

1 Gentlemen of the Committee: When the committee considered
2 the matter of juries in civil cases, we then had before us
3 a number of judges and trial lawyers. It was the unanimous
4 opinion, except for one witness, that we have a unanimous
5 civil jury verdict. However, there was some question with
6 respect to whether it would be necessary to have 12 jurors
7 in every case, because there are practices, particularly in
8 some of the rural areas where it may be necessary to have
9 smaller juries, or it may be desirable; also, it is possible
10 that if the jurisdictional amount is set by the Legisla-
11 ture as to matters granting a jury trial, that it would
12 cover an area in which there would be the District Courts,
13 and as a possibility that there might be an opportunity
14 for jury trial in a District Court where the jurisdictional
15 amount was set by the Legislature for District Courts at
16 a higher amount than the amount required for a jury trial,
17 why it would be possible to have, if the Legislature so
18 wanted, to arrange for a jury of less than 12. The Legis-
19 lature could also arrange for juries of less than 12 in
20 the Superior Court, but we thought it was desirable to put
21 a bottom to this figure. That is why we use the figure of