

Testimony to the Commission on the Jury
Presented by Jane Eggers
July 8, 2003

Good afternoon, my name is Jane Eggers. I am the Director of the Citizens Jury Project of the Fund for Modern Courts. The Citizens Jury Project (CJP) was created in 1995, following a recommendation by Chief Judge Judith S. Kaye's Jury Project, a blue-ribbon panel designed to review and reform jury service in New York State. Although originally designed to serve as an advocate for jurors facing employment concerns, CJP now advocates for individual jurors on a variety of concerns, and has an ongoing ombudsservice presence in four courthouses: 60, 100, and 111 Centre Street in Manhattan, and the 360 Adams Street courthouse in Brooklyn. At these booths, trained interns interview and respond to jurors' ideas and concerns, and record jurors' data and comments, which are subsequently analyzed and presented in trimester reports. In the past two years, CJP's role has further expanded to include surveying jurors in and outside New York City, assessing court facilities, assisting with The Jury Trial Project, and, more recently, we have begun monitoring voir dices. Through our multi-faceted work, CJP strives to ensure that the jury system functions efficiently and effectively so that jurors may focus on their pivotal role as fact finders in our courts.

The issue of juror utilization is salient in the concerns that CJP collects from jurors. In the following testimony, which is based on the 4,323 juror interviews that CJP has conducted since April 2000,¹ I will make three primary points in regard to juror utilization. First, juror utilization is not simply an administrative issue, but an issue that is related to and affects jurors' lives outside of the courts. My second point is that jurors' comments suggest that improving the prescreening of jurors and the voir dire process are decisive steps in promoting greater systemic efficiency. Finally, jurors' comments also suggest that educating jurors about court processes prior to and throughout service can ameliorate juror utilization and systemic efficiency. Policies that cultivate jurors' positive impressions of the system and respect for jurors' role in the courts will lead to greater juror utilization and satisfaction.

In the book, Jury Trial Management, G. Thomas Munsterman suggests that improving juror utilization is dependent on two basic factors: "the ability of the court both to predict jury trial activity and to use those called in as many voir dices as possible."² CJP's experience in the courts has lead us to believe that underlying these two factors are complex social realities; jurors' life experiences and issues affect statistical predictions, while the routing and re-routing of jurors to voir dices is dependant on each court's approach in the prescreening and voir dire processes. Poor juror utilization, or from a jurors' perspective, "wasted time," is an issue that is crosscutting: when jurors' time is

¹ In April of 2000, CJP was permanently transferred from the Vera Institute of Justice, where the Project was initially developed, to the Fund For Modern Courts.

² G. THOMAS MUNSTERMAN, JURY SYSTEM MANAGEMENT, 78 (1996).

wasted, other concerns are evoked and jurors' negative impressions are compounded. The following quote is from a woman who spoke to a CJP intern at 100 Centre, on June 9th of this year:

This is a waste of time. I'm a single mother with 14-year-old and 18-year-old daughters at home: both have 102-degree fevers. On top of that, their father is a deadbeat dad, and you people can't get him to pay child support! If you can't help me, why should I have to help you or fear getting arrested?! You can't keep punishing the same people. If you vote, you get called for jury duty, and if you don't vote, you don't get called. There has to be something for single mothers who are the sole support of their children. I feel very angry...

The interrelatedness of juror utilization and jurors' impressions of and experiences within the system suggest that the issue must be examined not only from the system's perspective, but also from jurors' perspective: efficiency improvements can be made that positively affect jurors' ability to serve and their perceptions of the criminal justice system.

As I mentioned in the introduction, although CJP was initially designed to address jurors' employment concerns, it was found that jurors' concerns include but extend beyond employment to concerns related to their families, their health, and their finances. CJP commends the Unified Court System for introducing profound reforms that have taken the burden of service off a select few individuals and promoted diversity among those called to serve; I am referring to the abolishment of the automatic exemptions and disqualifications, the elimination of the antiquated permanent qualified list, and the expansion of the number of source lists from which jurors are drawn. The worth of these reforms are reflected in jurors' comments:

“Things are generally better; I know because I've been serving since the 60's. I used to be exempt because I am a reverend.” (111 Centre, 8/19/02)

“I've been coming here [to courts in NY County] for many years, and I feel the change and see the improvements. It's great that you have all of these materials, the movie is great, and the clerk is doing a really good job. I can see that a lot of effort has been put into the system.” (100 Centre, 3/27/03)

The work that lies ahead, in relation to juror utilization, is to continue to develop policies that promote inclusion, and value jurors' time and their lives outside of the courts. For the sake of brevity, I will not review all of the recommendations that CJP has made to improve the administrative procedures for people facing familial, health or financial concerns; these recommendations are available in recent CJP reports. However, I will briefly speak on the disqualification concerns that CJP receives, concerns that are markedly represented in the total number of comments. Specifically, I will discuss individuals who may be disqualified and seek information as a result of a language barrier; these individuals comprise a clear majority of the disqualification comments, and

the third-most common concern in the entire data set. Non-English speakers are the population that is most prone to waiting for hours to serve on panels that they may not be qualified for, and are the population that epitomizes the importance of prescreening jurors.

On March 27, 2003, the Court of Appeals reversed a conviction made in *People v. Pedro Sanchez*³ because a juror during deliberations indicated that she did not understand what was going on, yet the verdict was accepted without resolving the problem. The Court of Appeals found the Queens court, from which the Sanchez conviction arose, conducted an inadequate subsequent interview to assess whether the juror was “grossly unqualified” (CPL 270.35). Certainly, this ruling speaks to the need for clear and consistent procedures in assessing jurors’ facility with English, including a clear designation of who is responsible for this assessment. To the Office of Court Administration’s credit, this issue was somewhat addressed in the fall of 2002, when OCA released guidelines for assessing non-English speakers. However, CJP also believes that this ruling suggests two other aspects of the issue. First, non-English speakers represent a significant, increasing population in New York: The US Census Bureau reports that 28% of the population in this state speaks a native language other than English and 13% of this group speaks English “less than very well.”⁴ Of those individuals who report speaking English “less than very well,” approximately one half are Spanish-speaking. According to US Census statistics, the Hispanic population increased 57.9% from 1990 to 2000, whereas the total US population increased only 13.2%.⁵ A second and related point is that the enormity of this issue does not suggest greater exclusion of jurors whose native language is not English, but a need for the court system to be more inclusive of potential jurors early in the process by providing multi-lingual information prior to service.

Currently, no multilingual information is made available to non-English speaking jurors, with the exception of the Bronx County Clerks Office’s website, which is now available in Spanish. However, the precedent for utilizing languages other than English on web sites, forms, and through hotlines has been clearly set by many agencies and systems of government, both statewide and federally. Indeed, all of the agencies through which the jury system gathers its source lists communicate with the general public in languages other than English; therefore, an individual can fill out forms or utilize services that put his or her name on jury source lists without being able to read, write, or speak English.⁶

As a result of this lack of information prior to service, CJP interns typically encounter three types of jurors who have a limited ability to speak and understand English:

³ THE NEW YORK COURT OF APPEALS, 2 NO. 26: THE PEOPLE & C., V. PEDRO SANCHEZ , 2003 NY INT .

⁴ United States Census Bureau, *U.S.Census 2000* (visited April 16, 2003)
<<http://www.census.gov/main/www/cen2000.html>>.

⁵ THE UNITED STATES CENSUS BUREAU, THE HISPANIC POPULATION, CENSUS 2000 BRIEF (2001).

⁶ For a more detailed analysis, please read the Citizens Jury Project Winter 2002 Report, available at:
<http://www.juryproject.org/reports.html>

- Jurors who arrive in the courts alone, confused and uncertain how to proceed, with very little ability to communicate their questions and concerns in English.
- Jurors who arrive in the courts with a friend or relative, who serves as a translator and assists the juror in the court.
- Jurors who speak English as their second or third language and may have the competence, but not confidence to serve.

These jurors usually end up sitting through an entire morning orientation and then, dependant on the court, may be informed that they must participate in a language interview if they are uncertain about their facility with English. All three types of jurors that I mentioned above-even those who speak English well enough to serve-would benefit from multi-lingual outreach. Such outreach would improve jurors' impressions of the system by giving jurors knowledge about the system and confidence to serve or make clear their inability to serve to the appropriate court staff.⁷ Providing information ahead of time will also allow potential jurors to participate in language interviews prior to service, a step that would lessen the time wasted by jurors and promote juror utilization.

I will now turn to voir dire, the process during which jurors are often first introduced to the case and court actors, and the process that jurors complain most fervently about "wasted time." Of the 286 comments that CJP has collected which fall under the category "wasted time," 48 comments-almost twenty percent of the total- directly assert that time is wasted in the voir dire process. Under the "wasted time" category other common comments include: "the process does not start on time," "time is wasted during trial," "lawyers are late or waste time," and "too many jurors are called." Interestingly, the third most common comment under the category "wasted time" is a suggestion: jurors frequently comment that court officials should provide information to jurors while they wait. Jurors also suggest that juror information should be collected and assessed ahead of time.

Collecting information about jurors ahead of time entails providing adequate information to individuals before and during service, and sufficiently screening jurors prior to and during voir dire. The use of juror questionnaires can continue to facilitate this process. Thus far in their voir dire monitoring, CJP interns have noticed that questionnaires are

⁷ Fellow jurors even notice the lack of information provided to non-English speakers, and these jurors' time is wasted:

I was here yesterday and was very surprised to learn that there was an Asian guy who didn't speak any English and tried to tell the clerk that and the clerk told him to sit down and listen to the orientation. But, when they were listing the excuses for disqualification he had to find another Asian guy and tell him that he lives in Brooklyn. Then, the guy had to speak for him. (100 Centre, 6/10/03)

I think that there are a lot of Spanish people who don't speak English. Maybe they should have headphone translations to help them. I am Spanish and speak very little English. Then we will be happy jurors. It is very important to understand the case. (100 Centre, 5/28/02)

People who are ineligible due to an inability to understand English were kept waiting a long time for no apparent reason. Could they be met with before the endless movie? (360 Adams, Survey Comments, 2/03-3/03)

more effectively used in criminal trials, as compared to civil trials. Interns have noticed that civil lawyers are not given or do not take much time to review the questionnaires, and sometimes review the questionnaire in the presence of jurors, who are often called prematurely. These observations are echoed in jurors' comments:

The questionnaires should be collected by the attorneys prior to the voir dire so that they can study them and select the most likely candidates. This way the obvious could be eliminated. We were also misassigned to rooms many times. It is very disorganized here. If I ran this place I would run it like a hotel. I would have someone give clear directions and guide the jurors. They should have better time management; so much time is wasted going from room to room. (60 Centre, 6/5/2000)

Top Ten "Wasted Time" Concerns (Total categorical concerns =281)	
Time was wasted during voir dire	48
Process does not start on time	23
Information should be provided while jurors wait	21
Time is wasted during trial	15
Lawyers are late/waste time	12
Too many jurors are called	12
Juror information should be collected/assessed ahead of time	8
Jurors are made to wait in the halls	5
Judges are late or waste time	5
Jurors are used to settle civil cases	4

Under the general category of voir dire, jurors provided 148 comments. Jurors' overarching concern in this category is juror privacy, specifically some jurors feel uncomfortable with the intrusive personal questions asked during voir dire, while others object to their name being called in front of defendants. Jurors also noted that time was wasted during the voir dire process, that attorneys wasted time, and again commented that jurors should be more adequately prescreened and provided with more information about voir dire. Twenty-one jurors remarked that due to their professional background they would not be selected as a panelist:

"I feel torn about serving as a juror. I recognize the need to have a proportionate and representative jury pool, yet as a physician I have a responsibility to my patients to be available. This dilemma is compounded by the fact that I will probably not be selected, making my time here a waste." (111 Centre, 7/18/02)

Other jurors feel that their life experiences, such as being a victim of crime, will negatively affect their chance to be chosen. When a victim of crime's concern with privacy is coupled with her or his feeling that they won't be chosen, the process of service can foster resent and trauma:

I was a crime victim years ago and I don't like that my personal information is out there. It's terrifying. (111 Centre, 3/26/2001)

It's a waste of time for me to be coming here because whenever the attorneys find out that I am a victim of a crime, they don't want me. I feel that I should be taken out of the jury pool. (60 Centre 6/25/2001)

CJP addresses the issue of juror privacy extensively in our last trimester report, which is available online. The most relevant point made in this report is that CJP concurs the American Bar Association's Standards on Jury Management, which favor voir dire that are held under judicial supervision, in a courtroom, and on the record. The ABA also recommends that judges' role in protecting juror privacy extends to the end of a trial.⁸ Judicial supervision must entail a clear disclosure of jurors' rights and responsibilities, for example, as one juror aptly noted:

I think the judge should tell potential jurors upfront that they have the option of speaking to the judge privately—i.e. they don't have to tell a courtroom full of people specifically what happened to them when they were a victim of a crime. (100 Centre 6/18/2002)

It is arguable that civil voir dire do not require the stringent supervision that is needed to ensure jurors' privacy and safety during criminal proceedings. However, CJP believes that, at bare minimum, civil voir dire should follow the current law: 22 NYCRR § 202.33 (e) requires that a judge sit in on the commencement of voir dire in all civil trials, and provide the option of overseeing the entire process. Jurors' comments and CJP interns' experience monitoring voir dire indicate that this is not standard procedure. One juror was even able to provide the comparison:

I was on two panels: one civil and one criminal. One with the attorney's and the other was with a judge. The judges do a much better job. They waste less time and make things go faster. (111 Centre, 6/18/2001)

Jurors also comment that they need more information about voir dire, information that could be provided in an initial introduction conducted by the judge presiding over the trial. Some lawyers share the belief that increased judicial supervision in civil voir dire is needed.⁹ A 1999 report to the Chief Judge and Chief Administrative Judge by the Committee of Lawyers to Enhance the Jury Process called for increased judicial oversight

⁸ The black letter to Standard 20 in juror privacy states: "...Before dismissing jurors from jury duty, the court should inform jurors of their rights to discuss or refrain from discussing the case." And continues, "jurors should have the continuing protection of the court in the event that individuals persist in questioning jurors, over their objection, about their jury service. American Bar Association, Summary of Recommendations (Visited April 18, 2003) <<http://www.abanet.org/leadership/98a-120.html>>.

⁹ In February of last year, a lawyer approached CJP with the following comment:

I speak for no less than 100 attorneys in saying that the system is getting worse not better. You should let the judge rule the jury system and not the Judicial Hearing Officers. (111 Centre, 2/11/2002)

of civil voir dire. The report noted that the promulgation of 22 NYCRR 202.33¹⁰ has significantly improved the efficiency of the voir dire: in 1995, the statewide average for civil voir dire was 9.3 hours, whereas in 1998, the average had fallen to 5.1 hours. The Committee of Lawyers concluded: “the benefits of increased judicial involvement in voir dire have been amply demonstrated.”¹¹

Top Ten Voir Dire Concerns (Total categorical concerns =203)	
Intrusive personal questions	39
Time wasted by attorneys	36
Too many people are called/dismissed	24
Should pre-screen jurors	21
Refuse to choose me because of my profession	21
Need more information about voir dire	17
Object to name being called in front of defendants	14
Made to wait in halls	14
Jurors should be prescreened	9
Never called for voir dire	9

It seems, therefore, that juror utilization is quite related to how information is gathered about and conveyed to jurors. This includes the treatment of jurors, whether judicial supervision is provided and whether jurors’ role in the courts is respected: certainly, jurors should not be uniformed or treated as settlement tools.

In conclusion, I will briefly summarize the recommendations that I have made throughout this testimony and provide some closing remarks. CJP recommends that the court system:

- **Provide jurors with more information prior to and throughout service.** It is essential that jurors are knowledgeable about their rights and responsibilities, while mechanisms of inclusion and outreach to diverse communities in New York are advantageous and required under the Equal Protection Clause of the Fourteenth Amendment.¹²
- **Use the information that is collected about jurors effectively.** This includes encouraging lawyers to review the civil voir dire questionnaires of all jurors in the venire prior to the beginning of the voir dire
- **Start calling jurors to voir dire early, and start cases punctually**

¹⁰ In addition to requiring a judge’s presence at the commencement of voir dire, 22 NYCRR 202.33 requires that lawyers and judges meet at least once before voir dire to discuss settlement (22 NYCRR § 202.33(b); allows judges to impose time limits on questioning (22 NYCRR § 202.33(d); and requires jurors to complete background questionnaires prior to voir dire. Report of the Chief Judge & Chief Administrative Judge Committee of Lawyers to Enhance the Jury Process (Visited July 1, 2003) <<http://www.courts.state.ny.us/99juryrept.htm>>.

¹¹ *Id.* at 18.

¹² *Batson v. Kentucky*, 476 U.S. 79, 106 S. Ct. 1712 (1986). *J.E.B. v. Alabama ex rel. T.B.*, 511 U.S. 127, 114 S. Ct. 1419 (1994).

- **Ensure that all aspects of 22 NYCRR § 202.33 are complied with in the courts, including the requirement that a judge sit in on the commencement of voir dire in all civil trials, and provide the option of overseeing the entire process**
- **Encourage lawyers to be punctual and keep questions to the venire within scope**
- **Continue to design and implement policies that cultivate respect for jurors' role in and their lives outside of the courts**

On June 12 of this year, the New York Times reported¹³ on polls that indicate there is growing pessimism about NYC, a pessimism that is spurred on by the flagging economy, and the loss of jobs and services, concerns that weigh heavy on the minds of residents throughout the state. The good news is that in terms of the court system and the judiciary, we are working from a strong base here in New York. Meanwhile, reforms that promote juror utilization can have far-reaching effects. Recent surveys published by the American Bar Association¹⁴ and the National Center for State Courts¹⁵ (NCSC) have found that public involvement with the courts has increased, and with this increased involvement, the public's confidence and satisfaction has grown. The NCSC's findings indicate that "the more knowledge people have about the judicial system the greater their confidence in the judicial system overall as well as in a whole host of its components."¹⁶ An additional positive finding in the NCSC study is that the jury system received overwhelming support from respondents. 78% of the respondents indicated that the jury system is the fairest way to determine the guilt or innocence of a person accused of a crime, and 69% agree that juries are the most important part of the system.¹⁷ Clearly, New York's efforts to continue to improve the jury system are timely and well warranted.

Thank you for your work and for allowing me to speak.

¹³ Jennifer Steinhauer & Margorie Connelly, *New Yorkers Have Growing Pessimism About the City*, NY Times, June 12, 2003, at B1.

¹⁴ The Albany Law Review published a condensed version of this study:

THE AMERICAN BAR ASSOCIATION, SYMPOSIUM: AMERICAN BAR ASSOCIATION REPORT IN PERCEPTIONS OF THE US JUSTICE SYSTEM, 62 ALB. L. REV. 1307 (1999).

¹⁵ NATIONAL CENTER FOR STATE COURTS, HOW THE PUBLIC VIEWS STATE COURTS: A 1999 SURVEY 41 (1999), available at: <http://www.ncsc.dni.us/ptc/results/results.pdf>.

¹⁶ However, it is important to note that these studies also found that support for the judicial system is not monolithic: confidence in and perception of support from the judicial system varies across socio-economic classes and groups. The ABA study found that the people most likely to have confidence in the judicial system are: "men, those who have higher incomes, those who are more educated, and those who have positive litigant and juror experience." (THE AMERICAN BAR ASSOCIATION, *supra* note 13, at 1312.) The NCSC 1999 study reported that 80% of the respondents felt that the wealthy received better treatment in the courts, and the majority of the respondents (54%) felt that non-English speaking receive the worst treatment. In terms of racial/ethnic differences, the NCSC study reported that Hispanics expressed the greatest satisfaction with the performance of the courts, while African-Americans' opinions about the courts were consistently the most negative. Additionally, "almost 70% of African American respondents said that African-Americans, as a group receive "Somewhat Worse" or "Far Worse" treatment from the courts; a substantial number (over 40%) of Whites/Non-Hispanics and Hispanic respondents agreed. (THE NATIONAL CENTER FOR STATE COURTS, *supra* note 23, at 38.)

¹⁷ THE NATIONAL CENTER FOR STATE COURTS, *supra* note 14 at 38.

Appendix A: Top Juror Concerns from 60, 100, 111 Centre Street & the 360 Adams Street Courthouse

Top Juror Concerns–Manhattan & Brooklyn Courts 4/3/00-7/3/03 (Total Concerns =7,677)	
Top 10 Appreciative Concerns	Count
Things are generally better	209
Good clerks	142
Physical conditions are better	41
It's good that everyone serves	34
Video is good	28
Good court officers	15
Judges are nicer	13
Coffee is convenient	9
Courthouse restoration looks good	8
It's good that attorneys serve	8
Top 25 Critical Concerns	Count
Lack of information/incorrect information	903
Would like a postponement/deferral	643
Doesn't speak English	436
Medical problem/old age	320
Wasted time	281
Elder/childcare	249
Very disruptive to my work	196
Not a citizen	142
Needed information ahead of time	137
Summoning: Problems w/ name or address	136
I'm late	129
Not a resident of this county	126
Summoning: Disproportionate summoning	120
Bathrooms are dirty or in disrepair	111
Religious/personal objection to service	99
Service should be more flexible/accommodating	96
Improve technology	92
Summoned w/in two years of service	86
Financial hardship	84
Air quality/temperature needs improvement	84
Received multiple summonses	83
Self-employed should be exempt	77
No coffee/sandwiches/juice	74
Losing major work assignments	69
In non-compliance	68

Appendix B: Jurors' Written Comments Collected from a Court Facilities Survey Conducted at the 360 Adams Street Courthouse in Brooklyn

In a recent survey conducted by CJP at the 360 Adams Street courthouse in Brooklyn, over 20% of the 310 written comments were related to wasted time.

“...I am feeling worthless because I didn't get a chance to serve on a trial nor even get a chance to do so. This is not a new process nor is it a process that occurs a few times a year. Jury duty happens every day, and it seems that a more efficient system should already be in place. It is unbelievable that this process is so inefficient in this highly developed and great city. I expected more.”

“If you ask jurors to be at the courthouse by 8:45 AM, why do you (clerks and officers) begin at 10 AM? I feel that it's a waste of time and very inconsiderate.”

“The wait when we come in is horrible. I wish we could be informed of what's going on while we wait for the next thing to happen.”

“This system is very slow and inefficient. I have been sitting in the assembly room for over 7 hours now, without my name being called. I have a classroom full of handicapped children who could have benefited from the time I wasted here. Not only has the day been wasted, but also I am confident that I will not hear my name called today and will have to take another day off of work tomorrow to sit and wait. It seems more reasonable to ask jurors to come in at specific times instead of all at one time—8:45 am. I could have worked a half day or not come in until tomorrow. In addition, I am feeling worthless because I did not serve on a trial nor even get a chance to do so. This is not a new process nor is it a process that occurs a few times a year. Jury duty happens everyday and it seems that a more efficient system should already be in place. It is unbelievable that this process is so inefficient in this highly developed and great city. I expected more.”

Appendix C. Illustrative CJP Juror Comments, Collected from 4/3/00 to 7/3/03

I. Won't be selected due to personal experience/profession

It's boring when you have to wait. My dad and his father were civil attorneys. I also was a party to a personal injury case. I'm always summoned to 60 Centre Street and never selected. Kind of frustrating because never being picked makes you feel like a body filling space. 60 Centre 4/10/00

I have only served in civil rather than criminal jury due to my employment. I am a former prosecutor and have consistently been excused from criminal juries. 100 Centre, 5/25/00

I have served for ten years and I get called every two years. All of it is a waste of time since due to my background. I always get excused: I was an auxiliary police, and I have worked at an orthopedic hospital. No one of either side picks me. I once sued an insurance company. My suggestion is that once they call you three times they should take you off the list. 60 Centre, 6/5/00

I own an investigative insurance fraud company now so I always wait here, but never get picked. 60 Centre, 6/7/00

What is the purpose of calling lawyers to Jury duty? Nobody wants us, we keep getting denied and it's a waste of time. Lawyers should be exempt from this process; no one wants our opinions and experience on their juries. 60 Centre, 10/31/00

I've been serving for fifty years and I always get bounced because I'm a retired Registered Nurse. Can I serve in something other than civil? 111 Centre, 4/18/01

My son is in jail. After what I went through with that, I could never put anyone else through it. I do not believe in this system and could never convict anyone. I always request civil court and they put me here instead. I don't know what to say to the attorneys. 6/4/01 100 Centre

Every time I tell the lawyers in voir dire that I served on a grand jury, they don't want me on the case. They should take people who have served on grand jury out of the jury pool because no one wants them after that. 100 Centre 6/20/01

II. Provide jurors with more information while serving

Tell jurors a little more about time frame involved. If they ask you to be here at a certain time then the schedule should stick. There should be honesty in the scheduling--it will build faith in the system. If we're going to wind up waiting we should be told. 100 Centre, 4/10/00

I wanted to know the law on how attorneys can just excuse jurors in voir dire. They started with a panel of 12 and the attorneys took the number down to 3. Then once again they went from 12 to 3. I was excused and I don't even understand why. All I said was I like to read books. It seems like a big waste of time - our time. The attorneys are trying to be too clever. Is a carefully chosen jury by an attorney a "jury of your peers?" 60 Centre, 8/9/00

Also, they need to do a better job communicating how long the case is going to be. They first said it would be 3 days in the voir dire. They told me that the trial would only be three to five days. But then when we were in the voir dire the attorney said that the trial was going to be at least 2 weeks and asked who would not be able to do that and of course 80% of the people raised their hands. People were complaining, I mean one woman was saying that she was going to definitely get fired for her job, and then the court officer said that she was not allowed to do that. But we all know that that is not what is going to happen, she will have to hire an attorney to have recourse against her company, which will cost her a lot of money. It is just really inconvenient.

If they [clerks] could communicate with us-about the break and regular announcements about what will happen next. I feel like I might miss something. Maybe they should have an outline that you would have to return the next day. 100 Centre, 8/20/02

I don't believe that a little information for a juror makes a good juror, unless you come to court with preconceived notions. Jurors need, in order to do the best job they can (and some of us want to be fair and faithful) a preliminary acquaintance with the little things that mean so much. Instead of waiting in the waiting room with the reading materials of choice, we should be reintroduced or introduced for the first time to the system that asks us to judge our fellow man. There needs to be an opportunity to ask questions pertaining to the Juror's Handbook without having to "frame" them in a certain way because asking a question that will be legally scrutinized is different than asking a layman's questions and getting answers that are plain or simplified." 100 Centre 2/23/03

III. Privacy/safety concerns

Waste of time, I'm thinking threatening letters. They shouldn't ask personal questions in front of the defendant in criminal court since they ask, "exactly in what section do you live? Where is your job? Do you know any judges lawyers? Do you know anyone who's ever been convicted?" 111 Centre 6/5/00

Yesterday I was on a voir dire and they asked me whether I was the victim of a crime. I said that I would rather discuss it in private, but I didn't know that the defendant would still be there. I was involved in a rape crime and it made me uncomfortable to talk about something in front of so many people; even the bailiffs were there. They should make a note on the questionnaire that if someone needs to talk about something in private they could do so without being put on the spot. I got very upset yesterday and I hope this will not happen again every time I serve. 100 Centre 6/19/00

I don't agree with the questions they ask you in voir dire - especially since it takes place in front of the defendant and others in the courtroom. We were sitting right by the defendant's family. I don't think they should hear all that. 60 Centre, 8/9/00

I've served before--it was a learning experience but I did feel uncomfortable on a prior selection for a homicide case where the defendant and his family were in the courtroom. There is too much personal info in front of the whole family. 360 Adams, 10/30/00

I am on the Jimenez panel and the attorneys didn't give us our questionnaires back and have personal information about us. They are also very late. 60 Centre, 6/12/01

As a clinical psychologist I have concerns about individuals feeling coerced to respond to quite personal questions in the courtroom as part of the process of being selected as a juror. I am well aware of the impact of forced disclosure and I think that people should be well informed of their right to answer in private. 111 Centre, 6/27/02

I just finished jury duty. I was assigned to a case, a criminal case. I had no objection to being selected to serve on this jury or to spend a week of my time to perform this service. I did in deed have an objection to the defendant having available to him my first and last name, town of which I reside and my place of employment. My personal information I felt was of no importance to the case. It would have been okay if it were on first name only basis in the courtroom in front of the defendant. I was given a juror number that should have also been sufficient in front of the defendant. It was a very uncomfortable feeling to have this information at this person's disposal. I am not sure if this was the right avenue to go through with my concern but I will be going through every avenue possible. I did not mind fulfilling my responsibility and would do it again but there are a few changes that need to be made. 111 Centre, 10/28/02

Can attorneys ask if we've committed any crimes? You're only exempt from jury duty if you've been CONVICTED of a felony, but they could ask what crimes we've committed, regardless of arrest. It seems to interfere with our 5th Amendment rights against self-incrimination. Could they take you to court based on your voir dire confession? 100 Centre, 6/12/03

IV. Review juror information ahead of time

The attorneys should view the questionnaire at least once and then draw from a small pool of jurors. 60 Centre 6/5/00

They should do all this before hand (do the questionnaire at home) so we can come here and do our jobs instead of waiting around all day driving each other crazy on our cell phones. 100 Centre, 6/15/00

Also, lawyers should review questionnaires before the voir dire. What's the purpose of me filling out the questionnaire if the lawyers are asking me the same questions? 60 Centre 10/26/00

EFFICIENCY IS KEY. Why must I sit in a room with 60 other people and answer questions that I could have told before I was chosen for voir dire. Things like, Are you a felon, does you or your family have a connection with a criminal case etc. It is information I could easily answer on a question sheet with out every body else finding out and it will save time. 111 Centre 12/7/00

The juror should have a certain amount of say in what you qualify for such as personal liability or rape cases because it wastes her time and could have the potential to be embarrassing. They should have some sort of form to pre-screen jurors or a call in system. 60 Centre, 1/29/01

When they know trial will be 2-3 weeks they should ask on the questionnaire who will be available that long. This way only the people who can be there will be in the selection pool for questioning. This maintains the random selection and does not waste as much time as the current process. 60 Centre, 7/12/01

There has to be a better way to screen jurors. They should question jurors about important things before we all go into the room. A lot of time is wasted seeing who can or can't speak English, who works or doesn't work for transit authority. 60 Centre, 9/10/01

Other jurors in the voir dire didn't really understand English. There was one lady from Puerto Rico who said that her son had been convicted of a drug offense there. She pointed to the defendant and said, "I want to help you." It was unclear whether she wanted to "acquit him or to be his Grandmother." 111 Centre, 5/20/02

V. Positive Comments

It is a very interesting process. Everyone has been conducting themselves very professionally. Everyone (the jurors in the voir dire) has also been honest and volunteered information. I said what I thought when questioned in the voir dire and one particular lawyer did not like what I said. A very good question was asked in the voir dire: do you think the jury/court system work? From what I have seen the system works very well. The judge who gave us the history of the building that was very charming. He has a very clear way of speaking. Plus, he has a sense of humor and makes everyone feel comfortable. Florence Troya is an absolutely first rate down to Earth person. She was extremely wonderful. 60 Centre, 6/6/00

I'm an attorney for both civil and criminal cases (criminal defendant) (negligence prosecutor). It would be great if I were picked since its so exciting to see other lawyer's tactics, especially in voir dire. I would study this for a month if I were a juror that long. 360 Adams, 8/22/03

VI. Jurors made to wait in the hallways

Yesterday I was on a panel and while we were being interviewed we had to wait outside because there were so many of us called. There is a way to avoid that; they should only have called as many jurors as fit in the room. 60 Centre, 6/12/00

They called our names, got us all up and standing in the hall. We stood out here for about twenty minutes waiting around. The hall was hot and crowded, the lawyers weren't around. None let us know what was happening or where we should be going. 60 Centre, 10/26/00

I was on a Voir Dire panel. We were left standing in the hall for over an hour. Luckily there were no elderly people in our group. 60 Centre, 4/21/01

Voir Dire: we were stuck waiting outside. There was an older man who complained to the bailiff about the heat...maybe there could be an air-conditioned room. 100 Centre, 8/20/02

"Why do they call out names and then make us stand in the hall for 20 minutes? They should only call us when they are ready for us. We do enough waiting around as is." 60 Centre, 9/18/2002

VII. Trials/Grand Jury Proceedings should start punctually

Another concern of mine is that if you are selected to serve on a jury, the case does not start right away. They make it very complicated and inconvenient for jurors. You have to go in and out of work until they are ready. Maybe they should consider calling/selecting jurors after they have a judge, the place, and time determined. . 60 Centre, 6/14/00

I am on the grand jury and the room we're in is horrible. It goes from hot to cold. It is also small because they have the immobilized chairs. It takes a while for the lawyers to come. We've waited for as long as two hours. It takes a while for them to start the cases. 360 Adams 7/17/00

VIII. Lack of supervision during voir dire

Also, there was no judge present during voir dire questioning and it was creepy to be answering questions only for the lawyer in the presence of the parties. 60 Centre, 6/20/02

IX. Lawyers late/wasting time

I am selected to be in voir dire and I am waiting because the lawyers are not here. No one is prepared for anything. The system seems so inefficient. It's been unbelievable,

laughing and irritating. Yesterday maybe they did 3 hours of real work; all the rest of the time was wasted. 60 Centre, 6/12/00

I have been around since yesterday and all I have been doing is waiting. I was selected to be on a voir dire, but the lawyers are not here. Meanwhile, the jurors have been here since eight thirty. It is very rude and irresponsible. I am outraged at the inefficiency. 60 Centre, 6/13/00

Also, yesterday during the voir dire lawyers left us alone for an hour in a small unairconditioned room. There were already too many people in that little room. The clerk with a Yakima [Marti] is wonderful. He was told about the problem and he instantly did something about it. 60 Centre, 10/23/00

Yesterday voir dire ended early because one of the attorneys had a dentist appointment. The attorneys told us to be back here at 9:30 and it's 10:40 and they said they couldn't find the attorneys even though we've seen them. 60 Centre, 6/12/01

During the jury selection in the civil court there was a complete lack of supervision of lawyers. I was part of a prospective panel assigned the day before. We waited the whole morning and we weren't called back to the panel. One of the four lawyers was delayed- a no show, and we were sent to lunch. At 1:30, we returned to the voir dire. 3 of the 4 lawyers were there- this time a different attorney was missing. We kept waiting; the lawyer was a no show until 2:10. Lawyers should be here on time. Clerks should pull the case if lawyers don't show. Lawyers should be penalized for this. 60 Centre, 3/19/02

X. Waste of time during voir dire

I was picked for jury on 2nd day of jury service, and had to call in every night thereafter to see if they had to come in. On 4th night of call in, I was told to come in next day at 2:30. The judge addressed the jury, but did not have opening remarks from attorneys. Clearly was a plot to keep jury. Every event required waiting. The judge told jurors that trial would not start until the next week, and that five-day trial would actually be spread out over three weeks. I wrote a note to judge explaining the hardship this entailed, trying to be a "good citizen". Judge then called jury in to say that case was settled because they realized schedule was not good for anyone. Taken advantage of. Wasted time. Jurors have lives too. 4/11/00 111 Centre

I was put on a panel Monday and was one of the five selected. They needed three more jurors so they told us to call daily after 5:30 to find out whether we should show up. My job is a daily basis kind of thing and I need to let my employer know by 3p.m. whether I'm available or not. They're getting annoyed and told me to just not show up until it is all over. I lost \$1,000 this week alone and the trial has not even started. I know they say if you're not needed tomorrow go back to a regular day of work, but I can't do that. I wish they had explained it better; I wouldn't have done the right thing if I knew. And the case is against the MTA. To be honest, I'm quite biased now against the city and the MTA because they've made me wait so long this week. 60 Centre 7/24/00

Endless hurry up and wait. Yesterday we waited and waited then we were sent 2 or 3 times to different courts only to wait and wait some more. At one courthouse we stood outside for 3 hours and just as we were routed in we were sent back upstairs again. I think there is a better way to for us to contribute to society and be more productive. I suggest (even though I like and care for the county clerk having a decent job) the whole process be computerized/email/phone instead of devaluing the public in the year 2000.
100 Centre 6/14/00

I was on a voir dire yesterday and I was very disappointed. They asked too many questions that would pertain to the trial instead of trying to find out whether a juror could be fair or not. They asked me whether I could make an unbiased decision and I answered that I would try my best, but that no one can be complete unbiased. It is just not logical to insist on that. They have to understand that no one is not perfect--just like your logo says. I could not believe that those jurors who put on poker were selected. They are just looking for jurors who will not doubt the evidence no matter what. Maybe they can create a questionnaire that surveys a person's ability to make good decisions. The judges, too, should be a little more aggressive. 100 Centre, 6/26/00

There needs to be more organization during voir dire. 1) Once you're on a voir dire there could be more organization. The waiting in the main assembly room I can understand but when you go to selection you'd think they're ready to go. There was also a defendant from another case sitting in the hallway with us.

2) Also, the bolts in the chairs came out--the woman next to me fell out of her seat in the main assembly. 3) The elevators are terrible. 100 Centre, 10/3/00

Punitive--I felt cases were trivial. It's a waste of money. It was a small amount of drugs for one case and there were 60-80 people in the room. A lot of this stuff should be departmentalized. The selection took a full day and for what? Could have picked names out of a hat faster. We weren't allowed to read or do anything while selection went on. By the end I felt bad for the defendant. Atmosphere here is depressing. Could go much faster and the conditions could be improved. 100 Centre, 10/3/00

It is unnecessary to be kept waiting in the hallways outside a courtroom? I was somewhat offended in voir dire--harsh questioning. No one said they had qualifications--they were made to come. One-day one trial would be good, but more people would try to get out of it because they wouldn't sit around for three days. Language requirements should be higher. It is clear that jurors are at the bottom of the totem pole--every one else's convenience comes first. 10/17/00 100 Centre

This is my third day and I was on a voir dire in which I was not selected. The process is very inefficient and they don't tell you what to do next. The questioning process is slow and I had to work all weekend to make-up for lost time on my job. They gave us a 2 1/2 hr. lunch - who needs it? Then they called us back on Monday because they couldn't get everything together on Friday. The other people I had reported with who were not on a voir dire panel were let go on Friday, yet I had to come back. They should ask the panel right away if there is a conflict such as serving on a medical malpractice case so you

don't sit around knowing you won't be selected. People want to serve but they get frustrated that it's so inefficient. 60 Centre, 3/29/01

The end of the day is horrible. An attorney led a woman to say how a similar case against her mother had turned out and then said, "the good guys won." That's a tainted jury. This is why I don't like civil cases. 80% of jurors are wasted on frivolous cases. 60 Centre, 6/4/01

Voir Dire wastes a lot of time. Seating people according to a chart is not smart. Why don't they organize the chart to the way jurors have sat down? 60 Centre, 6/24/01

"I was on voir dire for 6 hours last Friday. There were law students and lawyers in the jury who said that it wasn't supposed to take that long. There was no judge there and the lawyers made their opening statements. They weren't really asking us questions; they were just talking at us." 6/2/03 60 Centre

The voir dire process is too long and repetitive. There must be some way that potential jurors can be screened before sitting through defense and plaintiff lawyers. I had to sit a full day before and, because of calendaring, I could be excused. They should have prescreening to avoid wasting time. But the voir dire has improved. It has gotten faster. But, there should be a timer when people talk. The judge talked for about 20 minutes. I called in and the phone system didn't work. There was no room on the back of the summons to explain extenuating circumstances. Also I am 70 years old, I have family commitments and I no longer want to serve.

We were waiting yesterday for this \$67 theft case. 60 people for this one small offense. I will not serve again. I told the judge it was a waste of my time. I know there have been some improvements since I last served, but I fulfill my civic duty in other ways creating jobs, sitting on boards, etc. 100 Centre 6/11/2003

XI. Service should start punctually

I have been around since yesterday and all I have been doing is waiting. I was selected to be on a voir dire, but the lawyers are not here. Meanwhile, the jurors have been here since eight thirty. It is very rude and irresponsible. I am outraged at the inefficiency. 60 Centre, 6/13/00

They told us to be here at 9:30 and it's now almost 10. I came into work from 8 - 9:30; I could have worked some more instead we are all just sitting around here doing nothing and they haven't even called names. Why don't they have a call-in system? 111 Centre 7/10/00

We were told to come in at 10:30 am and that was when the attorney's are coming in. Yet, it is now 10:30 and they are not here. They are wasting my time, and it is really disrespectful. 60 Centre, 5/23/01

They tell you to show up at 8:30 and it's already 10:30 and nothing has happened. 100 Centre, 6/7/01

XII. Too many people are called

Be selective in jurors - why call 200 people when you can select 50 and not waste taxpayer's money by making us go through a waiting period of doing nothing - big waste of time. 60 Centre, 8/1/2002

Why do they call so many people? When I serve there are always too many people, and there is never a time when more than 1/3 of the citizens serve on a jury. 111 Centre, 6/25/2001