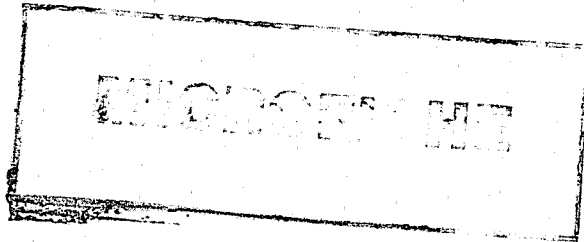


57280

EXECUTIVE SUMMARY

THE JURY UTILIZATION AND MANAGEMENT DEMONSTRATION PROJECT

Superior Court - Maricopa County
Phoenix, Arizona



April, 1977 - September, 1978

Supported by LEAA Grant #76-NI-09-0002

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THE JURY UTILIZATION AND MANAGEMENT

DEMONSTRATION PROJECT

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SOURCE LISTS FOR JUROR SELECTION

The voter registration list is not representative of the county population, age 18 and over. After examining other lists, the Jury Utilization and Management Staff recommended that the best representation could be achieved by supplementing the voter registration list with the driver's license lists. This required a state statute change which will become effective June 1, 1980. The two lists will be combined for greater representation at that time.

QUALIFICATION AND SUMMONING

The process of summoning qualified jurors duplicated effort and cost by an additional \$11,000 per year. It was recommended combining qualification and summoning into a one-step, monthly process, thereby increasing efficiency and also the yield of those jurors available to serve. In order to select jurors on a monthly basis, a change was made in the law. The combined process will begin on September 1, 1979.

PANEL UTILIZATION

It was discovered that, on the average, only 65% of the jury panels requested are utilized. In addition to issuing bi-monthly utilization reports, the Jury Utilization and Management Staff recommended that secretaries notify all parties concerned the day before ordering the panel, assess jury fees if a trial is cancelled after 2:00 p.m. of the previous day and request an overflow panel if there is a question of the certainty of a trial start.

Not many of these recommendations were adopted by the trial divisions.

JUROR UTILIZATION-SUPERIOR COURT

An average of 26 people were sent to the courtroom for voir dire. However, only an average of 20 people were utilized. Therefore, there were six people who were usually not used. The Jury Utilization and Management Staff recommended standard panel sizes: 21 people for civil juries, 25 people for eight-person criminal juries and 29 people for twelve-person criminal juries.

These recommendations were never adopted by the judges,

JUROR UTILIZATION-PHOENIX MUNICIPAL COURT

An average of 16 people were sent for a six-person jury voir dire, but only eleven people were usually needed. A maximum of 14 people was recommended for each voir dire. This number of jurors would be sufficient in all cases.

This recommendation was adopted in June, 1977.

VOIR-DIRE STARTS

Most voir dire starts begin at 10:00 a.m. on Mondays, Tuesdays, and Wednesdays. This creates a heavy demand on the jury pool with little likelihood that these people will be reassigned to other voir dire starts. The Jury Utilization and Management Staff recommended that voir dire starts be spread more evenly throughout the day and week. There is some indication that more voir dire starts are commencing in the afternoon.

COURT WAITS

It was determined that the trial division waits an average of six and one-half minutes between the time the panel was requested to arrive and the time the jury panel arrives in the courtroom. This did not appear excessive. Therefore, no further action was taken.

PANEL WAITS

After the panel arrives in the courtroom, there is an average delay of 24-1/2 minutes until voir dire begins. It was recommended that the judge's secretary call the Jury Commissioner a few minutes before voir dire start so jurors do not have to wait so long in the courtroom.

No formal action was ever taken on this recommendation.

VOIR DIRE INFORMATION

To prepare, maintain and disseminate biographical information costs approximately \$25,000 per year and is a duplication of information that is presented orally by the prospective juror during voir dire. It was recommended that the written biographical information be eliminated.

This recommendation was not adopted.

MULTIPLE VOIR DIRE

Prospective jurors feel that the court is run inefficiently and that jury service is a waste of their time when they must sit and wait. In order to increase court efficiency and reduce the burden on the juror, it was recommended that the court experiment with a multiple voir dire process.

This suggestion was not adopted.

JUROR NOTIFICATION

Jury Commission clerks must make two telephone calls for every person who appears in the daily jury pool. This notification process utilizes four clerks and can take several hours each day, depending upon the number of prospective jurors required. The staff recommended the use of an automatic telephone answering device which places the notification responsibility upon the prospective juror. And this system does not require the jurors to be available from 2:00 to 5:00 p.m. every day awaiting a phone call from the Jury Commission clerks.

This recommendation was never tried.

LOSS OF INCOME

Through the Jury Service Exit Questionnaire and an Employer's Questionnaire, the Jury Utilization and Management Staff found that approximately 10% of those serving lost income as a result of jury service. The Jury Utilization and Management Staff believes that fees should not be increased. Rather, it was recommended that the term of service be reduced.

It is contemplated that the formal term of service will be reduced in the future.

JUROR COMFORTS

Through the Exit Questionnaire jurors complained about uncomfortable seating and the lack of a TV set. More comfortable chairs and a television set were purchased in the spring of 1977.

JUROR PARKING

Approximately 40% of the jurors surveyed found the parking facilities to be inadequate. The Jury Utilization and Management Staff polled jurors concerning where they parked and how much they paid. A map of the downtown area was drawn and distributed to prospective jurors showing the location and approximate price of parking and eating facilities. A new parking facility will be completed in the summer of 1979. It will provide ample parking space adjacent to the court complex.

JUROR INFORMATION

From interviews and personal observations it was determined that prospective jurors do not have an understanding of the court process or what is expected of them. A juror handbook was rewritten and distributed in the spring of 1977. Instructions for bailiffs were written to remind them to provide general information to jurors about voir dire and the court process. These were distributed in November, 1978.

Production was started on a juror information film because the handbook is not always read. The film would standardize juror orientation. However, this project was never completed.

TERM OF SERVICE

Although prospective jurors are available to serve for 60 days, the average number actually served is 3.6 days. -Additionally, two-thirds of the employers throughout the county who were surveyed preferred a shorter term of service for their employees. The formal term of service will be reduced to at least 30 days in the future.

A one-day or one-trial term of service was recommended to more evenly distribute the burden of jury service and to reduce the number of excuses requested by those who were selected to serve. This recommendation was not adopted.

PAPERWORK

Much of the work in the Jury Commission Office is processed manually. A lot of paperwork is routed through several clerks. The volume and complexity of this paperwork lends itself to processing by computer. The staff recommended the installation of a mini-computer. It was installed in the spring of 1978.

COSTS

Administrative costs in the Jury Commission Office run approximately \$107,000 per year. Employees' salaries are the largest item. With the installation of the mini-computer and the consequent reduction in manual tasks, the number of employees has been reduced by one by attrition. Further staff reductions may occur in the future.

JURY SYSTEM PLAN

There was no written record of the jury system operation or management accountability prior to the jury grant. A plan was written providing information concerning policies and procedures to guide jury system personnel. This plan will be used and updated on a yearly basis.

ADVISORY COMMITTEE

Input was necessary from outside the jury system to give a different perspective. An Advisory Committee was formed in the spring of 1977, and the committee provided input during the remainder of the jury grant.

TECHNOLOGY TRANSFER

In order for others to utilize information gained from the project in this court, a method of disseminating this information was required as a condition of the grant. This was achieved by hosting a conference with participants from Arizona, California, Nevada and Hawaii on August 25, 1978.

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