

Selection of Jurors: *State v Neil*



Peremptory challenge, excusing a potential juror without stating a reason, allows each party to participate in the selection of jurors and is intended to assure an impartial and fair jury. In a landmark 1984 case, *State v. Neil*, the Florida Supreme Court adopted specific criteria to examine peremptory challenges in order to determine any racial bias. These procedures were broadened four years later in *State v. Slappy*, when Justice Barkett wrote: “Our citizens cannot be precluded improperly from jury service. (It) constitutes the most direct way citizens participate in the application of our laws.”

In subsequent court opinions, the *Neil* and *Slappy* rulings were extended to identify and prohibit gender bias in the jury selection process. In June 1987, Chief Justice Parker Lee McDonald (left) appointed Justice Gerald Kogan (center) and attorney Gill Freeman (right) to lead the court's Gender Bias Study Commission with the mission to "determine in what areas of our legal society bias based on gender exists and recommend measures to correct."