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Rule 17 – Voir Dire and Jury Selection

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West's Nevada Revised Statutes Annotated

Title 2. Civil Practice (Chapters 10-22)

16.030. Drawing and examination of jurors; administration of oath or affirmation
Chapter 16. Date of Trial: Trial by Jury; Masters (Revs & Annos)
NV ST 16.030 West's Nevada Revised Statutes Annotated Title 2. Civil Practice (Chapters 10-22) (Approx. 2 pages)

Trial by Jury

N.R.S. 16.030

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

Currentness

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.

Credits

Added by CPA (1911), § 262. NRS amended by Laws 1971, p. 344; Laws 1977, p. 417; Laws 1979, p. 917; Laws 1981, pp. 329, 556.

Notes of Decisions (16)

N. R. S. 16.030, NV ST 16.030

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West's Nevada Revised Statutes Annotated
 Title 2. Civil Practice (Chapters 10-22)
 Chapter 16. Date of Trial; Trial by Jury; Masters (Refs & Annos)
 16.040. Challenges to jurors; peremptory challenges
 NV ST 16.040 West's Nevada Revised Statutes Annotated Title 2. Civil Practice (Chapters 10-22) (Approx. 2 pages)
 Trial by Jury

N.R.S. 16.040

16.040. Challenges to jurors; peremptory challenges

Currentness

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.

Credits

Added by CPA (1911), § 263. NRS amended by Laws 1977, p. 295; Laws 1979, p. 66.

Notes of Decisions (48)

N. R. S. 16.040, NV ST 16.040

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West's Nevada Revised Statutes Annotated
 Title 2. Civil Practice (Chapters 10-22)
 16.050. Grounds for challenges for cause
 Chapter 16. Date of Trial: Trial by Jury: Masters (Refs & Annos)
 NV ST 16.050 : West's Nevada Revised Statutes Annotated : Title 2. Civil Practice (Chapters 10-22) (Approx. 2 pages)
 Trial by Jury

N.R.S. 16.050

16.050. Grounds for challenges for cause

Currentness

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.

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(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.

Credits

Added by CPA (1911), § 264. NRS amended by Laws 1967, p. 99.

Notes of Decisions (105)

N. R. S. 16.050, NV ST 16.050

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West's Nevada Revised Statutes Annotated

Title 2. Civil Practice (Chapters 10-22)

16.060. Challenges for cause tried by court.Chapter 16. Date of Trial: Trial by Jury: Masters (Refs & Annos)
NV ST 16.060 | West's Nevada Revised Statutes Annotated | Title 2. Civil Practice (Chapters 10-22) (Approx. 2 pages)

Trial by Jury

N.R.S. 16.060

16.060. Challenges for cause tried by court

Currentness

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.

Credits

Added by CPA (1911), § 265.

Notes of Decisions (6)

N. R. S. 16.060, NV ST 16.060

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West's Nevada Revised Statutes Annotated
 Title 2. Civil Practice (Chapters 10-22)
 Chapter 16. Date of Trial; Trial by Jury; Masters (Refs & Annos)
 16.070. Jury to be sworn; court may order jury into custody of officer
 NV ST 16.070 | West's Nevada Revised Statutes Annotated | Title 2. Civil Practice (Chapters 10-22) | (Approx. 2 pages)
 Trial by Jury

N.R.S. 16.070

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

Currentness

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.

Credits

Added by CPA (1911), § 266. Amended by Laws 1937, p. 173; NRS amended by Laws 1977, pp. 300, 881.

Notes of Decisions (4)

N. R. S. 16.070, NV ST 16.070

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West's Nevada Revised Statutes Annotated

Title 14. Procedure in Criminal Cases (Chapters 169-189)

175.031. Examination of trial jurors

NV ST 175.031

West's Nevada Revised Statutes Annotated | Title 14. Procedure in Criminal Cases (Chapters 169-189) (Approx. 2 pages)

Chapter 175. Trial
Trial by Jury or Court (Refs & Annos)

N.R.S. 175.031

175.031. Examination of trial jurors

Currentness

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.

Credits

Added by Laws 1967, p. 1424. Amended by Laws 1971, p. 246; Laws 1979, p. 213.

Notes of Decisions containing your search terms (0)

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N. R. S. 175.031, NV ST 175.031

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West's Nevada Revised Statutes Annotated

Title 14. Procedure in Criminal Cases (Chapters 169-189)

175.011. Trial by jury

Chapter 175. Trial

NV ST 175.011 | West's Nevada Revised Statutes Annotated | Title 14. Procedure in Criminal Cases (Chapters 169-189) (Approx. 2 pages)

Trial by Jury or Court (Refs & Annos)

Proposed Legislation

N.R.S. 175.011

175.011. Trial by jury

Currentness

1. In a district court, cases required to be tried by jury must be so tried unless the defendant waives a jury trial in writing with the approval of the court and the consent of the State. A defendant who pleads not guilty to the charge of a capital offense must be tried by jury.

2. In a Justice Court, a case must be tried by jury only if the defendant so demands in writing not less than 30 days before trial. Except as otherwise provided in NRS 4.390 and 4.400, if a case is tried by jury, a reporter must be present who is a certified court reporter and shall report the trial.

Credits

Added by Laws 1967, p. 1424. Amended by Laws 1983, p. 749; Laws 1987, p. 614; Laws 1993, p. 1412.

Notes of Decisions (18)

N. R. S. 175.011, NV ST 175.011

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 Title 14. Procedure in Criminal Cases (Chapters 169-189)
175.021. Formation of jury; number of jurors
 NV ST 175.021 | West's Nevada Revised Statutes Annotated | Title 14. Procedure in Criminal Cases (Chapters 169-189) (Approx. 2 pages)
 Chapter 175. Trial
 Trial by Jury or Court (Refs & Annos)

N.R.S. 175.021

175.021. Formation of jury; number of jurors

Currentness

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.

Credits

Added by Laws 1967, p. 1424. Amended by Laws 1983, p. 749.

Notes of Decisions (1)

N. R. S. 175.021, NV ST 175.021
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Title 14. Procedure in Criminal Cases (Chapters 169-189)

175.031. Examination of trial jurors

NV ST 175.031 | West's Nevada Revised Statutes Annotated | Title 14. Procedure in Criminal Cases (Chapters 169-189) (Approx. 2 pages)

Chapter 175. Trial
Trial by Jury or Court (Refs & Annos)

N.R.S. 175.031

175.031. Examination of trial jurors

Currentness

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.

Credits

Added by Laws 1967, p. 1424. Amended by Laws 1971, p. 246; Laws 1979, p. 213.

Notes of Decisions (13)

N. R. S. 175.031, NV ST 175.031

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West's Nevada Revised Statutes Annotated

Title 14. Procedure in Criminal Cases (Chapters 169-189)

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

NV ST 175.036 | West's Nevada Revised Statutes Annotated | Title 14. Procedure in Criminal Cases (Chapters 169-189) (Approx. 2 pages)

Trial by Jury or Court (Refs & Annos)

N.R.S. 175.036

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

Currentness

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.

Credits

Added by Laws 1968, p. 45.

Notes of Decisions (47)

N. R. S. 175.036, NV ST 175.036

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Title 14. Procedure in Criminal Cases (Chapters 169-189)

175.041. Limitation of defendants' right to sever in challenges

NV ST 175.041 | Chapter 175 - Trial | West's Nevada Revised Statutes Annotated | Title 14. Procedure in Criminal Cases (Chapters 169-189) (Approx. 2 pages)

Trial by Jury or Court (Refs & Annos)

N.R.S. 175.041

175.041. Limitation of defendants' right to sever in challenges

Currentness

When several defendants are tried together, they cannot sever their peremptory challenges, but must join therein.

Credits

Added by Laws 1967, p. 1425.

Notes of Decisions (7)

N. R. S. 175.041, NV ST 175.041

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Title 14. Procedure in Criminal Cases (Chapters 169-189)

175.051. Number of peremptory challenges

NV ST 175.051 | West's Nevada Revised Statutes Annotated | Title 14. Procedure in Criminal Cases (Chapters 169-189) (Approx. 2 pages)

Chapter 175. Trial
Trial by Jury or Court (Refs & Annos)

Proposed Legislation

N.R.S. 175.051

175.051. Number of peremptory challenges

Currentness

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.

Credits

Added by Laws 1967, p. 1425.

Notes of Decisions (26)

N. R. S. 175.051, NV ST 175.051

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 Title 14. Procedure in Criminal Cases (Chapters 169-189)
175.061. Alternate jurors
 Chapter 175. Trial
 NV ST 175.061 | West's Nevada Revised Statutes Annotated | Title 14. Procedure in Criminal Cases (Chapters 169-189) (Approx. 2 pages)
 Trial by Jury or Court (Refs & Annos)

N.R.S. 175.061

175.061. Alternate jurors

Currentness

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.

Credits

Added by Laws 1967, p. 1425. Amended by Laws 2005, c. 110, § 1, eff. July 1, 2005.

Notes of Decisions (7)

N. R. S. 175.061, NV ST 175.061

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West's Nevada Revised Statutes Annotated

Title 14. Procedure in Criminal Cases (Chapters 169-189)

175.071. Discharge of juror where juror dies or unable to perform duty

NV ST 175.071 | Chapter 175. Trial | West's Nevada Revised Statutes Annotated | Title 14. Procedure in Criminal Cases (Chapters 169-189) (Approx. 2 pages)

Trial by Jury or Court (Refs & Annos)

N.R.S. 175.071

175.071. Discharge of juror where juror dies or unable to perform duty

Currentness

If, before the conclusion of the trial, and there being no alternate juror called or available, a juror dies, or becomes disqualified or unable to perform the juror's duty, the court may duly order the juror to be discharged and a new juror may be sworn and the trial begun anew, or the jury may be discharged and a new jury then or afterward impaneled.

Credits

Added by Laws 1967, p. 1425.

Notes of Decisions (1)

N. R. S. 175.071, NV ST 175.071

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Title 14. Procedure in Criminal Cases (Chapters 169-189)
175.081. Discharge of jury after retirement upon accident or cause
Chapter 175. Trial
NV ST 175.081 | West's Nevada Revised Statutes Annotated | Title 14. Procedure in Criminal Cases (Chapters 169-189) (Approx. 2 pages)
Trial by Jury or Court (Refs & Annos)

N.R.S. 175.081

175.081. Discharge of jury after retirement upon accident or cause

Currentness

If, after the retirement of the jury, any accident or cause occurs to prevent their being kept for deliberation, the jury may be discharged.

Credits

Added by Laws 1967, p. 1425.

Notes of Decisions (3)

N. R. S. 175.081, NV ST 175.081

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