



Jury News

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Conduct an Effective Jury Orientation — Because First Impressions Are Always Lasting

It's 8:15 on Monday morning. Jurors are checking in and filling the seats in the jury assembly room. A few of them have cups of coffee with them, others are checking on what the vending machines have to offer. Off to one side, a line of jurors begins to form to speak with one of the jury staff on an individual matter. The jury clerk on duty sorts through their problems. Several have not completed their paperwork. A couple of others came in the morning but can't stay for the entire day, so the clerk is rescheduling them to another day. In a few minutes, the lead jury clerk will begin the jury orientation while the jury manager sets the jury automation software to begin selecting the first panels of the day.

This scenario plays out in tens of thousands of courthouses every day. For jury staff, it is business as usual. But for the jurors, this is a very unique experience. Except in the biggest cities, most Americans will only be summoned for jury service a few times during their entire lifetime. Often they'll call in the night before and be told not to report because the trial that was scheduled has been canceled. Most will have only passing familiarity with the American justice system or what to expect during their jury service. Because this is such a unique experience, it is an excellent opportunity to educate local citizens and improve public trust and confidence in the courts.

During my 20-year career with the NCSC Center for Jury Studies, I've had the privilege to observe a great many morning jury orientation sessions. Most have offered good information and several did so with great humor and warmth. Others tended to drag a bit but ultimately got the crucial points across. A few were just plain painful to sit through, and I hate to think what the jurors thought of their local courts after those sessions. So in this issue, I'm offering tips for conducting an effective jury orientation. If it's been a while since you reviewed the content of the orientation script, use this outline as a general checklist to evaluate and update your presentation.

A Clean and Comfortable Jury Assembly Room

Jurors' first "face-to-face" impression of the justice system is the jury assembly room, which above all should be clean and comfortable. Trash receptacles should be emptied regularly, floors should be free of debris, tables and chairs should be clear of trash and rubbish, and any items stored in the room should be stored in a neat and tidy manner. Restrooms should be cleaned and well stocked.

Seating should be physically comfortable and adequate to accommodate the maximum anticipated number of jurors on any given day. Theater seating, tables, and work stations all present viable options for jury assembly rooms. Theater seating works well in spacious rooms that receive a high volume of regular jury traffic. Jury assembly rooms with tables allow for more social interaction between jurors. Jury assembly rooms with work stations usually have carrels along the perimeter. The audio system should be in good working order so that jurors can hear all instructions clearly. If the orientation involves a video or DVD broadcast, the jury assembly room should be equipped with television monitors large enough for everyone to view.

Keep the **overall tone** of juror orientation **upbeat** and **friendly**.

General Guidelines on the Orientation

Keep the overall tone of juror orientation upbeat and friendly. Use orientation to welcome jurors to their local courthouse and to provide information that they will need to successfully complete jury service. Lighthearted humor is always welcome, but it should not undermine the seriousness and dignity of the jurors' responsibilities. On the other hand, juror orientation is not an appropriate time to lecture or scold jurors about their civic duties. By reporting for service, the citizens sitting in the jury assembly room have amply demonstrated that they are competent, responsible adults.

Keep juror orientation brief and to the point. Under ideal conditions, the average adult has a maximum attention span of 20 minutes. You have vital information to impart to jurors during orientation, so be sure that your message doesn't get lost because the orientation contains excessive amounts of extraneous information. As necessary, make written materials available in the jury assembly room to provide additional information for those who are interested.

Keep the orientation cohesive and coherent. Organize the content of the orientation in a logical sequence, presenting related information together rather than jumping back and forth. Avoid unnecessary interruptions, such as stopping to conduct routine administrative tasks (roll call, collecting papers, etc.) as these are distracting to jurors, making it difficult to regain their attention.

A greeting from a member of the court's trial bench is strongly encouraged. A formal welcome from a trial judge can send a powerful message about the importance of jury service. It is not necessary for the judge to conduct the entire orientation, but the judicial greeting should include a warm welcome to the assembled jurors and some brief background about the court, about jury service generally, and about what jurors can expect during the day.

Essential Segments of an Effective Orientation

Greeting and Introduction to Jury Service

Begin the orientation with a warm welcome to the assembled jurors and an expression of appreciation for their willingness to participate as jurors in the justice system. Introduce yourself and any members of the jury staff who are assigned to work directly with jurors. A general statement about the essential role of jurors in the American justice system can help set the tone for the day. Use this time to provide background information about the court, such as the number of judges serving in the court, the number of jury trials conducted each year, and the number of cases disposed each year. If there is sufficient time, the introduction to jury service can also include an explanation of how the assembled jurors were selected (e.g., randomly selected from a master jury list composed of registered voters, licensed drivers, and state identification card holders). If the court provides additional written materials about jury service, direct jurors to their location in the jury assembly room and invite jurors to review them after orientation.

Expectations About the Anticipated Daily Schedule

Provide jurors with an overview of the normal routine for jury service, including the total length of orientation (including video presentation), when jury panels will begin going to courtrooms for jury selection, scheduled lunch and other breaks from jury service, and when jurors are likely to be dismissed at the end of the day. Some courts provide a brief summary of the number and types of trials that are scheduled for the day and basic information about the average length of jury selection and jury trials. Only the trial judge should provide more detailed information about the case and the anticipated trial length to jurors selected for consideration on that case.

Administrative Tasks

Make sure that all jurors have checked in for service. Instruct jurors who have not already checked in to do so *immediately after the orientation*. Do not ask jurors to do this while you are conducting the orientation, as having people moving about the jury assembly room and talking with staff can distract the other jurors from the content of the orientation. A check-in process is preferable to an oral roll call, which can disrupt the flow of information during the orientation. During check-in, verify that all of the juror's paperwork is complete and address any routine administrative issues (e.g., name or address change).

Essential Information for Jurors

The items below reflect the most common topics that should be included in jury orientation, but not all topics are relevant to all courts. Court administrators should omit those topics that are not applicable in their respective courts.

- **TERM OF SERVICE.** Explain the term of service. If the court uses an "on-call" system (e.g., jurors call each day to find out if they must report for service the next day), explain that after reporting, jurors do not need to continue to call in each day.
- **PRIVACY POLICIES.** If the court uses the juror ID number when assembling jurors for jury panels, inform jurors about the policy and tell jurors where to locate their juror ID number on the summons or juror badge.
- **QUALIFICATIONS FOR JURY SERVICE.** Inform jurors of the statutory qualifications for jury service (e.g., U.S. citizen, resident of the county, age 18 or over, no previous felony conviction unless their civil rights have been restored, and ability to speak and understand English). Direct any jurors who do not meet those qualifications to the appropriate jury staff *after jury orientation*.
- **HARDSHIP/DEFERRAL REQUESTS.** Explain the court's policy for handling hardship/deferral requests. If jury staff are authorized to defer jurors to a new reporting date or to excuse jurors from service, explain the procedure for doing so and that those requests will be taken up *after juror orientation is complete*. If only judges have discretion to excuse jurors from service, tell jurors that they will have to ask the trial judge at the appropriate time.
- **EMPLOYER INFORMATION.** Explain the procedure to secure a verification of jury service for employment purposes. Explain that employers are prohibited from retaliating against employees for reporting for jury service. Written information should be made available to jurors explaining how to seek protection in the event of employer retaliation.
- **JUROR COMPENSATION.** Explain the juror compensation procedures including the amount, eligibility to receive the daily juror fee and mileage reimbursement, and information to waive the juror fee or mileage reimbursement.
- **PARKING.** Inform jurors about locations of authorized parking and parking validation or public transportation reimbursement procedures. Explain consequences of parking in unauthorized locations (parking meters, potential for parking tickets, unreimbursed parking expenses). *After orientation is complete*, permit jurors who are parked in unauthorized locations to sign out from the jury assembly room to move their vehicles.
- **COURTHOUSE FACILITIES.** Alert jurors to the location of emergency exits and procedures to follow in the event of an emergency. Inform jurors of the location of restrooms, public telephones, smoking areas, ATM machines, and access to food/beverages and explain any policies concerning jurors' freedom to leave the jury assembly room. If the court routinely provides amenities to jurors in the jury assembly room (e.g., snacks/beverages, reading materials or other diversions, Internet access, child-care facilities, business center, or quiet areas), describe these amenities and provide an explanation of their use as necessary.
- **COURTHOUSE POLICIES.** Inform jurors about any requirements concerning courtroom decorum or dress codes in the courthouse or in individual courtrooms (e.g., restrictions on food/beverages), courthouse policies concerning juror badges, and cellular telephone and pager policies. Advise jurors of any policies concerning the use of other types of communication technologies, especially Internet technologies, including the underlying rationale for those policies.
- **JUROR EXIT QUESTIONNAIRES OR SUGGESTION/COMMENT FORMS.** Encourage jurors to complete a juror exit questionnaire. Explain how juror feedback is used by the court to improve jury service for all citizens.

Begin the orientation with a **warm welcome** to the assembled jurors and an **expression of appreciation** for their **willingness** to participate as **jurors in the justice system**.

Things to Avoid

- **GRAND JURY ORIENTATION.** It is not generally necessary to reference grand jury service in the context of a petit (trial) jury orientation. When the court has jurors report for grand jury service, conduct a separate orientation for those individuals.
- **INSTRUCTIONS FOR COMPLETING THE QUALIFICATION QUESTIONNAIRE.** Most jurors reporting for service will have already completed and submitted their qualification questionnaire. Provide individual assistance to jurors who have not previously done so, but do not take up valuable time during orientation for this purpose.
- **PRESCREENING PROCEDURES.** Unless jury staff have been instructed by a trial judge to prescreen jurors for time or financial hardships pursuant to an established prescreening policy, it is generally not necessary to discuss employer compensation policies, upcoming vacation or business travel, or other potential factors related to time or financial hardship.
- **JUROR ADMONITIONS.** Until such time that jurors are assigned to a jury panel for voir dire in a particular case, they should not be subjected to unreasonable restrictions on their activities, including the freedom to read newspapers or other periodicals and to converse informally with family, friends, and other jurors about non-case-related topics.
- **EXPLANATIONS ABOUT THE AMOUNT OF TIME JURORS SPEND WAITING IN THE JURY ASSEMBLY ROOM.** Waiting is an unfortunate, but sometime unavoidable, aspect of jury service. Nevertheless, jury staff should avoid speculative explanations about the work currently underway in the courtrooms. Often these explanations are potentially prejudicial, particularly with respect to references about plea bargaining.
- **INFORMATION ABOUT MULTIPLE COURTHOUSE LOCATIONS.** Some courts summon jurors to multiple locations throughout the county. In those counties, the jury summons and other pre-reporting materials should advise jurors of their eligibility and procedures to request a transfer to a more convenient location. Once jurors have actually reported for jury service, it is generally unnecessary to inform them of foregone alternatives.
- **VOIR DIRE PROCEDURES.** Jury selection procedures employed by trial judges tend to be highly individualistic. Other than a general statement that the trial judge will advise jurors about his or her jury selection preferences, jury staff should restrict their explanation of individual voir dire practices.
- **JUROR OATH.** The qualification questionnaire includes a requirement that the juror attest to the truth of his or her responses to the qualification questionnaire under penalty of perjury. It is not necessary for jurors to swear an oral oath to that effect after reporting for jury service.
- **PRAYERS, PLEDGE OF ALLEGIANCE, AND OTHER FORMALITIES.** Juror orientation should focus exclusively on the requirements and responsibilities of citizens to participate in jury service. It is neither necessary nor advisable to divert that focus with exhortations to religious beliefs or personal conscience.

ABOUT THE AUTHOR

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