

JURY NEWS

G. THOMAS MUNSTERMAN

Report from the Court Technology Conference

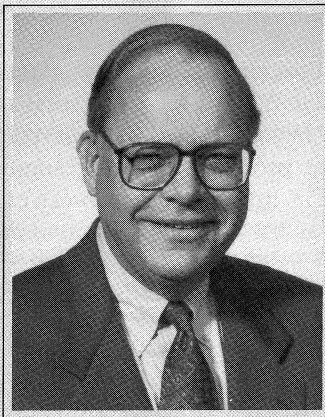
The over three thousand persons attending CTC VI in Los Angeles in September were treated to many sessions on a variety of court technology topics including jury management. One session that I hosted, "Better Treatment for Jurors," focused on the use of technology to provide better treatment through easier communication with the court and better service from staff and, via management data, to assess changes and to monitor jury system performance. Presentations from the superior courts in Los Angeles and Orange counties were really reports of ongoing progress. Both courts use IVR technology whereby summoned jurors can communicate with the court using the buttons on their telephone. In this way jurors can respond to the summons, request a new service date, and obtain information about serving. In addition to immediate dispensing of juror checks and service verification notices from an unattended kiosk, Orange County may achieve the ultimate in jury system integration, admission to the parking garage via the summons barcode. Both courts reported on their imaging and scanning progress and provided attendees with phone numbers to use for a demonstration of the systems.

While both Los Angeles and Orange counties described their Internet plans, the ultimate jury Web site is still not there. I was encouraged by the fact that many other papers at CTC VI described court systems that could have used restricted communications channels but chose to use the Internet as the communications medium. The reasons were the availability of browsers on PCs providing familiar communications software and the availability, reliability, and cost of using the Internet.

We are interested in hearing about other technological innovations in jury management. If your court has implemented a new technology or adapted an existing technology for jury management purposes, please let me (tmunsterman@ncsc.dni.us) or my colleague, Paula Hannaford (phannaford@ncsc.dni.us) know about it.

Using the Internet for Notorious Trials

The most recent version of *Managing Notorious Trials* mentions the use of the Internet to provide public and press access to court papers and information. The listserv of the Court Public Information Officers contained the following description about how this access worked with the everyday



management of a notorious trial. We thank Dave Remondini, counsel to Indiana Chief Justice Randall T. Shepard, for permission to reprint this.

"Thought you'd be interested in this handling of a high profile case by a trial judge. Here in rural west central Indiana a former nurse is on trial for killing seven of his patients with injections of potassium chloride, but he is a suspect, according to authorities, in over 100 suspicious deaths at this small hospital. Needless to say, this has gotten significant coverage. The Supreme Court asked me to give the trial judge a hand with the media."

Trial judge Ernest Yelton of Clay Circuit Court "has been very accommodating to the media. He gave them the jury room for them to use as a workspace. You get to it through a door at the back of the courtroom so it couldn't be more convenient. Two TV news stations have editing bays in there. (The jury is using the judge's chambers, which is much larger). He takes a momentary break at 11:15 a.m. to let the p.m. reporters and the television reporters get out to file for noon. We don't allow cameras in trial courts but he is letting them do standups and live shots from the courtroom when court isn't in session. On a daily basis, he is giving them access to videotape all of the exhibits. The judge also required the attorneys to post their witness list a week in advance so the reporters can plan their coverage a little better.

"Most of the court documents have been posted on the Internet at www.state.in.us/judiciary/supreme/majors.html. There is even a calendar function on the Web page that allows me to give brief updates of the progress of the trial and the schedule of witnesses from my laptop right from the courthouse on a daily basis. This saves the court staff and me from having to answer dozens of questions as to who is scheduled to come next, etc. On a weekly basis, he is meeting with the media to discuss coverage issues and the schedule of events for the next week. Judge Yelton feels that by being accommodating and giving the press enough access and information there is less of a possibility the news media will inadvertently disrupt the trial. The result is due process for the defendant and good press relations. My guess is this kind of media-court relationship is old hat to most of you, but it is kind of refreshing nonetheless."

Dave can be reached at dremondi@courts.state.in.us and readers should check the Web site given above but be careful not to include the period after "html" just because that is how the Internet works. *Managing Notorious Trials* is available

through the National Center's Web site. The PIO listserv questions should be addressed to listserv@topeka.wuacc.edu

Jurors Receiving Gratuities

Rarely, and fortunately it is very rare, it is reported that the winning party in a jury trial rewards the jury. New York millionaire Abe Hirschfeld threw a lunch for the jury that hung on his tax fraud charge. At that lunch he is reported to have paid each juror \$2,500. Several refused the checks. Don King is said to have taken federal court jurors to the Bahamas for a weekend after his acquittal on insurance fraud. Imelda Marcos threw a party for the jury that acquitted her. The Hirschfeld case raises additional concerns in that he will be tried on other charges soon. Is this jury tampering? Not after the jury is dismissed. Is this another reason for anonymous juries? Have any courts come up with other ideas as to how this can be handled? Please let me know.

His Honor on Jury Duty: More Celebrities on Jury Duty

It only takes the occasion of some headliner to be called for jury duty that prompts calls from reporters. The reporters usually begin with the question, "They don't really serve do they? Aren't there special considerations for famous people?" This time the call was caused by New York Mayor Rudi Giuliani's being called for jury duty. He was selected as a juror in a civil case and was selected by his fellow jurors as the presiding juror.

Although we formerly kept an active file on judges on jury duty, that occurrence has become so commonplace that we no longer use the file. Perhaps we should have a file of celebrities on jury duty. In New York, as part of their jury appreciation week, some of these stars come in and speak to the jurors. In recent years the likes of Liza Minnelli, Dan Rather, Harvey Keitel, and Robert DeNiro have donated their time for this cause. One week before his death, John F. Kennedy, Jr., was on jury duty and had agreed to come in the next time an appreciation week was held. The jury office at 100 Center St.

in New York City has the walls decorated with photos of famous people who have been on jury duty. Like a well-established steakhouse, the famous and almost famous have their autographed pictures on the wall. To prove that selection is random, Los Angeles County summoned O.J. Simpson to serve just after his acquittal. The court was saved from another onslaught by the press when he was excused because there were still matters pending against him. In Phoenix, Charles Keating was summoned just after his conviction. Send your contribution to my new "Stars Are Jurors Too" file to me at tmunsterman@nscs.dni.us

Musts for the Jury Bookshelf

The spring 1999 issue of *Law and Contemporary Problems* (Vol. 62, No.2) is devoted to "The Common Law Jury." This has nothing to do with the common law movement in the United States but has everything to do with the juries in the common law countries of the world. Special editor Neil Vidmar has assembled articles on the jury systems in the U.S., Canada, Australia, New Zealand, England, Ireland, and Scotland. The recent reintroduction of the jury in Russia and Spain and the considerations for the reintroduction of the jury in Japan are also presented. Students of the jury interested in the variations across these countries from the history to the current practices will welcome this volume. The issue is available as one might expect on the Web at www.law.duke.edu/journals.

The Florida courts have released a study *Jury Service Accessibility for Older Persons with Disabilities in Florida*. Based on a survey of the courts, a survey of older persons and persons with disabilities who were summoned and reported for jury service, and a survey of prospective older jurors, a series of recommendations are given. The Southeast Florida Center on Aging at Florida International University produced this first statewide study into the accessibility of the jury system. The executive summary is available from the Office of the State Courts Administrator, Attention: Commission on Fairness, 500 South Duval St., Tallahassee, FL 32399-1900 or by phone (850) 922-4370. **CM**