

## ***Law Talk/Ask The Judge* with: Judge Judge James L. Kimbler of the Medina County Common Pleas Court**

**By Kate Feeks**

In June watch for the next episode of *Law Talk/Ask The Judge*, hosted by John Celebrezze. This episode features Judge James L. Kimbler, of the Medina County Common Pleas Court. Celebrating his 27<sup>th</sup> year on the bench Judge Kimbler sat down to discuss his most recent innovative idea currently implemented in his court. This show can be viewed on Wadsworth Cable (WCTV) Public Access, Channel 15, Brunswick Area Television (BAT) Public Access, Channel 21, Armstrong Cable Access, Channel 37 in Medina County, along with Clear Picture Channels 21 & 22 in Wooster and Massillon, and on You Tube.

The Jury Conduct video, found at [www.czclep.org](http://www.czclep.org) is an innovative court program available to prospective jurors to give them a better idea of what to expect when serving as a juror in a courtroom. "Many people who appear for jury duty have no idea what is going to happen to them or what to expect when they come to the court. I decided to create a clip for them to view and get a better idea of what is going to happen. I hope to decrease potential anxiety and allow them to focus from the very start of proceedings" explained Kimbler.

The job of the jury is to decide on issues of fact while the job of a judge is to decide on the issues of the law. It is a division of labor between the judge and jury. "When trying a jury trial, I have the umpire role, that is to make sure the evidence that the jury receives is based on the law in Ohio. I also have to make sure the lawyers obey their procedural rules and keep the trial going smoothly. It is not my job to decide issues of fact" said Kimbler.

The Judge is emphatic that the jurors are not permitted in any way to use the internet as a tool for their own research. The information found may, or may not, be reliable, but regardless jurors have to base their verdict on only what they see in a courtroom specific to the case. "I once had an experience of a juror that used the internet during a malpractice case for research. The information found caused a misunderstanding by the jury resulting in a mistrial" lamented Kimbler. While a trial is in progress juries can not discuss the case that they are hearing with anybody. The reason for this rule is to keep the jurors from coming to a conclusion until they have heard all of the information provided.

Jurors are not permitted to talk to family members, friends, co-workers, lawyers, witnesses, or parties to the lawsuit. "We don't want somebody to inadvertently mention something to a juror and cause a bias in that person's mind" explained Kimbler.

The Judge also said that jurors are not permitted to discuss the case among themselves until the start of jury deliberations because, "We worry about people coming to conclusions and causing an emotional investment in their opinion so they won't be willing to change their opinion later".

To learn more about jury conduct with Judge James Kimbler watch for his interview with John Celebrezze on *Law Talk/Ask The Judge* throughout the month of June.