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Topic for the Month:

Trial By Jury and The Bill of Rights

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"I consider trial by jury as the only anchor ever yet imagined by man, by which a government can be held to the principles of its Constitution."

Thomas Jefferson

American Patriots who fought for independence from Great Britain were ready to lay down their lives for the principles of representative government, including freedom of speech, press, and religion, and the **right to trial by jury**. These rights are embodied in our Constitution and The Bill of Rights.

In 1787, the members of the first Congress of the United States insisted on preserving the right to a trial by jury to make sure that future generations would be judged by their neighbors-representatives of the people-not by the government.

The Sixth Amendment states that in a criminal prosecution, an accused person has the right "to a speedy and public trial by an impartial jury." The Seventh Amendment states that in all civil cases where the "value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved." This guarantees Americans will be judged by a jury of their peers.

During the 200 years since the ratification of The Bill of Rights, there have been many attempts to dilute the effect of the Seventh Amendment by limiting the scope of the jury's powers and even to eliminate the jury altogether. Americans must continue to cherish the rights granted under the Seventh Amendment. It is one of the most important features of justice in our democratic society. It places our judicial system apart and above all other systems in the world.

Wisconsin, like every other state constitution, has adopted the principle enunciated in the Bill of Rights on trial by jury. Art. I, Sec. 5 of the Wisconsin Constitution supports the commitment that the right to jury trial remain inviolate.



This year over five million American citizens will be called to serve on a jury in their community. Today, the privilege of serving as a juror is as valuable as it was two centuries ago when it was included in our Bill of Rights.