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## FACT SHEET

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### Jury Improvement Program

*“Jury service is the responsibility of all qualified citizens, but it also is an opportunity for us to participate directly in our system of justice and contribute to our communities.”*

Hon. Tani Cantil-Sakauye  
Chief Justice of California

The Jury Improvement Program was created by the Judicial Council in 1995 through the work of the Blue Ribbon Commission on Jury System Improvement to undertake improvements to all aspects of the jury system, including efficient juror utilization, care and treatment of jurors, citizen expectations about jury service, juror comprehension and education, and trial efficiency. Since 1995, the program has worked directly with the courts to promote improvements in the administration and management of jurors and has supported the work of advisory groups charged by the council with providing policy recommendations for improving the state's jury system. These advisory groups include the blue ribbon commission, the Task Force on Jury System Improvements, the Model Juror Summons Implementation Working Group, the Steering Committee for Jury Rule Proposals, and most recently the Trial Court Presiding Judges Advisory Committee (TCPJAC)/Court Executives Advisory Committee (CEAC) Joint Working Group on Jury Administration.

#### Program History

In 1995, the Chief Justice of California and the Judicial Council created the Blue Ribbon Commission on Jury System Improvement, with the State Bar of California and the California Judges Association as supporting sponsors. The commission, as directed, undertook a thorough and comprehensive review of all aspects of the jury system. The council's subsequent Task Force on Jury System Improvements (1998–2002) oversaw implementation of the commission's recommendations.

The overarching principle embedded in the Jury Improvement Program is that everyone—judges, jury commissioners, lawyers, employers, and jurors—should share responsibility for improving the jury system.

#### TCPJAC/CEAC Joint Working Group on Jury Administration

The Joint Working Group on Jury Administration was created in late 2007 from the former Joint Working Group on Jury Panel Size, Sanctions, and Training. Guided by the strategic and operational goals of the judicial branch, as well as the recommendations of the commission and task force, the working group is charged with developing recommendations and innovative strategies for TCPJAC and CEAC on issues including, but not limited to, improving juror utilization, standardizing jury summonses, and identifying effective juror sanction procedures.

#### Program Accomplishments—Juror Education and Outreach

##### **Statewide jury service orientation film**

Released in 2002, and created to prepare jurors for an important civic service, *Ideals Made Real* provides a thoughtful and accessible overview of the juror experience, featuring interviews with former jurors and an introduction to the one-day or one-trial system. While the 14-minute film (available in VHS and DVD formats) was designed for screening in a jury assembly room or courtroom, it also serves as a valuable public education tool.<sup>1</sup>

##### **Model juror summons**

Beginning in 1999, the Task Force on Jury System Improvements collected and reviewed sample summonses from courts around the state and identified key basic elements of a summons. The task force's goals were to:

- Improve the appearance and readability of the summons;
- Eliminate the costs of a two-step process in favor of a one-step summons; and
- Create a summons with consumer appeal.

The task force worked with design and communications consultants to develop and refine drafts of the model summons. To clarify and simplify the summons, the task force also developed an accompanying pamphlet called *Court and Community*. The pamphlet includes introductory court information such as the dress code for jurors, court amenities, and frequently asked questions. Two additional pamphlets for

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<sup>1</sup> For more information about this film, see the companion fact sheet at [www.courtinfo.ca.gov/reference/documents/factsheets/juryvideo.pdf](http://www.courtinfo.ca.gov/reference/documents/factsheets/juryvideo.pdf)

employers and jurors were also developed, *It's Better for Business* and the *Juror Handbook*, respectively.

The Model Juror Summons Implementation Working Group, composed of court executives and judicial officers, helped to roll out the model summons to courts, with technical assistance from the Administrative Office of the Courts (AOC). The Superior Courts of Riverside and San Bernardino Counties began using a common summons and pamphlet in March 2005; the courts in San Francisco, Alameda, and Contra Costa Counties began using a common summons in the spring of 2006. As of December 2009, approximately 16 courts have adopted the model summons.

#### **One-day or one-trial system**

Effective July 1, 1999, the Judicial Council adopted rule 2.1002 of the California Rules of Court to create a one-day or one-trial jury system throughout the state. Typically, if you are not assigned to jury selection after one day at the courthouse, then your service is complete for at least 12 months. If you serve on a jury, after you are dismissed by a judicial officer your service obligation is discharged for at least 12 months, and often longer.

The one-day or one-trial system is designed to reduce unproductive waiting time and the potential for lost income of jurors, as well as assist the courts in selecting panels of jurors who are prepared to serve.

### **Program Accomplishments—Improving Juror Utilization**

#### **Jury Data Project**

In 2005, staff from the AOC Jury Improvement Program and Office of Court Research worked with jury managers statewide to establish consistent data terminology for annually collecting information. Jury managers in each trial court complete a comprehensive survey about critical components of jury administration and management practices, including the implementation of legislative and rule of court requirements initiated by the commission and the task force. The courts and the AOC continue to participate annually in the survey, and to gather and analyze important data to support the work of the Judicial Council and the Joint Working Group on Jury Administration.

#### **Failure to Appear (FTA) Toolkit**

Jurors who fail to appear for jury service place heavy burdens on court administration and members of the public who regularly answer the call to serve. In 2009 the Joint Working Group on Jury Administration released a resource guide and training

materials, based on section 209 of the California Code of Civil Procedure, to assist courts in developing legally sound and efficient processes for dealing with jurors who fail to appear when summoned for jury service.

The toolkit includes two alternatives. The courts can decide which option best suits their needs: the “Contempt” alternative (Code Civ. Proc., § 209(a)) and the “Sanctions” alternative (Code Civ. Proc., § 209(b)). Each alternative includes:

- Step-by-step guidelines for dealing with delinquent jurors;
- Sample correspondence and notices of delinquency;
- Sample forms relating to orders to show cause and contempt or sanctions hearings;
- Sample scripts for judges and court personnel; and
- A sample press release to alert the public about an FTA program.

The materials are intended to help courts increase the number of people appearing for jury duty; deter the numbers of jurors who fail to appear (FTA) and prevent repeated FTAs by delinquent jurors; and educate potential and delinquent jurors about the importance of jury service and fulfilling their civic obligation.

#### **Juror Utilization Study**

In March 2011, the Joint Working Group on Jury Administration and the AOC completed a study of juror utilization in the courts. The National Center for State Courts was retained to facilitate this work. Eight courts participated in focus groups, surveys, and courtroom observation. Project outcomes include Web-based education and training materials as well as development of best practices for efficient summoning and use of jurors.

#### **Program Accomplishments—Rules of Court and Standards of Judicial Administration**

The Judicial Council has adopted the following California Rules of Court and Standards of Judicial Administration based on the recommendations of the Blue Ribbon Commission on Jury System Improvement and the Task Force on Jury System Improvements:

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<u>Rule of Court</u>	<u>Summary</u>
Rule 2.1002	One-day or one-trial policy
Rule 2.1004	Accommodation of juror's schedule by granting one-time deferral of jury service.
Rule 2.1006	Mothers who breastfeed a child may request that jury service be deferred for up to one year and may renew that request as long as breastfeeding continues.
Rule 2.1008	Jury commissioners are required to apply standards for hardship excuses determined by the Judicial Council and set forth in the rule.
Rule 2.1031	Jurors must be permitted to take written notes during civil and criminal trials.
Rule 2.1032	Judges should encourage counsel in complex civil cases to include key documents, exhibits, and other appropriate materials in notebooks for use by jurors during trial to assist them in performing their duties.
Rule 2.1033	Encourages trial judges to allow jurors to submit written questions directed to witnesses during trials.
Rule 2.1050	Judicial Council-approved jury instructions are the official jury instructions for use in the state of California.

<u>Standard of Judicial Administration</u>	<u>Summary</u>
Standards 3.25 and 4.30	Written or oral examination of prospective jurors is permitted in civil and criminal cases. Judicial Council-approved forms may be used.
Standard 10.31	Recommends that the jury commissioner use the National Change of Address System, or equivalent, to update master jury lists.
Standard 10.51	Recommends that each court establish a reasonable mechanism for receiving and responding to juror complaints.

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California Juror Web Site

For information about jury service in California, please visit the California Courts Web site at <http://www.courts.ca.gov/jury-service.htm>.

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