon your qualifications to serve as jurors in the case now pending before this court (so help you God)?

6. The judge shall conduct the initial examination of prospective jurors and the parties or their attorneys are entitled to conduct supplemental examinations which must not be unreasonably restricted.

NRS 16.040 Challenges to jurors; peremptory challenges.

1. Either party may challenge the jurors. The challenges must be to individual jurors and be peremptory or for cause. Each side is entitled to four peremptory challenges.

2. If there are two or more parties on any side and their interests are diverse, the court may allow additional peremptory challenges, but not more than four, to the side with the multiple parties. If the multiple parties on a side are unable to agree upon the allocation of their additional peremptory challenges, the court shall make the allocation.

NRS 16.050 Grounds for challenges for cause.

1. Challenges for cause may be taken on one or more of the following grounds:

(a) A want of any of the qualifications prescribed by statute to render a person competent as a juror.

(b) Consanguinity or affinity within the third degree to either party.

(c) Standing in the relation of debtor and creditor, guardian and protected person, master and servant, employer and clerk, or principal and agent, to either party, being a member of the family of either party or a partner, or united in business with either party, or being security on any bond or obligation for either party.

(d) Having served as a juror or been a witness on a previous trial between the same parties for the same cause of action or being then a witness therein.

(e) Interest on the part of the juror in the event of the action, or in the main question involved in the action, except the interest of the juror as a member or citizen of a municipal corporation.

(f) Having formed or expressed an unqualified opinion or belief as to the merits of the action, or the main question involved therein, but the reading of newspaper accounts of the subject matter before the court shall not disqualify a juror either for bias or opinion.

(G) The existence of a state of mind in the juror evincing enmity against or bias to either party.

2. A challenge for cause for standing in the relation of debtor and creditor when the party to an action is a public utility as defined in [NRS 704.020](#) may be allowed only where the circumstances as determined by the court so warrant.

NRS 16.070 Jury to be sworn; court may order jury into custody of officer.

1. As soon as the jury is completed, the judge or the judge's clerk shall administer an oath or affirmation to the jurors in substantially the following form:

Do you, and each of you, (solemnly swear, or affirm under the pains and penalties of perjury) that you will well and truly try the case now pending before this court and a true verdict render according to the evidence given (so help you God)?

2. As soon as the alternate juror or jurors are selected, the judge or the judge's clerk shall administer an oath or affirmation to them in substantially the following form:

Do you, and each of you, (solemnly swear, or affirm under the pains and penalties of perjury) that, if required to replace a regular juror or jurors you will well and truly try the case now pending before this court, and a true verdict render according to the evidence given (so help you God)?

3. After the oath or affirmation has been administered and the jury has been fully impaneled, the court may order the jury into the custody of the sheriff or other officer selected by the court. The jurors shall not be allowed to separate or depart from the custody of the sheriff or other officer except by order of the court. The sheriff shall in such cases, at the charge of the parties to action, prepare suitable and comfortable accommodations and provide food for the jury pending the trial.

NRS 16.120 Deliberation of jury: How and where conducted.

1. After hearing the charge, the jury shall retire for deliberation until they agree upon their verdict or are discharged by the court and must be kept together in a room provided for them, under charge of one or more officers, unless at the discretion of the court they are permitted to depart for home overnight. When the jury is kept together, the officer in charge shall keep the jury separate from other persons. The officer shall not permit any communication to them, or make any himself or herself, unless by order of the court, except to ask them if they have agreed upon their verdict. The officer shall not, before the verdict is rendered, communicate to any person the state of their deliberations or the verdict agreed upon.

2. Each party to the action may appoint one or more persons, one of whom on each side is entitled to remain with the officer in charge of the jury, and to be present at all times when any communication is had with any member of the jury except when they are permitted to depart for home overnight, and no communication, either oral or written, may be made to or received from any of the jurors while they are kept together, except in the presence of and hearing of persons selected by the parties; and in case of a written communication, it must not be delivered until read by them.

3. At each adjournment of the court, whether the jurors are permitted to depart for home overnight or are kept in charge of officers, they must be admonished by the judge or another officer of the court that it is their duty not to:

(A) Communicate among themselves or with any other person concerning their deliberations or any other subject connected with the trial; or

(b) Read, watch or listen to any report of or commentary on the trial or any person connected with the trial by any medium of information, including without limitation newspapers, television and radio

NRS 16.130 Jury may take papers, materials and notes of testimony when retiring for deliberation. Upon retiring for deliberation the jury may take with them all papers, except depositions, and all other items and materials which have been received as evidence in the cause, or copies of any such papers as ought not, in the opinion of the court, to be taken from the person having them in possession; and they may also take with them notes of the testimony, or other proceedings on the trial, taken by themselves or any of them, but none taken by any other person.

NRS 16.140 Jury may come into court for further instructions. After the jury has retired for deliberation, if there is a disagreement among them as to any part of the testimony, or if they desire to be informed of any point of law arising in the cause, they may require the officer to conduct them into court. Upon their being brought into court, the court may order the court reporter to read the portion of the testimony which they request, or any part thereof, and the court may provide any information requested on the law. This shall be in the presence of or after notice to the parties or counsel.

NRS 16.170 Verdict of jury. When a jury has agreed upon its verdict, the jurors shall be conducted into court by the officer having them in charge; they shall be asked by the court, or clerk, whether they have agreed upon their verdict; and if the foreman answers in the affirmative, the verdict shall be delivered to the court who shall examine it.

NRS 16.190 Polling jury; recording verdict and discharging jury. When the verdict is given and is not informal or insufficient, the jury foreman or the clerk shall read it aloud. If the verdict is general, any party may request that the jury be polled. If a poll is requested, the clerk shall call the names of the jurors and ask each "Is this your verdict as read?" If

more than one-fourth of the jurors disagree, the jury shall be again sent out; but if no disagreement is expressed, the clerk shall fully record the verdict in the minutes, the verdict is complete and the jury shall be discharged from the case.

NRS 175.021 Formation of jury; number of jurors.

1. Trial juries for criminal actions are formed in the same manner as trial juries in civil actions.
2. Except as provided in subsection 3, juries must consist of 12 jurors, but at any time before verdict, the parties may stipulate in writing with the approval of the court that the jury consist of any number less than 12 but not less than six.
3. Juries must consist of six jurors for the trial of a criminal action in a Justice Court.

NRS 175.031 Examination of trial jurors. The court shall conduct the initial examination of prospective jurors, and defendant or the defendant's attorney and the district attorney are entitled to supplement the examination by such further inquiry as the court deems proper. Any supplemental examination must not be unreasonably restricted.

NRS 175.036 Challenges for cause for individual jurors: Grounds; trial of challenge.

1. Either side may challenge an individual juror for disqualification or for any cause or favor which would prevent the juror from adjudicating the facts fairly.
2. Challenges for cause shall be tried by the court. The juror challenged and any other person may be examined as a witness on the trial of the challenge.

NRS 175.051 Number of peremptory challenges.

1. If the offense charged is punishable by death or by imprisonment for life, each side is entitled to eight peremptory challenges.

2. If the offense charged is punishable by imprisonment for any other term or by fine or by both fine and imprisonment, each side is entitled to four peremptory challenges.

3. The State and the defendant shall exercise their challenges alternately, in that order. Any challenge not exercised in its proper order is waived.

NRS 175.061 Alternate jurors.

1. The court may direct that not more than six jurors in addition to the regular jury be called and impaneled to sit as alternate jurors.

2. Alternate jurors, in the order in which they were called, shall replace jurors who become unable or disqualified to perform their duties.

3. Alternate jurors shall:

(a) Be drawn in the same manner;

(b) Have the same qualifications;

(c) Be subject to the same examination and challenges;

(d) Take the same oath; and

(e) Have the same functions, powers, facilities and privileges, as the regular jurors.

4. If an alternate juror is required to replace a regular juror after the jury has retired to consider its verdict, the judge shall recall the jury, seat the alternate and resubmit the case to the jury.

5. Each side is entitled to one peremptory challenge in addition to those otherwise allowed by law if one or two alternate jurors are to be impaneled, two peremptory challenges if three or four alternate jurors are to be impaneled, and three peremptory challenges if five

or six alternate jurors are to be impaneled. The additional peremptory challenges may be used against an alternate juror only, and the other peremptory challenges allowed by statute may not be used against an alternate juror.

NRS 175.121 Personal knowledge of jurors.

1. The judge shall then admonish the jury that:

(A) No juror may declare to any fellow jurors any fact relating to the case as of the juror's own knowledge; and

(b) If any juror discovers during the trial or after the jury has retired that he or she or any other juror has personal knowledge of any fact in controversy in the case, the juror shall disclose such situation to the judge out of the presence of the other jurors.

2. When any such disclosure is made, the judge shall examine the juror who admits or is alleged to have personal knowledge, under oath, in the presence of counsel for the parties, and may allow such counsel to examine the juror.

3. If the juror has disclosed the juror's own knowledge to the judge and it appears that the juror has not declared any fact relating to the case to any fellow jurors as of the juror's own knowledge, the judge shall after the examination decide whether the juror shall remain or shall be replaced by an alternate juror.

4. If it appears that the juror has declared any fact relating to the case to any fellow jurors as of the juror's own knowledge, or that the juror's vote was influenced by such knowledge undisclosed, the judge shall declare a mistrial.

NRS 175.131 Judge to inform jury of right to take notes. Before any evidence has been introduced the judge may inform the jury they may individually take notes during the

trial, but the judge shall further caution them not to rely upon their respective notes in case of conflict among them, because the reporter's notes contain the complete and authentic record of the trial.

NRS 175.141 Order of trial. The jury having been impaneled and sworn, the trial shall proceed in the following order:

1. If the indictment or information be for a felony, the clerk must read it and state the plea of the defendant to the jury. In all other cases this formality may be dispensed with.

2. The district attorney, or other counsel for the State, must open the cause. The defendant or the defendant's counsel may then either make the defendant's opening statement or reserve it to be made immediately prior to the presentation of evidence in the defendant's behalf.

3. The State must then offer its evidence in support of the charge, and the defendant may then offer evidence in his or her defense.

4. The parties may then respectively offer rebutting testimony only, unless the court, for good reasons, in furtherance of justice, permit them to offer evidence upon their original cause.

5. When the evidence is concluded, unless the case is submitted to the jury on either side, or on both sides, without argument, the district attorney, or other counsel for the State, must open and must conclude the argument.

NRS 175.211 Definition of reasonable doubt; no other definition to be given to juries.

1. A reasonable doubt is one based on reason. It is not mere possible doubt, but is such a doubt as would govern or control a person in the more weighty affairs of life. If the minds of the jurors, after the entire comparison and consideration of all the evidence, are in such a condition that they can say they feel an abiding conviction of the truth of the charge, there is not a reasonable doubt. Doubt to be reasonable must be actual, not mere possibility or speculation.

2. No other definition of reasonable doubt may be given by the court to juries in criminal actions in this State.