

Rule 171

BAILIFF’S OATH OR AFFIRMATION

A person ordered by the court to have charge of a jury during the jury’s deliberations must subscribe to an oath or affirmation. The oath or affirmation must be filed with the clerk. The oath or affirmation remains in effect after filing unless the court sets it aside, and a new oath or affirmation is not required if the person acts as a bailiff in a subsequent case.

The form of the oath or affirmation should be as follows:

[OATH] [AFFIRMATION]

I, the undersigned, a duly appointed, qualified, and acting officer of the District Court of _____ County, Kansas, do solemnly [swear] [affirm] to perform faithfully the duties of bailiff as assigned and in the manner prescribed by the court.

Further, when acting in the capacity of bailiff and a jury is entrusted to me by the court, I will keep the jurors together only in places designated by the court until they agree upon a verdict or are discharged by the court, subject to an order of the court permitting them to separate temporarily at night and at their meals.

I do solemnly [swear] [affirm] that I will not allow any communications to be made to the jurors or make any myself unless by order of the court and, before their verdict is rendered, I will not communicate to any person the state of their deliberations or the verdict agreed upon.

[So help me God.]

Subscribed and [sworn] [affirmed] before me this _____ day of _____, 20__.

Clerk of the District Court

By _____
Deputy Clerk

[History: New rule effective September 1, 1982; Am. effective September 8, 2006; Rule restyled effective July 1, 2012.]