



CODE OF PROFESSIONAL CONDUCT

function or the informality of their procedures.³⁵

Relations with Jurors

21. When acting as an advocate, before the trial of a case, a lawyer should not communicate with or cause another to communicate with anyone that the lawyer knows to be a member of the jury panel. A lawyer may investigate a person who is a prospective juror to ascertain any basis for challenge, but in doing so must not directly or indirectly communicate with that person or with any member of that person's family. When acting as an advocate, a lawyer should disclose to the judge and opposing counsel any information of which the lawyer is aware that a juror or prospective juror

- (a) has or may have an interest, direct or indirect, in the outcome of the case,
- (b) is acquainted with or connected in any manner with the presiding judge, any counsel or any party, or
- (c) is acquainted with or connected in any manner with any person who has appeared or who is expected to appear as a witness,

unless the judge and opposing counsel are already aware of the information. A lawyer should promptly disclose to the court any information of which the lawyer is aware concerning improper conduct by a member of a jury panel or by a juror toward another member of the panel, another juror, or a member of a juror's family. Except as permitted by law, when acting as an advocate, a lawyer should not during a jury trial communicate with or cause another to communicate with any member of the jury. A lawyer who is not connected with the case before a jury should not communicate with or cause another to communicate with any member of the jury about the case. A lawyer must have no discussion with a member of the jury about its deliberations after trial.³⁶