LAW CLASS
How Courts Work

Steps in a Trial

Verdict

After reaching a decision, the jury notifies the bailiff, who notifies the judge. All of the participants reconvene in the courtroom and the decision is announced. The announcement may be made by either the foreperson or the court clerk.

Possible verdicts in criminal cases are “guilty” or “not guilty.” In a civil suit, the jury will find for the plaintiff or the defendant. If the jury finds for the plaintiff, it will also usually set out the amount the defendant should pay the plaintiff for damages, often after a separate hearing concerning damages. The jury will also make a decision on any counterclaims that may be part of the case.

The lawyer for either party may ask that the jury be polled , although the request usually comes from the losing party. This means each juror will be asked if he or she agrees with the decision, as announced. This is to make sure that the verdict announced is the actual verdict of the jury. After the decision is read and accepted by the court, the jury is dismissed, and the trial is over.

Motions after Verdict

Motions permitted after a verdict is announced differ from state to state.

•A motion in arrest of judgment questions the sufficiency of the indictment or information in a criminal case and asks that the judgment not be enforced.

•A motion for judgment notwithstanding the verdict is the equivalent in civil cases to the motion in arrest of judgment. It may be made after the jury's decision is announced but before a judgment is entered. This motion asks the judge to enter a judgment for the losing party despite the decision of the jury.

•A motion for a new trial asks for a new trial to be granted, based on errors committed by the judge during the trial. In some states, the losing party must make a motion for a new trial before filing an appeal.