

The John Edwards Trial and Long Jury Deliberations

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The John Edwards jury is back today for its ninth day of deliberations. The general feeling seems to be, “what’s taking so long?” This morning, I got to wondering whether nine days is merely really long, or whether it is really, really, spectacularly and historically long.

Seems like the former. A few minutes on the web turned up [this story](#), about a 20-day deliberation in the Ruby Ridge trial in Idaho; [this story](#), about a 55-day deliberation after a year-long police corruption trial in Oakland, California; and [this story](#), about a four-and-a-half month deliberation in a Fair Housing Act case. The last seems to be generally recognized as the longest deliberation ever.

A few minutes on Westlaw turned up cases such as *Salcedo v. Haws*, 2009 WL 1247084 (N.D. Cal. May 5, 2009) (nine days after a seven-week multi-defendant felony criminal trial), *United States v. Wecht*, 541 F.3d 493 (3d Cir. 2008) (“Here, the trial lasted for twenty-three days, and the jury deliberated for a total of 54.5 hours over a period of ten days.”), *United States v. Byrski*, 854 F.2d 955 (7th Cir. 1988) (“The case was tried for thirty-two days over an eight-week period. . . . [T]he jury deliberated for approximately thirty hours over thirteen days.”), and *Densmore v. Manzarek*, 2008 WL 2209993 (Cal. Ct. App. 2 Dist. May 29, 2008) (noting that jury deliberations took “nearly a month”).

I should add that almost all the cited cases involved a very lengthy trial, typically two months or more, and sometimes much more. In many of the cases, the jury was also asked to decide a huge number of issues or counts. In that regard, the Edwards case is distinctive. Opening statements took place on April 23, and the jury received the case on May 18, so the case took just under four weeks to try. And I believe that Edwards faces just six counts, all closely connected. For a case that is not tremendously complicated, the length of the jury’s deliberations is remarkable.

Readers, what’s the longest a jury has deliberated in a case that you tried or observed? Did the jury reach a verdict, or did it hang? I wonder if the Edwards case may be, or at least may be approaching, a North Carolina record.