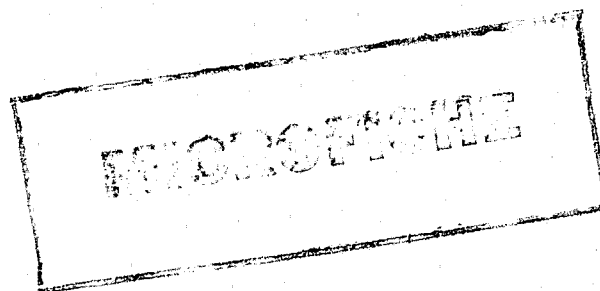


57281

FINAL REPORT

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

57281

Starting October 1, 1976, the goal of the Jury Utilization and Management Demonstration Project in Maricopa County was primarily to achieve minimum costs in jury fees and administrative expenses while providing a sufficient number of jurors, representative of the general public, to meet the needs of the court with a minimum of inconvenience.

The project dealt with the problem of gathering the data needed to adequately measure and evaluate current utilization and management techniques and procedures. Then the development and implementation of corrective procedures for the improvement of the system could be initiated.

Initial implementation of the grant was hampered by the resignation of the original project manager who took employment with the California state court system. The second manager also left employment to attend graduate school and is now employed in Washington, D.C. with G.S.A. as a Presidential Intern. The work of the grant was concluded under the direction of Mr. Robert K. Carlberg.

Throughout the grant period several research papers on specific topics were prepared and have become part of the reports made quarterly. The major studies and their results follow.

SOURCE LISTS FOR JUROR SELECTION

It was concluded that the voter registration list is not representative of the county population, 18 years of age and over. After examining other lists, the project staff recommended that the best representation could be achieved by supplementing the voter registration list with the driver's license lists. This recommendation was a basis for statutory changes and effective June 1, 1980, the driver's license lists will be included by law.

COMBINING QUALIFICATION AND SUMMONING

The process of summoning qualified jurors duplicated effort and was costly. It was recommended that the qualification process (questionnaires mailed out twice each year) and the summoning process (summons mailed monthly) could be combined into one monthly process thereby increasing efficiency and also the yield of those available to serve. To do this a statutory change was made and the combined process is scheduled to begin during the third quarter of 1979.

PANEL UTILIZATION

It was discovered that only 65% of the panels requested by the courts are used. The staff developed recommendations that each judge's secretary contact all parties the day before trial, that jury fees be assessed those who cancel trials, and that secretaries refrain from ordering juries when in doubt and use "overflow" jurors the next day. Due to the individual calendar system and the independence of each division, these procedures are not followed by the trial divisions.

QUANTITY OF JURORS

In the Superior Court it was determined that an average of 26 people were sent to the court for voir dire; however, only 20 people were used. The staff recommended a standard panel size of 21 people for civil juries, 25 people for eight-person criminal juries and 29 people for 12-person criminal juries. These recommendations were never adopted by the judges in the Superior Court.

In the Phoenix Municipal Court an average of 16 people were used for a six-person jury. But only eleven people were usually needed. It was recommended that 14 people would be adequate for voir dire in most trials in city court. This recommendation was adopted by the city judges in June, 1977.

WAITING TIME

It was determined that courts wait about 6-1/2 minutes between the time a panel was requested to arrive and the time the jury panel arrives in the courtroom. This is not excessive. On the other hand, we found an average delay of 24-1/2 minutes from the jury's arrival until voir dire begins. It was recommended that the judge's secretary call the Jury Commissioner a few minutes before voir dire starts so jurors do not have to wait so long in the courtroom. No formal action was ever taken on this recommendation.

STARTING TRIALS

Most trials and the voir dire start at 10:00 a.m. on Mondays, Tuesdays and Wednesdays. This creates a heavy demand on the jury pool. The staff recommended that voir dire starts later in the day and also on other days during the week. There is some indication that more voir dire starts are starting in the afternoons.

JUROR NOTIFICATION

Jurors are called for jury duty by telephone. This notification process uses four clerks and takes several hours each day, depending upon the number of prospective jurors required. The staff recommended the use of an automatic telephone answering device which would place the responsibility on the juror to call in. This recommendation was never tried.

DURATION ON SERVICE

Jury service exit questionnaires showed that 10% of those serving lost income as a result of jury service. Rather than increasing the fees the staff felt that the term of service should be reduced. It is anticipated that this will happen in the future.

PARKING

Approximately 40% of the jurors found parking facilities poor. The staff polled the jurors concerning where they parked and how much they pay. A map of the area was prepared showing location and prices of various parking lots. This also included eating establishments. A new parking garage will be available for jurors in August of 1979.

JUROR INFORMATION

From interviews and personal observations it was found 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 to be 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. This project was never completed.

TERM OF SERVICE

Although prospective jurors are on call to serve for 60 days, the average number of days when the juror is actually present 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.

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 was processed manually. A lot of paperwork was 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 are approximately \$107,000 per year. Employees' salaries constitute the largest item. With installation of the mini-computer and the consequent reduction in manual tasks, the number of employees could be reduced by at least one and possibly more. One staff member has been reduced through attrition.

From a personal viewpoint, I did not expect the project to accomplish everything it did. The jury operation was essentially in good shape and was operating efficiently. It was only when the detailed analysis of the operation was made that I became convinced we had room for improvement. I sincerely believe that legislative changes would have been harder to achieve without the substantiating data provided by the project. Though the judges of the court may not accept all of the recommendations, it should be remembered that judicial change comes very slow. I, therefore, feel that several areas of study will provide the guidelines for future changes and modifications of an evolutionary type which will come with time.

It would be interesting to restudy several areas for the purpose of making comparisons between "now" and "then" to denote any improvement.

The opportunity to participate as one of the metropolitan areas has been invaluable not only professionally but personally.

END