

Teaching Guidelines for Jury Duty

What is Jury Duty?

Jury Duty is a civic responsibility for all U.S. citizens. Serving on a jury is one of the fundamental duties of American citizenship. Citizenship is about both rights and responsibilities, and the right to a jury of your peers is secured by the responsibility of serving as one of those peers.

A person's sixth amendment right is to a speedy trial and an impartial jury. Trial by jury is a jury of our peers. Jurors are U.S. citizens who reside within the county. Throughout history the California State Legislature has worked to make jury panels more diverse. This allows different perspectives, backgrounds and experiences into the courtroom.

Jurors help keep the justice system transparent and play an important and crucial role in our country's democratic process.

What is the Role of a Juror in the Courtroom?

The role of a juror is to listen to testimony, review evidence and come to a decision in criminal and civil trials. Jurors are asked to do these things without bias and prejudice. They are only to consider the facts presented and the instructions given by the judge.

What are the qualifications to be a juror?

Qualifications for jury service are established by California Code of Civil Procedure, Section 203 and are outlined below:

You Must Be/Have:

- A citizen of the United States
- At least 18 years of age
- A resident of Sacramento County
- Sufficient understanding of the English language

You Must Not Be/Have:

- Currently serving as a Grand Juror
- Under court appointed conservatorship
- Been convicted of a felony and currently on parole, post release community supervision, felony probation or mandatory supervision for a conviction
- Been convicted of malfeasance in office and not had your civil rights restored
- Currently registered as a sex offender pursuant to Section 290 of the Penal Code based on a felony conviction
- A Peace Officer pursuant to 830.1 or 830.2(a) of the Penal Code

How are jurors summoned?

The selection and management of jurors is governed by the California Code of Civil Procedure. Jurors' names are selected at random from lists of registered voters, Franchise Tax Board and persons who have valid California drivers' licenses or identification cards issued by the Department of Motor Vehicles. The three lists are combined to create one Master Jury List. Ten thousand prospective jurors each week are randomly selected from the master list to receive a summons. The summonses are mailed approximately five weeks prior to the service date.

Can a juror be excused for any other reasons if they qualify to be a juror?

Yes, if a juror meets the qualifications to be a juror there are other additional reasons a juror can be excused from jury service.

California Rules of Court, rule 2.1008 specifies the grounds on which the Jury Commissioner's Office is allowed to excuse jurors from jury service.

Prospective jurors may be excused for the following reasons:

1. The prospective juror has no reasonably available means of public or private transportation.
2. The prospective juror has a personal obligation to provide care to another between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Comparable care is not economically practical.
3. The prospective juror has a medical condition preventing serving jury duty. (If under the age of 70 a physician's note is required.)

4. The prospective juror would suffer an extreme financial burden.

i) The juror is the sole source of household income AND he/she is self-employed.

OR-

ii) The juror is the sole source of household income AND his/her employer does not pay for jury duty (requires a letter from employer describing jury duty policy).

5. The prospective juror has served jury service within the preceding 18 months.

Can a juror reschedule their jury service?

Jurors also have the option to reschedule their jury service. Everyone who qualifies must participate in jury duty. That may mean rearranging schedules, canceling appointments and missing work. Jury staff will be as flexible as possible when scheduling jurors for jury service.

If a summoned date is not convenient, a juror can request a postponement for a maximum period of up to 90 days from their original summons date.

How long does a juror serve?

The Sacramento Superior Court operates on a One Day/One Trial System.

If you are instructed to report to the courthouse, you may or may not be selected to serve as a juror in a trial court. The Jury Commissioner is required to have a sufficient number of jurors for all anticipated trials. The Court needs enough jurors and ones

who represent the diverse people/views of Sacramento County. Also, if too many people are dismissed during voir dire, the Court needs to make sure there are enough people to fill the jury.

If you are selected to serve on a trial as a sworn juror, the term of service will be the length of that trial. Trials vary in length, but generally last one to two weeks.

If you are not selected to serve on a trial by the end of your first day in attendance, and a judge has not ordered you to return for another day of jury selection, you have completed your jury service. Your jury service is deemed complete for 18 months. That means that in 18 months you are eligible to be summoned again.

What is voir dire ('vwär-'dir)?

Voir dire is the process of selecting the jury - when lawyers and judges ask questions of potential jurors. This process helps to determine if potential jury members are overly biased and prejudiced towards the case. People have the right to be convicted or acquitted based on facts and evidence, not the personal feelings of jurors.

Teaching Resources

Justice Case Files: <https://www.ncsc.org/education-and-careers/civics-education/justice-case-files> The National Center for State Courts developed a series of graphic novels, called Justice Case Files as part of a public awareness campaign to educate the public about how courts work. There are six graphic novels, along with lesson plans. One of the graphic novels is about Jury Duty.

Justice Case Files 3: The Case of Jury Duty

Download PDF version:

https://www.ncsc.org/__data/assets/pdf_file/0024/15198/justice-case-files-03.pdf

See Lesson Plan:

https://www.ncsc.org/__data/assets/pdf_file/0022/14476/lessonplan-jcf03.pdf

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