

Research Paper Preparation

Name of Student

Institutional Affiliation

2-1 Research Paper Preparation

Thesis Statement

The effectiveness of the jury selection process in safeguarding the Sixth Amendment's guarantee of a fair trial is significantly influenced by contemporary challenges, including peremptory challenges, challenges for cause, and the incorporation of technology in court proceedings. This research will explore how these elements interact with constitutional mandates and societal variables within the fields of psychology and technology to impact the integrity and impartiality of jury trials.

Research and Case Law Analysis

To address the complexities of the jury selection process in relation to constitutional law and its intersection with psychology and technology, I will analyze key Supreme Court cases that illustrate the evolution and current state of jury selection practices. The following cases have been identified for their relevance and recency, ensuring they reflect the current legal landscape:

- *Batson v. Kentucky*, 476 U.S. 79 (1986): Establishes that peremptory challenges cannot be used to exclude jurors based solely on race.
- *J.E.B. v. Alabama ex rel. T.B.*, 511 U.S. 127 (1994): Extends the principles of *Batson* to gender discrimination.
- *Peña-Rodriguez v. Colorado*, 137 S. Ct. 855 (2017): Allows jury deliberations to be examined when evidence indicates racial bias influenced the verdict.
- *Foster v. Chatman*, 578 U.S. ____ (2016): Reaffirms *Batson* by demonstrating the continued relevance of race in jury selection decisions.

To confirm that these cases remain authoritative, I utilized the legal research platform LexisNexis to check for any subsequent cases that might have overruled or critically

modified the precedents set. Additionally, their frequent citation in recent law review articles confirms their continued applicability and importance in current legal discourse.

Academic Sources and Journal Articles

Research will also involve a detailed review of law review and other academic journal articles that focus on the intricacies of jury selection and its constitutional implications. The following five sources have been selected for their depth of analysis and academic rigour:

- A Fair and Impartial Trial Free from Racial Discrimination Will Require an across-the-Board Approach": Systemic Reforms Still Needed in Light of the "Other" Racial Justice Jury Trial Rulings in *State v. Veal* & *State v. Williams*.
- Virtual Reality: Prospective Catalyst for Restorative Justice
- Implicit Bias and Antidiscrimination Policy
- Online Courts: Bridging the Gap between Access and Justice
- The Constitutional Right to Peremptory Challenges in Jury Selection

These articles were selected based on their recent publication dates, ensuring current information and perspectives. Their publication in reputable law reviews guarantees academic rigour and authority. Each article was vetted for its relevance to the key topics of peremptory challenges, racial and gender biases, and the impact of technology on the fairness of jury trials.

Research Methodology and Tools

The research will be conducted using a combination of legal databases such as LexisNexis and Westlaw for case law research, and academic databases including JSTOR and Google Scholar for accessing peer-reviewed articles. The criteria for assessing the sources will include relevance to the thesis, currency of the data, authority of the publication or author, accuracy of the information, and the ideological perspective to ensure a balanced view of the issues.

Synthesis and Analysis

The research will synthesize findings from both case law and academic articles to present a comprehensive analysis of how the jury selection process meets the challenges posed by societal changes and technological advancements. The analysis will particularly focus on how psychological and technological insights can enhance understanding of biases in jury selection and the potential of virtual trials to uphold or undermine the goals of the Sixth Amendment.

By approaching this research objectively, the intention is to provide a thorough and balanced understanding of the current state of jury selection and its adequacy in ensuring a fair trial, as mandated by the Constitution. The ultimate goal is to identify areas where further legal reform may be necessary or where additional safeguards should be implemented to protect the integrity of the jury system.

References

- Bloch, K. E. (2021). Virtual reality: Prospective catalyst for restorative justice. *Am. Crim. L. Rev.*, 58, 285.
- Gawronski, B., Ledgerwood, A., & Eastwick, P. W. (2020). Implicit Bias and Antidiscrimination Policy. *Policy Insights from the Behavioral and Brain Sciences*, 7(2), 99–106. <https://doi.org/10.1177/2372732220939128>
- Gras, I. O. (2021). Online courts: Bridging the gap between access and justice. *UCLJLJ*, 10, 24.
- Jolly, R. L. (2024). The Constitutional Right to Peremptory Challenges in Jury Selection. *Vanderbilt Law Review*, 77.
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4743424
- Lovell, R. E. (2021). “ A Fair and Impartial Trial Free from Racial Discrimination Will Require an across-the-Board Approach”: Systemic Reforms Still Needed in Light of the " Other" Racial Justice Jury Trial Rulings in State v. Veal & State v. Williams. *Drake L. Rev. Discourse*, 71, 101.