

FREQUENTLY ASKED QUESTIONS THE NATIONAL JURY PROGRAM

What is National Jury Program?

The National Jury Program was initiated to improve the administration of justice in the nation's state courts by increasing citizen participation in jury service. This objective will be met by (i) promoting public awareness and understanding of jury service and (ii) improving the conditions of jury service both inside and outside of the courtroom.

What important public need does the National Jury Program serve?

Jury service repeatedly requires citizens to render findings in difficult and complex matters. For example, juries are asked to make determinations about alleged product failures, accounting fraud and DNA probabilities. Unfortunately, it is common for jurors to undertake these weighty tasks in feeble conditions and without many of the learning tools that we take for granted in a classroom.

In addition, the willingness of citizens to serve as jurors has been declining. Pervasive problems of poor utilization of citizens' time, inadequate facilities, and generally poor treatment continue to erode public support for the jury system. How courts treat the individuals who report for jury service, how well prospective jurors understand the court process and proceedings, and how jurors perceive their in-court experience are all factors that affect public perception of, and satisfaction with, the jury system. Courts have a responsibility to perform at a higher level with respect to citizens serving as jurors and to improve every aspect of their jury systems.

The National Jury Program will serve the public by delivering tools and technical assistance needed by judges and court administrators to improve the jury system. It will increase public trust and confidence in the jury system, form more representative juries, build more efficient jury systems, and promote better informed trial jurors.

What are the goals and methods of the National Jury Program?

The National Jury Program consists of several components. The State of the States Compendium is the flagship project of the National Jury Program and consists of a national survey of statewide policies, local jury operations, and in-court practices. The survey provides the first national and state-by-state snapshot of jury procedures and will be used to inform other National Jury Program activities, especially judicial education and public outreach efforts. The National Jury Program also provides direct technical assistance to state and local court to implement jury service improvement programs such as reducing the term of service (ideally to one day/one trial), facilitating more flexible

deferral programs, improving jury facilities, protecting citizen employment and salary while on jury service, and improving in-court communication with jurors. Finally, the National Jury Program is designing prescriptive packages for court use in four high priority areas – namely, improving the response to jury summonses, improving jury instruction comprehensibility, developing model legislation and rules for jury operations, and developing best practices for effective jury management in urban courts.

Where do Program efforts currently stand?

In 2007, the NCSC Center for Jury Studies released its findings from the *State-of-the-States Survey of Jury Improvement Efforts*, a national study that provided the first comprehensive snapshot of jury procedures, operations, and practices in state and local courts. It consisted of three separate, but related, components. The Survey responses included 51 statewide surveys, over 1300 local court surveys representing more than half of the U.S. population, and judge and lawyer surveys from more than 11,500 recent jury trials in state and federal courts in all 50 states, the District of Columbia, and Puerto Rico.

This data-gathering has already generated much interest. Bench/bar leaders in Arkansas, Illinois, Maryland, Ohio, Pennsylvania, Texas, Virginia and West Virginia have engaged NCSC staff to present findings from the survey results. In Texas, the State of the States data inspired the Texas Civil Jury Trial Summit. Thus we have strong indicators that the final publication of the State of the States Compendium will be a valuable resource tool to court administrators and judicial branch policy-makers across the country. Interactive web access to Survey data, at www.ncsconline.org, enables readers to compare their own state practices with other states and federal courts.

Our other ongoing task involves our launch into internet services. The Jur-E Bulletin, a weekly e-newsletter summarizes jury trial happenings in the courts, the media, and academia. The Center for Jury Studies established JuryManagersList a new listserv exclusively for jury professionals. The NCSC Center for Jury Studies also maintains an information-rich website that is regularly updated with the latest jury management methods, best practices developed by leaders of the bench and trial bar, and insights gained by professionals devoted to enhancing trial by jury.

The National Program published a new manual by Professor Peter M. Tiersma, noted for his expertise on legal language, on drafting more comprehensible jury instructions. Over a thousand copies of the manual were printed and distributed to trial judges and to members of state pattern jury instruction committees. The manual was featured at a national workshop on pattern legal instructions and “plain speaking” in court held on April 17 & 18, 2008, at the Supreme Court of Ohio.

The NCSC recently received a grant from the State Justice Institute to fund the development of a judicial training module, in conjunction with the National Judicial College, to provide trial judges with the best learning and practices with respect to jury selection and assisting troubled deliberating juries.

Who are the contributors, thus far, to the National Jury Program?

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What is the fundraising method for the National Jury Program?

The National Center asked Judge Gregory Mize (Ret.), a Judicial Fellow at NCSC, to lead a team of noted trial practitioners in a quest to gain additional balanced financial support for the Program. He assumed "inactive" senior judge status in order to proceed ethically. This campaign is steadily obtaining funding from both plaintiff and defense oriented firms. It is noteworthy that the Program is not connected to the so-called "tort reform" movement. Indeed, because the NCSC is the secretariat to the Conference of State Chief Justices, it would not enter that political landscape. Rather, the National Program is aimed at helping state courts do a better job of managing their jury trials.