

# JURY NEWS

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## Improving Citizens Response to Jury Summons

The American Judicature Society has published a much anticipated report on "improving citizen response to jury summons," which was funded by the Henry R. Luce Foundation. To quote from the executive summary:

"Our most important discovery is that citizens' reactions to receiving a summons and their reasons for nonresponse are strikingly different from those of the stereotypical reluctant juror so frequently portrayed in the media. A very small percentage of citizens fail to respond to their summonses because they disapprove of courts' decisions, because they feel alienated from the justice system, or because recent, sensational trials have given them an incorrect understanding of the average juror's experience. Both summons respondents and nonrespondents express interest in serving as a juror and support for the jury system. Among the less educated and the less wealthy, however, financial obstacles—lost income or the need for childcare, for instance—often prevent citizens from serving. Among the more highly educated, there is a perception that jury service would be a waste of time, that the wealthy or the highly educated are rarely chosen to serve as jurors. These results, we argue, indicate that courts should make a greater effort to make jurors' deferral and hardship excuse options clearer and to correct misperceptions about the process of being seated as a juror. Most citizens would welcome the opportunity to serve as jurors if the mechanics of the selection process were made easier and more understandable, and if courts worked with employers and legislators to obtain appropriate compensation for jurors."

Several findings from the study underlying the report are of particular interest. Although the data combines courts that use one- and two-step qualification summoning systems, the real nonresponse is in the range of 10 to 20 percent. The headlines indicating that the majority are recalcitrants overstate the problem, for many nonresponders never receive their summonses. This makes the problem an administrative one, of getting better lists and trying to improve delivery.

By interviewing citizens before being summoned and then reinterviewing them after service and also calling some who did not respond, interesting findings resulted. A comparison of responders and nonresponders found that nonresponders are :

1. Less informed about the deferral and excuse process
2. Do not feel they will be penalized
3. Less likely to be paid by their employer

The executive summary of the AJS report concludes with fourteen recommendations:

1. Courts should enforce summonses.
2. Citizens should know how to defer or be excused from jury service.
3. Court outreach should be directed at the real concerns of citizens.
4. Outreach efforts should emphasize the ability of anyone to serve competently.
5. Outreach efforts should also emphasize that those citizens who do have substantial knowledge of the law will not be automatically excused.
6. Courts should be as efficient as possible in juror use and in speeding up trials.
7. Jury summonses should be clear and nonthreatening.
8. Source lists should be as accurate as possible.
9. Courts should work with local employers to encourage them to compensate their employees for jury service time.
10. Courts should work with the legislature to enact jury reforms.
11. Child care should be a priority of courts.
12. Jurors should be paid more.
13. The courthouse itself (and its neighborhood) should be more juror-friendly.
14. Jury reforms should be implemented as a package.

Copies of the report may be obtained from the American Judicature Society, 180 N. Michigan Ave., Suite 600, Chicago, IL, 60601; (312) 558-6900. The cost is \$25 each, (AJS members receive a 15 percent discount) and postage and handling is \$3.50.

## Los Angeles Superior Court's Juror Docent Program

When new jurors report for jury duty the scene they encounter is often chaotic. While staff try to prepare ahead, staff from other offices or assignments are temporarily needed in the jury assembly room. In addition to the many juror questions that must be answered, some jurors require special attention, such as recording changes of address; completing forms not submitted; moving vehicles parked in the wrong place; and dealing with family problems that may require excusal or deferral to a new date. In some courts this scene is repeated each week, in some courts each day. A great many juror problems can be easily handled and do not require the skills of a jury clerk.

Los Angeles has had a juror docent program for several years. Persons, not necessarily ex-jurors, although it seems to work that way, can volunteer to be juror docents. They must participate in a six-hour training program. They then must be available on enpanelment days (days new jurors report) from 8 a.m. until noon. Their purpose is to provide answers to the most frequently asked questions, such as "how long will I be here," "how was I selected," "where are various facilities" (snack bar, lunch facilities, washrooms, etc.), "will I be paid, and how much?" The training covers all this and provides information on the law concerning jurors, the procedures and policies and historical information on the jury system and the court. They receive training on customer service principles, including how to deal with difficult jurors and a thorough grounding in the most frequently asked questions. They distribute juror brochures as needed. They are also made keenly aware of topics they cannot discuss.

While the court does all it can to thank them, the real thanks come from the jurors they assist. Information is available from Gloria Gomez Los Angeles Superior Court, 320 W. Temple St., Room 1510, Los Angeles, CA 90012, (913) 574-5814.

## North Carolina Jury Survey Project

North Carolina jurors from 82 counties completed 4,654 questionnaires to provide a wonderful base of information on jury service across that state.

Over 90 percent were "satisfied" or "very satisfied" with their treatment by court officials. The greatest areas of dissatisfaction were in how their time was used—21 percent dissatisfied—and with the facilities—8 percent dissatisfied—meaning that even in these categories the vast majority were neutral or positive.

About 23 percent of the employed jurors did not receive their normal salary. This increased to 64 percent of the part-

time employees. Out of pocket expenses were about \$13/day for most jurors, whereas the daily fee in North Carolina is \$12. Those who had child or elder care expenses lost about \$24 per day. About a third of the jurors said they suffered no hardship. But for those who did, the hardship suffered was usually in having to rearrange work schedules, the loss of wages, or parking problems. On average each person spent about two days on jury duty with only 5 percent serving more than four days.

As a result of serving, jurors who were positive before serving were slightly more positive after serving. About 40 percent of those neutral before serving changed their minds as a result of jury service. About 30 percent became positive and 10 percent became negative toward jury service. About half of the unfavorable persons changed their opinion and that change was about evenly split between becoming neutral and becoming positive. The impact of jury service was, as we have seen before, to improve a person's opinion of the courts.

The clerks in each county completed a second survey reporting on their jury facilities and practices. Copies of the report are available from Miriam Saxon at the North Carolina Administrative Office of the Courts at (919) 733-7107.

## Another Perspective on Juror Attitudes—Kansas

As a part of an effort in Kansas to improve their jury systems, courts in four counties conducted a survey of jurors. These were selected to include urban, suburban, and rural courts. Several thousand jurors responded from these courts. About 30 percent had become sworn jurors and 30 percent had served before. Again, as in North Carolina, the responses were quite positive.

The results were presented at the Kansas Fall Judicial Conference in October by Professor of Law Michael Kaye and Professor of Political Science Steven Cann, both of Washburn University. While discussing the results, which were fairly uniform across the sites and across the various juror demographic groups, Professor Cann stopped, stepped back, and made an interesting comment. He said he has studied government organizations for over twenty years and had never seen such a positive response from the public served. His point was first congratulatory—the court should be proud—and second, the courts should recognize the good will generated and use this to get their message to the public. Which takes us right back to some of the findings of the AJS study.

The results of the Kansas survey are available from Ron Keefover of the Office of Judicial Administration at (785) 296-2256.