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NY Judge Tells Jury Not to do Any Legal Research

We're in court, it's the very beginning of an accident trial here in New York. Now, the Judge tells the jury that they are not to do any research when they go home about the attorneys, and they are not to do any online research about this particular case. Will the jurors listen to the Judge's instruction? Do you want to know the answer? Come join me for a moment as I share with you some remarkable information. Hi, I'm Gerry Oginski, I'm a New York medical malpractice and personal injury attorney, practicing law here in the state of New York.

The Judge gives the jury preliminary instructions so they have a clear understanding of what's going to happen during the course of the entire trial. One of those instructions is, "Hey, listen. You are not to do any legal research. You are not to do any research. You are not to go online to find out about the attorneys, about the litigants, about the case, or about the medicine involved. If you do that, you could ruin this entire case." Now, you might be asking, "Why would that ruin the case?" I'll tell you why, because these jurors, who are six members of the community, are there to go ahead and decide who's more likely right than wrong, based upon the testimony, based upon the evidence that's presented in court.

The Judge doesn't want the jury to go ahead and do their own research about the case, about the medicine, about the litigants. Why? Because now, they're bringing in outside information that may have an impact on how these jurors see and view and hear and listen to the evidence that's coming in. You know what? That may cause that juror or jurors to become biased in favor of one side or the other, based upon information they read about online. Now, the whole goal when trying a case, to select six members of the community who don't know any of the litigants or the issues involved, is to start out on a clean slate, to start out at the same starting line. Now, as testimony and evidence is presented, obviously people start to lean in favor of one side or another, but that's only based upon the evidence presented.

You see, if the jurors do their own research, we have no idea what they're reading, we don't know what's going on in their minds, we don't know which way they're leaning or what's happening outside of the courtroom, because we can't control that. The question I asked earlier was do they listen? The reality is that the jurors are supposed to listen. By the way, during jury selection, we ask the jury, I ask the jury, "Listen, if you find that someone is not following the Judge's instructions, will you have any hesitation to bring that to the Judge's attention?" They all promise to do that, and that's a critical thing, because this way they police themselves. If they learn that somebody was actually doing research when the Judge says, "No," somebody's going to notify the judge, the judge is going to call that juror in, notify the attorneys, and now we may have to excuse that juror and bring in one of the alternate jurors.

Why do I share this quick information with you? I share it with you just to give you an insight and an understanding into what goes on in these civil lawsuits here in the state of New York. You know, I recognize that you're watching this video because you likely have questions or concerns about your own particular matter. Well, if your matter did happen here in New York, and you're thinking about bringing a lawsuit, but you need your questions answered first, what I invite you to do is pick up the phone and call me, I can answer your legal questions. You know, this is something I do every single day, and I'd love to chat with you. You can reach me at five one six, four eight seven, eight two zero seven. Or by email at Gerry Oginski-law.com. That's it for today's video, I'm Gerry Oginski, have a fantastic day.