



Save Our Juries Sample Speech (non-legal audience)

Which of our Rights is guaranteed by the Seventh Amendment to the U.S. Constitution?

If you don't know, you're not alone. A recent online survey found that fewer than 30 percent of people could answer the question.

The correct response is – in layman terms – the Right to a Trial by Jury for Civil Cases in Federal Courts.

So, what does that mean to you? And why am I here talking about it?

To begin, it's important to remember that – along with voting – the right to serve on a jury is an essential component of our participatory democracy. Jurors are Constitutional officers.

As for the civil jury trial in particular... it is uniquely American. While other nations ensure freedom of speech, religion, and certain rights, if you are charged with a crime, the U.S. is the ONLY country in the world to guarantee the right to a jury in civil cases.

And given that the right to civil trial by jury is specifically spelled out in the Constitution, it's safe to assume the Founding Fathers believed this to be a vital Right.

The Seventh Amendment essentially protects all of the other rights guaranteed by the Constitution. If you have been wronged by the government, a business, an institution or another person, the issue is addressed in civil court.

Many rights we may take for granted were fought for beginning with a Civil Jury Trial.

For example:

<ul style="list-style-type: none">• Segregation – <i>Brown v. Board of Education</i> (1954)	<ul style="list-style-type: none">• Same Sex Marriage – <i>Obergefell v. Hodges</i> (2015)
<ul style="list-style-type: none">• Consumer & Automotive Safety Standards – <i>Gryc v. Dayton-Hudson Corp</i> ('80) & <i>Anderson, Grimshaw v. Ford Motor Company</i> ('80)	<ul style="list-style-type: none">• Employment Discrimination on the basis of gender – <i>Phillips v. Martin Marietta Corp</i> (1971)



Yet, despite the obvious importance of being able to utilize the civil jury trial process, for decades the system has been eroding away.

In 1979, U.S. Supreme Court Justice William Rehnquist referred to this Right as “an important bulwark against tyranny and corruption, a safeguard too precious to be left to the whim of the sovereign, or, it might be added, to that of the judiciary.”

Justice Rehnquist was not only pointing out that the Seventh Amendment enables us to stand up against those who are more powerful than us. He was also emphasizing the significance our ability to turn to a jury – not an individual judge – to settle disputes.

The importance here is that a jury, which offers a cross section of average people with all the varied experiences they've live through and the checks and balances they place on each other, is more likely to produce a fair and just result than any other system.

Yet today, less than one half of one percent of all civil cases is decided by jury verdict. They have been replaced by decision judge or, in many cases, by arbitration proceedings.

That leads me to WHY.

There are things citizens can do to preserve this important, unique and powerful civil right.

ABOTA has created the public awareness campaign Save Our Juries. The program's goal is to help people learn about the Seventh Amendment, appreciate its value and significance, understand how to utilize its power and share this knowledge with others.

In addition to speaking to groups like this, Save Our Juries offers a variety of resources to help inform and inspire action.

The Save Our Juries website features blog posts, case studies, an interactive map and informational videos.

A very active social media program that includes Facebook, Twitter, YouTube and Google+ offers an excellent forum for posing questions and spurring discussions.

Save Our Juries also strongly encourages engagement with legislators. Our elected officials can enact laws that help sustain rather than weaken the Seventh Amendment. And we should call on media to report on the state of the Seventh Amendment and how its potential demise would hurt our democracy.

You can access suggested text and links to contact information from the Save Our Juries website.

Thank you for your attention. I hope you'll take the time to learn more about this issue because together we can ensure the future of the Seventh Amendment.