

MYOUANDTHE LAW

Trial By Jury

Tuesday, April 5, 2016 Roanoke City Courthouse - 315 Church Avenue

Program

5:45 p.m. Check In

6:00 p.m. Welcome

Thomas H. Miller, Esq. - Chairman, You and the Law Committee

Circuit Court Clerk's Office

Lance D. Greene, J.D., Chief Deputy Clerk of Court

Discover how the Clerk's office operates and what the clerks can and cannot do to help you

with your case.

6:20 p.m. Jury Selection Process

Master Deputy Dean Thompson - Roanoke City Sheriff's Office

Learn how prospective members of the jury are determined and how final members of the

jury are chosen.

Security for the Courtroom and the Jury

Captain Chuck Ferguson and Lt. Frank Harris - Roanoke City Sheriff's Office

Hear how the Sheriff's office insures the safety of jurors and everyone in the courtroom.

6:40 p.m. Grand Jury Process

William M. Braxton, Esq.

Master Deputy Dean Thompson - Roanoke City Sheriff's Office

Barry Stacy, Grand Jury Member

Get an inside look at how the Grand Jury is selected and what is expected of the members.

6:50 p.m. Break

7:00 p.m. Jury Selection

Master Deputy Dean Thompson - Roanoke City Sheriff's Office

Citizens will be chosen to participate on the jury for a mock trial.

7:10 p.m. Commonwealth vs. Ron Baldwell - The Honorable David B. Carson Presiding

William M. Braxton, Esq. - Representing the Commonwealth

Drew Givens, Esq. - Representing the Defendant

See the evidence, hear the witness testimony, and wait for the jury's verdict.

8:10 p.m. Jury Deliberation and Questions/Answers

While the jury deliberates, the judge and attorneys will answer questions and discuss trial

law.

8:25 p.m. The Verdict is In!

8:30 p.m. Adjourn





Tríal By Jury

Introduction to the Circuit Court Clerk's Office

See attached Power Point presentation.

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Circuit Court Clerk's Office

Roanoke City

BRENDA S. HAMILTON, CLERK OF COURT



Overview

History of the Courts

• The Circuit Court for the City of Roanoke was officially established by the General Assembly, on March 17, 1884, the year in which Roanoke was chartered as a City. The first session of Court was held on December 18, 1884. Court was initially held in the City only two months out of the year as the judge had to travel the circuit that included five other jurisdictions. During these years there were 3 other courts in existence as part of the judiciary. These were the Hustings/Corporation court and the Court of Law and Chancery. All 3 courts were merged into the Circuit Court in July of 1973. Through the years Roanoke, along with other localities have been located in various circuits. Today, the City of Roanoke is a part of the 23rd Judicial Circuit of Virginia with the County of Roanoke and the City of Salem. There are currently 5 full time Circuit Court Judges in the 23rd Judicial Circuit. Separate Clerk's Offices are maintained for each locality in the Circuit.

Responsibility

• The Clerk's Office is mandated by State and local statues to provide a multitude of functions and services that are vital to the operation of a Municipal Government and it's citizens. There are over 800 duties the Clerk of Circuit Court is required to provide as set out in the Code of Virginia, which establishes the Circuit Court as the only court of record. These duties may change annually based on the various bills passed by the General Assembly during their yearly sessions.

Cross-Training

Criminal Division

- Collecting of fines and court costs
- Attend court "clerk the court room"
- Receive and file search warrants
- Process arrest papers
- Issue capiases
- Drug Court
- Docket call
- o Etc.

Civil Division

- Issuing of marriage licenses
- Recording of land records
- Issuing of concealed weapons permits
- Filing of will and probate documents
- Recording of assumed names / partnerships
- o Etc.



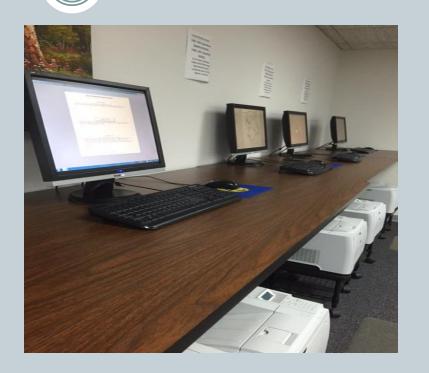
Public Records

- Land Records
- Marriage Records
- Judgments
- Wills and Probate
- Financing Statements
- Criminal Indexes
- Civil Indexes
- Court Orders
- Assumed Names and Partnerships



Online Remote Access (Paid Subscription)

- Deeds
- Land records
- Wills
- Finance Statements
- Marriage Licenses
- Judgments



Minimum of one-year subscription is required (\$600)

Stats and Data

- Will and Probate Documents
 - o 3,800+/annually
- Recording judgments
 - o 9,000 / annually
- Issue Notary Oaths
 - o 500-600
- Concealed Weapons Permit
 - o 900+/annually
- Assumed names and partnerships
 - o 600+/annually
- Recording of land records
 - o 16,000 / annually
 - o 80,000 pages / annually
- Collect fines and court costs

Let's Talk Dollars

- \$1,500,000 office budget
 - Personnel and operating budget

\$4.5 million total revenue collected

	2013-2014
State Revenue	\$2,900,072.75
Local Revenue	\$983,445.05
Clerk's Fees	\$640,577.18
	\$4,524,094.98

Liabilities

\$9.9 Million

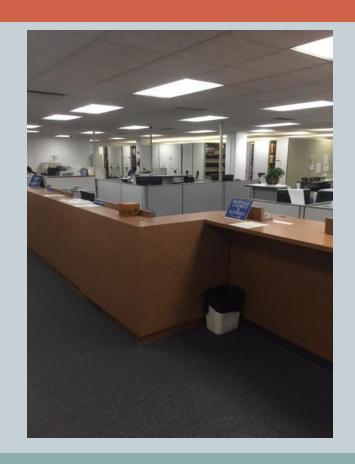
(Outstanding Costs and Fines)





Other Duties of the Clerk

- Jury Management System
- Office Budget
- Trust Fund- General Receiver
- Comp Board Budget/Technology



Process Improvements

Digital Imaging

• Back scanning conversion of all land records from microfilm to digital imaging.

Officers of the Court Remote Access (OCRA)

- o Is for officers of the court (attorneys) and any authorized agent of such attorneys- as well as certain other approved personnel- to access Roanoke City Circuit Court files electronically.
- o To access these files online via "OCRA", you must submit an OCRA Application and OCRA Agreement for approval by the Roanoke City Circuit
- \$150.00 per year per attorney, and \$50.00 per year per staff member supervised by an attorney, and is only available as a one-year subscription.

Upcoming Improvements:

- Electronic Filing (E-filing)
 - × Officers of the Court (Attorney's) and any authorized agent of such Attorney's to file Civil cases electronically.
- Video Docketing –Court Cases electronically displayed daily on a big screen Monitor
- Logan System Inc.
 - Back scanning conversion of all wills / commissioner accounts to digital imaging

"I Do"



- Voluntary service provided by the Clerk
- 3,500 weddings performed
- All revenue goes back to the local government (Clerk's Fees)
- \$175,000 collected since elected to offfice

www.roanokeva.gov



Public Records (Free Online)

www.courts.state.va.us



Circuit Court Case Information

This is the case management system for circuit courts in Virginia. This is a project with a limited number of courts. Cases may be searched using name, case number, or hearing date. Searches must be done by individual courts. Statewide searches are not possible.

Please note: The Circuit Courts of Alexandria, Fairfax, and Virginia Beach do not use the statewide Circuit Case Management System, and therefore, cannot participate in the Online Case Information System. However, Virginia Beach do not use the statewide Circuit Court previously used the statewide Circuit Case Management System. Accordingly, the Online Case Information System displays information for Virginia Beach cases filed through July 31, 2009. Please contact these courts directly for case information not available through this System. For court contact information click here.

Roanoke City Circuit Court

Begin

Once you have completed your searches, please log off this system.

(Log off buttons are available on each screen.)

Please read the Disclaimer about this system.

Using this System

This system was designed to work with newer web browsers, and will perform best with Internet Explorer Version 6 or higher. The system also supports Google Chrome, Mozilla Firefox and Safari Internet browsers. Your browser must also accept cookies and allow JavaScript.

Each time you access this system, you need to begin at the Circuit Court Case Information opening page where you select the circuit court. When you are finished using this system, please click the "Logoff" button available on each page. If the system remains inactive, the session will time and you will be returned to the Circuit Court Case Information opening page.

Please observe the following when using this system:

- · Do not use your web browser's "Back" button to move between pages.
- . Do not double click on links.
- . Do not bookmark any of these pages and then try to return to a specific page later.

Home | Virginia's Court System | Online Services | Case Status and Information | Court Administration | Directories | Forms | Judicial Branch Agencies | Programs

Contact Information

Main Phone Number

(540) 853-6702

Mailing Address

315 Church Avenue, S.W. Courthouse - 3rd Floor Roanoke, VA 24016

Fax Number

(540) 853-1024

E-mail Address

brenda.hamilton@roanokeva.gov

Office Hours

8:15 am to 4:45 pm

Hours of Operation

8:15 am to 4:45 pm



Trial By Jury

Jury Selection Process

- How the jury process begins, how jurors are filtered by exemptions, how jurors are picked for a
 jury
- How a jury is panelled and the proper steps involved
- How the opposing families are kept separate from each other leaving the courthouse after a trial has concluded
- Distribution of a jury packet

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Trial By Jury

Security for the Courtroom and the Jury

- Protection of the judge and judicial staff
- Life priorities who is responsible for protecting whom
- Body positioning of security staff in the courtroom
- Where security staff stand, based on what type of case
- Where spectators, witnesses, lawyers, and law-enforcement sit, and why
- Transporting inmates to and from the courtroom
- Maintaining control of an inmate in the courtroom

<u>Notes</u>	



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Trial By Jury

Grand Jury Process

- Grand jury
 statutes
 role of the grand jury
 how jurors are chosen
 how often it meets
- Special grand jury
- Multi-jurisdictional grand jury
- What happens in the grand jury

<u>Notes</u>		



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Trial By Jury

Commonwealth vs. Ron Baldwell

- Proper decorum required at all times.
- We are a government of laws and not of men. (John Adams)
- 6th Amendment: Guarantees state-provided counsel to defendants who cannot afford to hire an attorney in any case carrying the possibility of incarceration.
- Burden of proof: It is the Commonwealth's burden to prove the accused committed the offense.
- The standard: Beyond a reasonable doubt. The prosecution must exclude every reasonable hypothesis of innocence.
- Jury trials: The accused has a constitutional right to a trial of his peers..
- To be tried by a judge instead of a jury in Circuit Court, the defendant, Commonwealth, and Court must waive their right to a jury trial.
- A unanimous verdict is required for a conviction or an acquittal in Virginia.

<u>Notes</u>		