

3-07/065.00 - Bailiff's Oath

At the completion of the instructions to the jury, the bailiff shall stand with right hand raised and be sworn by the clerk of the court as follows:

- "You do solemnly swear that you will take charge of the jury and keep them together except on order of court; that you will not speak to them yourself, nor allow anyone else to speak to them on any matter concerned with this case, except on order of court, and that when they have agreed upon a verdict, you will return them into court, so help you God?"

The bailiff will answer, "I do."

Where there are alternate jurors, the following oath will be sworn to by the bailiff:

- "You do solemnly swear that you will take charge of the alternate juror and that you will keep him apart from the jury therein, until further order of court, so help you God?"

The bailiff will answer, "I do."

A bailiff shall comply with the provisions of Penal Code 167 PC, applicable to them, as well as to others, which provides, in part:

- "Every person who, by any means whatsoever, willfully and knowingly, and without knowledge and consent of the jury, records, or attempts to record, all or part of the proceedings of any trial jury while it is deliberating or voting, or listens to or observes, or attempts to listen to or observe, the proceedings of any trial jury of which he is not a member while such jury is deliberating or voting is guilty of a misdemeanor...."
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