


Citizens Jury Project

Summer/Fall 2004 Report on Juror Concerns:
July 1, 2004 - December 31, 2004



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Preface

The Citizens Jury Project (CJP) was created in 1995 following the recommendation of the Jury Project, a blue-ribbon panel formed by New York State Chief Judge Judith S. Kaye to review and reform jury service in New York State. CJP serves as an advocate for individual jurors in the courts and strives to make systemic reforms that improve conditions for all jurors.

The Citizens Jury Project responds to jurors' ideas and concerns and assesses the conditions of New York courts through our ombudservice and ongoing data collection and analysis. The CJP ombudservice booths, which are located in or directly outside the jury assembly room areas, are staffed by interns. This past semester the interns were a recent Peace Corps graduate, a graduate student from John Jay, and three graduate students at NYU, who study biology, non-profit management, and public policy. Interns interview and assist jurors at the booths and work on various other projects throughout the semester. This fall the interns completed surveys of morning orientations and the conditions of juror facilities in all five boroughs of New York City, and assisted the Office of Court Administration in its statewide analysis of the information contained on summonses.

This report will analyze six months of jurors' comments from the five Manhattan and Brooklyn courts CJP has reported on in the past (the Centre Street Courts in Manhattan and 360 Adams Street in Brooklyn). Additionally this report will include approximately two months of data from jurors who reported to the 89-17 Sutphin Boulevard jury room in Queens. CJP expanded to Jamaica, Queens in November 2004, and will be expanding to Kew Gardens early in 2005.

The jurors' comments about service suggest ways in which to continue to improve court processes and environments for jurors. These comments also reveal jurors' cognizance of and appreciation for the significant reforms that have been introduced into the system.

Now well into our ninth year, CJP looks forward to continuing our collaborative work with the Office of Court Administration (OCA) and courts throughout the state. Jury reform has improved the administration of justice in New York and jurors' perception of the justice system. By giving jurors an active voice in our courts and responding to their concerns, the relationship between the courts and New York communities is strengthened and the groundwork is established for future administrative reform.

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1. Update on CJP Activities and Summary of Past Six months

A. Update on CJP Activities

In collaboration with the Unified Court System, the Citizens Jury Project (“CJP”) continues to offer an ongoing presence in New York and Kings County courts, and has recently expanded to Queens. In addition to this work, CJP recently began assisting with other court projects:

Morning Orientation Study: At the request of the Office of Court Administration (“OCA”), CJP prepared a report providing a snapshot of the morning orientation process throughout the five boroughs of New York City, based on observations of fourteen juror orientations in eight different courthouses from the end of October through early December, 2004. This report is available under separate cover. It became clear from these observations that the substance and form of the orientations varies widely from one court to the next, and that OCA’s proposed standardization of the information provided should greatly improve the quality of the orientations. Clear, consistent presentations will eliminate any gaps in information that may impede jurors’ ability to serve and will positively affect jurors’ perceptions of the system.

Facility Reviews. At the request of OCA, CJP interns went to courts in each of the five boroughs of New York City and evaluated the conditions of the juror facilities. Each facility was evaluated on three different occasions. The reviewers completed a survey, identifying and describing existing signage for jurors, the general condition of the rooms, and what amenities were provided. A preliminary report was provided to OCA, who then requested that the CJP interns review additional facilities and include them in the report. A final version of this report will be available in February 2005.

Statewide review of Summonses. CJP interns assisted OCA with its project to standardize jury summonses statewide by evaluating and analyzing summonses from 62 different counties and providing data to OCA regarding what information was included or omitted on each summons.

B. Summary of the Past Six Months: July 2004 – December 2004

(1) Overview of the Data Collected from all boroughs

During the time period of July 1, 2004 to December 31, 2004 CJP interviewed 1092 jurors. Their comments are summarized and analyzed below, first as a whole, then in more detail about the most frequently cited concerns, and finally, broken down by individual courthouse.

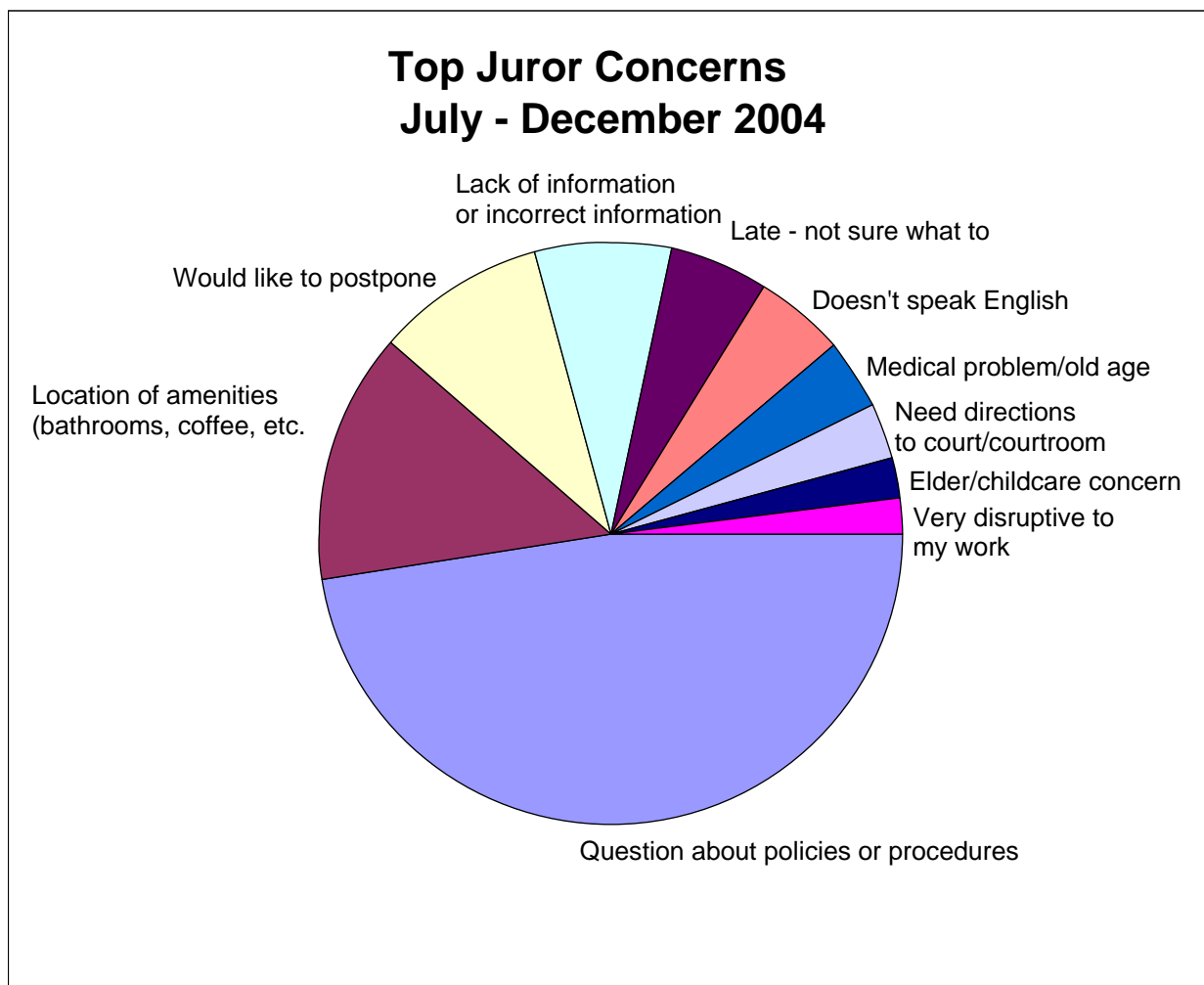
Although 1,092 jurors spoke to CJP interns, their comments were categorized as representing 1,657 different concerns or comments. The difference in numbers is reflective of the fact that jurors often voice more than one concern. For example, the following comments were categorized as representing multiple concerns:

I have been summoned many times before and have never served on a jury. I can't. I cannot be fair when I know how much money I am losing everyday that I am at the trial. How can a self-employed person be expected to serve and lose thousands of dollars? Self-employed people should be given an option to serve. Practically speaking, I can't sit on a jury and be fair. But I don't know how to solve this fundamental problem. *60 Centre 7/7/2004* Juror on a voir dire panel – categorized as both an employment concern (self-employed people should not serve) and a financial concern (serving would cause a financial hardship).

[crying] I can't stay here. I have a Master's Thesis to write. And a little girl. I am a full-time student. I can't be here. *360 Adams, 7/12/2004* Juror waiting to be called – categorized as an employment burden (hardship on students), a family burden (needs childcare), and as a summoning concern (would like a postponement/excusal).

The following charts portray the most frequently raised concerns by jurors from all courthouses over the past six months. The first chart lists the ten most common concerns by frequency and percentage of total concerns, and second chart shows the same top ten concerns in relationship to one another.

Top Ten Concerns of Jurors July 2004 – December 2004		
Concern Type	Frequency	% of total
Question about policies or procedures	562	35%
Location of amenities (coffee, bathroom, stairs, etc)	167	10%
Would like a postponement/deferral	109	7%
Lack of information/incorrect information	91	6%
Late to orientation not sure what to do	64	4%
Doesn't speak English	61	4%
Medical problem/old age	47	3%
Needed directions to courthouse or courtroom	34	2%
Elder/childcare concern	27	2%
Very disruptive to my work	23	1%



Of the 1,657 comments received, 74% were focused on the top ten most common concerns. Further, the top three concerns (questions about policies and procedures, questions about where juror amenities can be found -- including bathrooms, food, stairs, phones, etc. -- and summoning concerns from jurors who want to postpone or defer their service) represented 52% of the total.

In this report, CJP has broken down some of the categories that in prior reports were viewed as a whole, and has consolidated some of the graphs and charts, in the hopes that a more detailed breakdown of the category types along with a focus on only those concerns and comments raised by a large number of jurors would result in a clearer picture of jurors' most significant concerns.

For example, "lack of information" has always been the top concern of jurors, and it continues to be in this report. However, this report breaks that category down into several subcategories, and the four which appeared in jurors' top ten concerns are defined below. The two most common "lack of information" subcategories consist jurors who have a question about a court policy or procedure, and jurors who need directions to juror amenities, such as bathrooms, coffee, food, stairs, etc. Two other "lack of information" comments are also in the top ten: situations where a juror specifically complained about a lack of information or felt that they had been given incorrect information, and jurors who needed directions to another court or room.

562 jurors -- or 35% of the interviewed jurors -- requested information regarding procedures and policies. The large number of jurors voicing this concern reflects that jurors would like more information about what to do and where to go, and how to request a deferment. The frequency of this concern may be due in part to the location of the CJP booths, which are located just inside or outside the assembly room, and CJP interns generally speak to jurors who are just starting their service. However, the interns interview jurors *after* morning orientation has been completed, so the large number of jurors who still have questions regarding policies and procedures does highlight that lack of information is a key concern for jurors.

167 jurors -- or 10% of the interviewed jurors -- requested information regarding the location of juror amenities, such as bathrooms, vending machines, coffee, etc.. 91 jurors -- or 6% of the interviewed jurors -- complained about "Lack of information" or "incorrect information," such as when a juror specifically complained about the lack of information, for example that they did not understand what to do upon returning from a voir dire, or did not know where to go after being summoned for a trial (91 jurors). 34 jurors -- or 2% of the interviewed jurors -- requested directions to a courtroom, or to a different courthouse.

(2) Comparative analysis of concerns by courthouse

The data collected by CJP in the following selection is sorted by courthouse as well as by frequency. The purpose of this comparison is to reveal differences in the data, which could be compared to differences in the courthouses, to examine whether there are ways to alleviate some of the most frequently raised concerns. Clearly there are numerous methods for correctly informing and managing jurors in each area. However, it is useful to compare the CJP data by courthouse and to posit what might cause differences.

The first part of this analysis is in chart form, and states the percentage of jurors who were interviewed in each court who raised the listed concern. Percentages were used rather than absolute numbers of jurors as they are of more use as a comparative tool given the different size of the jury pools at the different courthouses. Next, some of the most frequently raised concerns are analyzed by courthouse and compared to some of the observations CJP made in its facility and morning orientation reports (available under separate cover).

Top Concerns by Courthouse						
County:	New York				Kings	Queens
Concern	60 Centre	100 Centre	111 Centre 3rd Flr	111 Centre 11th Flr	360 Adams	89-17 Sutphin
Question about policies or procedures	33%	26%	34%	35%	39%	29%
Location of amenities	11%	22%	12%	12%	3%	7%
Would like a deferral or postponement	6%	3%	7%	7%	9%	3%
Lack of information Or incorrect information	3%	6%	4%	4%	8%	7%
Late to orientation and not sure what to do	2%	6%	5%	3%	5%	2%
Doesn't speak English	3%	1%	4%	3%	5%	5%
Medical problem/old age	1%	2%	3%	4%	4%	4%
Need directions to Court or courtroom	3%	2%	2%	3%	1%	2%
Elder/childcare concern	1%	0%	2%	1%	3%	0%
Very disruptive to my work	1%	1%	1%	2%	2%	1%

a. Lack of Information – Questions about policies and procedures

The most common reason jurors approached the CJP booth in all courts was to ask a question about a policy or procedure that they didn't understand. As stated above, the frequency of these questions suggests that jurors don't fully comprehend the process and have many questions regarding what they can expect and what is expected of them. Certainly, even with clear signs and perfect orientations which balance comprehensibility and informative value of presentations with time restrictions, some jurors will still have questions about policies and procedures. Nevertheless, this remains an area where it seems likely that some improvements could greatly reduce juror anxiety, and make the process run more smoothly. CJP hopes that OCA's work on evaluating and standardizing juror orientations will help in this regard.

It is interesting to compare the comments from jurors in each facility with the data which CJP culled from its observations of morning orientations and facility reviews (as detailed above, this data is included in separate reports based on interns' observations from the end of October through early December 2004). The morning orientation and facility reviews were not comprehensive, and provide only snapshots of what is done in each facility. Nevertheless, there appears to be some correlations between that data and jurors' comments.

For example, Brooklyn had the highest percentage of jurors who had questions regarding policies and procedures -- 39% of the 495 comments and concerns voiced by jurors reporting to 360 Adams Street over the past six months were regarding a question about a policy or procedure. The two morning orientations observed by CJP interns in Brooklyn also covered the least amount of information compared to the other courthouses observed, and the presenters covered ten out of 39 different informational categories.

Conversely, the lowest percentage of jurors with questions about policies and procedures was at 100 Centre Street. The morning orientations at 100 Centre Street covered an average amount of information, addressing 16 to 17 categories of information in the orientations observed. However, 100 Centre is also the only facility surveyed which had detailed signs posted on the walls of the Assembly room regarding procedures. Signs instruct jurors to fill out their summonses, pick up information, have a seat while waiting for the jury clerk to come out, and further tell jurors what to do if they arrive late.

b. Location of Juror Amenities and Availability of Coffee/Food

A question regarding locations of juror amenities, such as bathrooms, food, exits, etc., was the second most common reason jurors approached the CJP booth. Like questions about policies and procedures, these concerns reflect a general juror request for more information. The same two courthouses discussed above (360 Adams and 100 Centre) are reversed with regards to this concern. The largest percentage of jurors who asked questions regarding the location of juror amenities was at 100 Centre Street,

where 22% of the 244 comments fell into this category. The lowest percentage of jurors who had questions about juror amenities was in Brooklyn, where only 3% of the 495 jurors interviewed had a question about the location of amenities. This may in part be due to layout – the jurors’ lounge at 360 Adams is adjacent to the jury room, whereas at 100 Centre Street it is down the hall.

Additionally, except for vending machine items, food or drink are not easily accessible at 100 Centre, and jurors who want coffee or other food must go back downstairs on elevators that often do not function well. 100 Centre Street also received the highest percentage of complaints about the lack of coffee and food -- 3% -- as opposed to Queens where there were no complaints regarding lack of coffee or food. One explanation why jurors did not complain about lack of coffee or food in Queens could be that stores, delis, and coffee carts are visible to jurors from the jury assembly room, which is located on the ground floor and has a wall of windows looking out onto Sutphin Boulevard. As in the past, based on that comparison, CJP encourages all courts to ensure that coffee and food (bagels, sandwiches, etc.) are easily accessible for jurors – perhaps by having a stand set up in the juror lunch room as is done at 60 Centre Street.

c. Late Jurors

Another common reason why jurors approached the CJP booth was that they were concerned that they were late, and they were not sure what to do. While this was across the board a common concern raised to CJP interns (probably in part because CJP interns are often the first “official” people jurors encounter when entering the jury room), 100 Centre had the highest percentage of comments (6%) from jurors who were concerned about being late. 100 Centre Street often has some of the longest security lines, coupled with elevators that are slow and often not functioning properly. However, 100 Centre Street is also the only juror room where a sign is posted specifically for late jurors, informing them that they should go to a back room and speak with a clerk. This should alleviate this concern for jurors, who are often anxious and unsure of what to do when they arrive late.

d. Jurors Concerned about their Ability to Speak English

Not surprisingly, the highest percentages of jurors who stated that they were concerned that they might not speak English well enough to serve were in Brooklyn and Queens (5% of the comments in both boroughs were in this category). The New York Times, on January 19, 2005, reported that “more than one in four adult New Yorkers” have a problem speaking English, and that the immigrants are most concentrated in Queens and Brooklyn¹. The article further states that those numbers show no signs of abating, and that there is a lack of availability of needed literacy programs.

Although Brooklyn and Queens appear to have similar numbers of non-English speaking jurors, they have very different policies and practices regarding how to handle

¹ Nina Bernstein, *Proficiency in English Decreases Over a Decade*, N.Y. Times, January 19, 2005 at B1.

this population. In Brooklyn, jurors calling the main jury number can choose to hear instructions in Spanish, Cantonese and Russian. During the orientation in Brooklyn, jurors who are concerned about their ability to speak English are told to report to a nearby room where they will be interviewed. These instructions are translated into Spanish and Cantonese by interpreters. A number of jury clerks, often including the Spanish and Cantonese interpreters, meet with each juror, asking questions about how long they have been in the country, which language they use at work, etc., and make a determination as to whether to excuse or postpone a juror's service. While a small percentage of the jurors who appear to speak English well enough to serve may be trying to "get out" of service, CJP interviews indicated that most of the jurors raising this concern seem genuinely worried that their lack of knowledge regarding legal terms, or with reading and writing English might make them not suitable for jury duty.

In Queens, no information is provided in languages other than English for jurors and there is no announcement regarding evaluations. Jurors who approach the front desk or who go up to the clerk's office are evaluated on an individual basis, and it appears most are sent on to voir dres to be evaluated individually by the attorneys or judges.

These approaches seem to represent the two ends of a spectrum in how to address the problem of evaluating non-English speakers. The Brooklyn system appears easier for non-English speaking jurors to understand, and may help to ameliorate the confusion some jurors experience in trying to navigate their way through the system. The Queens approach requires the jurors who don't understand to self-identify, or to be struck from the pool by the attorneys or judges. A further study would need to be done to evaluation which of these two approaches results in the most efficient use of jurors and court personnel time, while balancing the need to be respectful of all jurors, and to assist those who are not proficient in English. It appears that this issue will only become more pressing over time, as the rate of non-English speaking populations continues to grow.

2. Analysis of data by individual courthouse

A. Queens Expansion

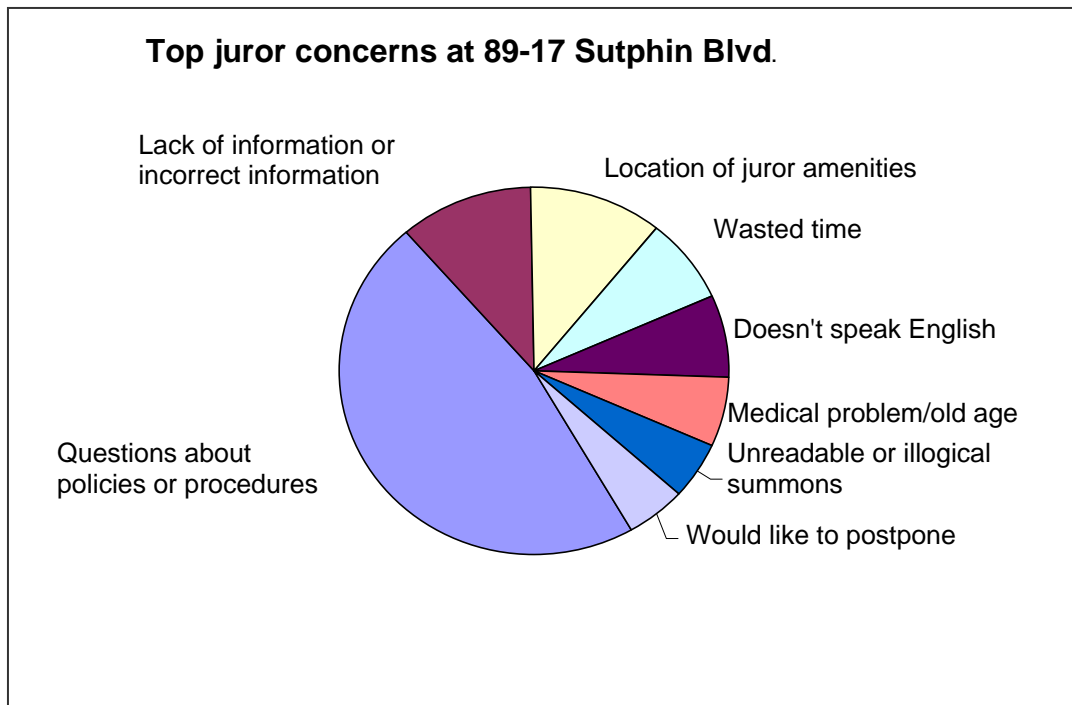
CJP began its expansion into Queens in early November 2004, and staffed a booth at the 89-17 Sutphin Boulevard courthouse. The 89-17 Sutphin Boulevard jury room is located across the street from the Supreme Court, in the Civil Court building, a new structure which was completed in 1997. It is a modern, streamlined building, and the jury room is filled with natural light coming in from the large wall of floor-to-ceiling windows. The convenient ground-floor location of the jury room means jurors can easily leave the court for a short break if they wish to buy coffee, food, etc., and also makes it accessible for disabled jurors.

(1) Summary of Data Collected

As there were many holidays during the months of November and December 2004, when CJP staffed the Queens booth, CJP interns collected only 130 comments and concerns from Queens jurors, and it not clear how representative the collected comments are of the pool. During the two months the CJP booth was staffed (usually two mornings a week), 4,771 jurors reported to service in Queens. It is notable however, that even though CJP staffed the booth in Queens less than a quarter of the amount of time it staffed the booths in the other courthouses, the CJP interns still received proportionately a sizeable number of comments from Queens – 8% of the total comments and concerns collected by CJP during the past six months were from Queens.

The following table and chart summarizes the top concerns jurors in Queens presented to CJP interns:

Top Juror Concerns 89-17 Sutphin Blvd. July – December 2004 (Total Concerns = 130)		
Top Concerns	Count	% of total
Questions about policies or procedures	38	29%
Lack of information/incorrect information	9	7%
Location of juror amenities	9	7%
Wasted time	6	5%
Doesn't speak English	6	5%
Medical problem or old age concern	5	4%
Unreadable/illogical summons	4	3%
Would like to postpone service	4	3%



As in the other boroughs, the most frequent concern which Queens jurors raised with CJP interns was a question about a policy or procedure. Many of the policy and procedure questions in Queens were regarding what to do if a juror needed a postponement of service, or to be excused. Some examples of these questions are:

I am a small business owner and I am the only person there so I am concerned about being here. What should I do? *Queens 12/2/04*

I have a funeral to go to on Thursday (called on a Monday). The lawyers told me to come back downstairs. Can I just serve later, in six months? *Queens, 12/7/04*

I am a full time student and will miss classes if I have to sit on a jury right now. *Queens, 11/22/04*

Other policy and procedure questions were about breaks -- if there was time to get coffee and where cell phones could be used. Although these may seem like insignificant questions, they are repeated over and over at almost every facility, and answering them ahead of time would surely improve a juror's perception of how responsive the system is to their needs.

One concern which was raised by jurors in Queens, and which was mirrored in the interns own observations of the facility is that there are problems with the acoustics in the main jury room which are compounded by the proximity of the juror lounge:

If they are going to allow people to sit in the back of the jury room, they need to fix the sound system. There are people making noise in the lounge and you can't hear anything. *Queens, 11/22/04*

Another concern raised by jurors which should be simple to address with better summoning is confusion regarding where to report for service – particularly for older jurors who assumed that they would be reporting the Supreme Court building across the Street. One juror said:

I think on the summons the directions for the courthouse should be more specific. I only knew of one courthouse here, and sat there from 8:30am until 9am. The numbers are not visible. They should say new building. *11/17/04*

Another juror who had served in the past said things were generally better, and her only complaint was regarding parking. She stated that:

Vouchers for parking are needed. Otherwise, things here are so much better. They used to treat us like prisoners. *Queens 11/17/04*

(2) CJP Recommendations for 89-17 Sutphin Boulevard

The 89-17 Sutphin Boulevard juror facility is clean and modern, and the assembly room is a pleasant space for jurors to sit. Although as stated above CJP has not yet garnered enough comments to know if the initial data collected from jurors will be representative of the jurors as a whole, from the lack of complaints and comments about the facility and food or coffee, it does appear that jurors appreciate the convenience of the first floor jury room, and the easy accessibility of food and coffee from the vendors right outside the room.

However, to improve the jurors experience, CJP does recommend that the acoustics of the presentations be examined at 89-17 Sutphin Boulevard, and that every effort be made to improve the audibility of the presentations for the jurors who sit in the back of the jury room, both by examining if adjustments can be made to the speaker system, and by requesting that returning jurors sitting in the adjacent lounge/lunchroom keep their voices down during the orientation.

CJP also recommends, as with all the facilities, that 89-17 Sutphin Boulevard continue to evaluate and improve the orientations and signage so that information regarding the policies and procedures are made clear to jurors, particularly regarding deferments or excusals. Jurors should know what to do if they believe that they have a circumstance which might prevent them from being able to serve at that time. This recommendation is based on the large percentage of jurors who approached the CJP booth confused as to court policies and procedures for jury service. CJP also recommends that Queens review and make sure that the directions included on its summoning forms regarding which court to report to are clear and easy to follow.

Finally, as part of its broader recommendation, CJP recommends that Queens along with the other courts, review and address the issues presented by non-English speaking jurors, in order to make the system as efficient as possible and ensure broad participation, while at the same time being respectful and empathetic to jurors who do not speak English.

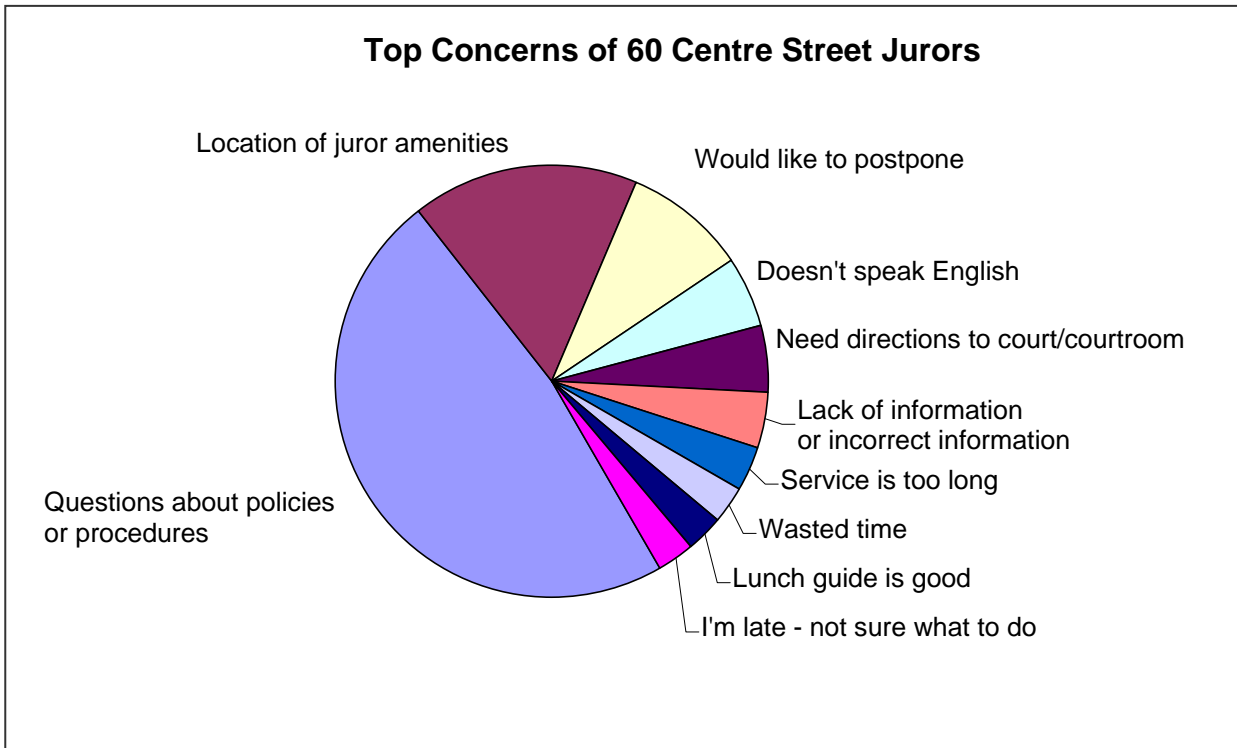
B. 60 Centre Street

Twenty percent of the total comments recorded by CJP interns were from jurors reporting to 60 Centre Street, where 315 comments and concerns were reported between July and December 2004. During this time, 8,556 jurors reported to 60 Centre Street, These concerns and comments are summarized in the charts, tables and comments below.

(1) Summary of juror concerns

Top Juror Concerns – 60 Centre Street		
July – December 2004		
(Total Concerns = 315)		
Top Concerns	Count	% of total
Questions about policies or procedures	103	33%
Location of juror amenities	36	11%
Would like to postpone service	20	6%
Doesn't speak English	11	3%
Need directions to courthouse or courtroom	11	3%
Lack of information or incorrect information	9	3%
Service is too long	7	2%
Wasted time	6	2%
Lunch guide is good	6	2%
I'm late - not sure what to do	6	2%

Top Concerns of 60 Centre Street Jurors



The most common reason jurors reporting to 60 Centre Street spoke to CJP interns was to ask for information regarding a policy or procedure. Although many of these questions are the same as in other boroughs, and involve how to get a postponement or what service will entail, jurors at 60 Centre street who reported in August 2004 were confused and upset by the changes to the usual terms of service over the summer, when jurors were told that they might be required to serve for five days:

I'm just wondering when this whole five day (expletive) thing started. They used to say two to three days, and now they are saying five. I mean, two to three days is already a huge amount of time, but five is HUGE. They don't tell you before you get here, on the website it says two to three. 60 Centre, 8/4/04

Other jurors were concerned about what was expected when might overlap with the religious holidays:

Will we be expected to serve during the Jewish holiday this week? I have no problem serving through Wednesday, but what will happen if I am needed on Thursday? 60 Centre, 9/13/04

The second most common reason the jurors spoke with CJP interns was to ask for directions to jury amenities. None of the jurors reporting to 60 Centre asked CJP where to buy coffee, most likely because they pass right by the coffee stand set up in the hallway on the way into the jury room. However, a large number of jurors asked CJP interns where to find the bathrooms and were unhappy when they were told that they had to go to a different floor while the one in the jury room was being repaired, and

asked for information on how to get there using the stairs. While the bathrooms were being repaired, a number of jurors complained to CJP about the condition of the bathrooms on the third floor. However, the bathrooms were re-opened in December 2004, and CJP received no complaints after they were re-opened.

Six percent, or 20 jurors, reporting to 60 Centre Street wanted to postpone their service, and stated that serving would be a hardship or not possible for them. Many of these jurors were also unsure if it was possible to be excused due to their circumstances:

I'm the primary caretaker for someone. I really can't serve, but I've already been granted 3 deferments – for pretty long times. Is there any way I can explain to someone that I can't serve and get taken off the jury list, or just serve for a couple days? *60 Centre, 10/18/04*

I am self-employed, and it is a severe hardship for me to be here because I am not able to work. *60 Centre, 11/22/04*

Last time I was here they said about postponements due to my work and my kids. I just can't serve on a long term jury. Where or what can I do? If I don't go into the main room and I just go downstairs, it won't matter then? *60 Centre, 11/22/04*

Eleven jurors approached the CJP booth with concerns that they did not speak English well enough to serve, and a number of them appeared to have been trying to report to room 139 to be evaluated, but instead went to the fourth floor jury room. It seems likely that they did not understand the directions from the jury clerks at the other courthouses where they reported, and instead came to the jury room on the fourth floor.

On a positive note, one juror, who had served before, expressed appreciation both for the presence of CJP and for the improvements made by the courts:

This (referring to the CJP booth) is a good idea. This is helpful. Service is so different from what I remember. I remember when I wanted to serve 20 years ago, and they didn't want women. I think service is interesting. I am glad they did away with exemptions. *60 Centre, 11/8/04*

(2) CJP Recommendations for 60 Centre Street

CJP commends 60 Centre Street for completing its repairs of the bathrooms in the jury room. However, CJP still recommends that 60 Centre Street make certain that there is adequate and clear signage and directions to bathrooms and stairs.

CJP also recommends, as with all the facilities, that 60 Centre Street continue to evaluate and improve the orientations and signage so that information regarding the

policies and procedures are made clear to jurors, particularly regarding deferments or excusals. Jurors should know what to do if they believe that they have a circumstance which might prevent them from being able to serve at that time.

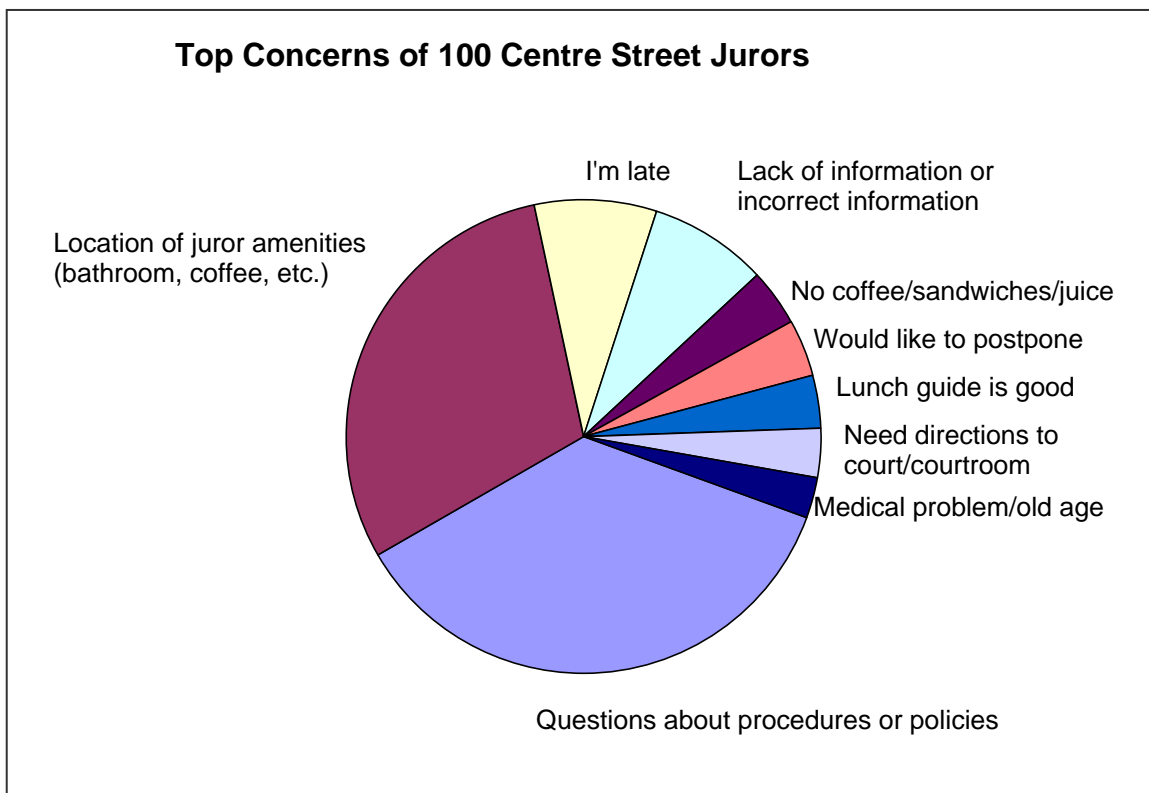
As with all the courthouses CJP recommends that ongoing efforts be made to accommodate non-English speaking jurors, so that they understand where they need to go to be evaluated, and what the policies and procedures are regarding non-English speakers. Additionally, CJP recommends that 60 Centre explore the possibility of posting signs close to the entrance in different languages informing non-English speaking jurors to go to Room 139 to be evaluated.

C. 100 Centre Street

Fifteen percent of the total comments recorded by CJP interns were from jurors reporting to 60 Centre Street, where 244 comments and concerns were reported between July and December 2004. During those months, 6,311 jurors reported to 100 Centre Street. These concerns and comments are summarized in the charts, tables and comments below.

(1) Summary of juror concerns

Top Juror Concerns – 100 Centre Street		
July – December 2004		
(Total Concerns = 244)		
Top Concerns	Count	% of total
Question about procedures or policies	64	26%
Location of juror amenities	53	22%
I'm late	15	6%
Lack of information or incorrect information	14	6%
No coffee/sandwiches/juice	7	3%
Would like to postpone service	7	3%
Lunch guide is good	6	2%
Need directions to courthouse or courtroom	6	2%
Medical problem or old age	5	2%



As with the jurors reporting to other courthouses, the most frequently raised concern of jurors reporting to 100 Centre Street was a question regarding a policy or procedure. However, as stated in the overall summary of jurors comments above, 100 Centre Street had the lowest percentage of comments in this category. This could be due to the fact that 100 Centre Street has the most signs regarding court policies and procedures, as well as due to the substantive nature of their morning orientations.

Although the majority of jurors at 100 Centre Street asked CJP about policies and procedures for getting a postponement, jurors also asked about whether the announcements were audible from the lunch room, what the general length of a day was, and other procedural questions:

I wanted to go downstairs and get something to eat, but no one is at the desk, and there is no sign out sheet. *100 Centre, 10/13/04*

So do you generally get dismissed after three days if you aren't picked? Is there anyway to get assigned to civil versus criminal?
100 Centre, 10/20/04

Can I eat here? It says no food or dishes? *100 Centre, 10/04/04*

**How many people are on a trial? If I don't get picked can I leave?
How long is a normal day?** *100 Centre, 12/13/04*

Although 100 Centre has more signs regarding policies and procedures than other jury facilities where CJP operates its ombudservice, it does not have clear signs directing jurors to the jury room, or to jury amenities such as where the bathrooms are in the hallways or where to find food. 22% of the juror comments at 100 Centre Street were about the location of juror amenities, and jurors were often unhappy to learn that there was no food or coffee on the 15th floor. Additionally, the water fountains were not always functioning properly:

Is there a water fountain here? (1 minute later) I just went – it doesn't work – annoying. 100 Centre, 9/22/04

Can you tell me where the cafeteria is? I need to have coffee. (When informed it was downstairs) It is only downstairs! 100 Centre, 10/13/04

Can I use the room with the tables in it? Where's the bathroom? 100 Centre, 12/13/04.

Although 100 Centre Street is the only jury assembly room where CJP interns noted a sign specifically posted to inform late jurors what to do, CJP interns still reported the highest percentage of questions from jurors who were late and unsure what to do was at 100 Centre Street. As suggested above, this may in part be due to the long lines for security, the malfunctioning elevators, and the lack of clarity of the signs directing jurors to the jury room.

On the issue of long lines, and general procedures, one juror commented:

It has been well conducted this time . . . the real problem is the security. Security is great but there is a bottleneck. 100 Centre, 10/20/04

Another juror who has served before also commented on improvements:

I think jury service has improved. They treat jurors with respect. As well, the physical conditions have improved since years past. I feel it is an honor and a right to serve. 100 Centre, 10/6/04

(2) CJP Recommendations for 100 Centre Street

CJP commends 100 Centre Street for its signs regarding policies and procedures in the assembly room, and for using signs to inform late jurors what to do upon arrival. However, CJP does recommend that 100 Centre Street ensure that the signs directing jurors to the assembly room are placed in front of the correct elevator bank and further post adequate and clear signage with information about locations of bathrooms, coffee, and food. Finally, although a minor point, 100 Centre should ensure that there are no signs which prohibit jurors from eating or drinking where it is allowed.

CJP also recommends that 100 Centre street continue to work on improving the physical conditions for jurors, including contracting with a coffee and food vendor for the 15th Floor and ensuring that the water fountains and elevators are functioning properly.

CJP also recommends, as with all the facilities, that 100 Centre Street continue to evaluate and improve the orientations and signage so that information regarding the policies and procedures are made clear to jurors, particularly regarding deferments or excusals. Jurors should know what to do if they believe that they have a circumstance which might prevent them from being able to serve at that time.

Finally, as with all the courthouses CJP recommends that ongoing efforts be made to accommodate non-English speaking jurors, so that they understand where they need to go to be evaluated, and what the policies and procedures are regarding non-English speakers.

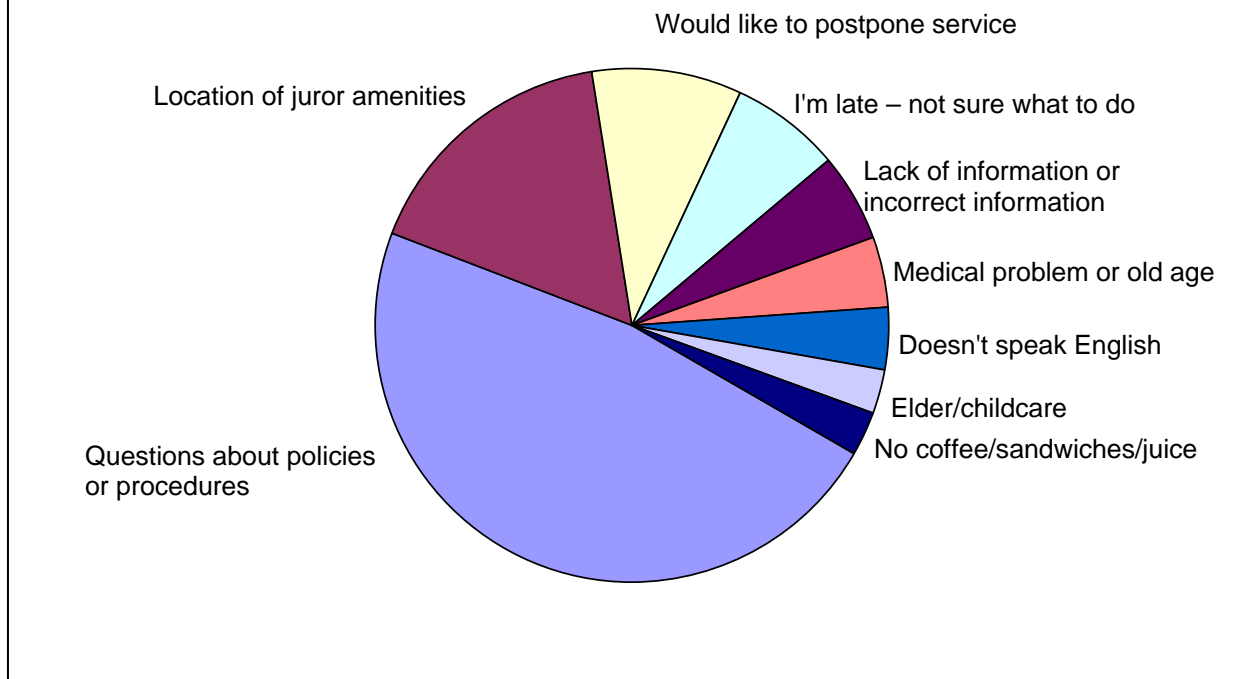
D. 111 Centre Street – 3rd Floor

Fifteen percent of the total comments recorded by CJP interns were from jurors reporting to 111 Centre Street, 3rd floor jury room, where 247 comments and concerns were reported between July and December 2004. During those months, 7,562 jurors reported for service. These concerns and comments are summarized in the charts, tables and comments below.

(1) Summary of juror concerns

Top Juror Concerns – 111 Centre Street – 3rd Floor		
July – December 2004		
(Total Concerns = 247)		
Top Concerns	Count	% of total
Questions about policies or procedures	85	34%
Location of juror amenities	30	12%
Would like to postpone service	17	7%
I'm late	12	5%
Lack of information or incorrect information	10	4%
Medical problem/old age	8	3%
Doesn't speak English	7	3%
Elder/childcare	5	2%
No coffee/sandwiches/juice	5	2%

Top Concerns of 111 Centre Street, 3rd Floor Jurors



As with the jurors reporting to other courthouses, the most frequently raised concern of jurors reporting to 111 Centre Street, 3rd Floor was a question regarding a policy or procedure – 85 jurors or 34% of the comments fell into this category. Although the majority of the questions were from jurors who were concerned that they might not be able to serve or that they needed to postpone, many questions were about what the policy was for breaks, and confusion over where they should be waiting or what they should be doing:

Is that a brand new group in there (*pointing inside the assembly room*)? Do I have to go to room 342? I can't remember. 111 Centre, 3rd Flr, 10/28/04

We can go outside on a break, right? 111 Centre, 3rd Flr, 10/20/04

I would like a postponement. I'm the only one within my company that travels all the time. Where can I go? 111 Centre, 3rd Flr, 10/25/04

I am unemployed but it says I must serve. I am in the middle of a job search, and this is causing me a financial hardship because I can't go on the interviews. 111 Centre, 3rd Flr, 8/4/04

The second most common question or comment raised by jurors at 111 Centre, 3rd Floor, was the location of juror amenities – particularly where the bathrooms were and where they could buy coffee. One jury had a number of questions and a comment:

Are we supposed to report to anyone? Is there a working water fountain around here? There should be signs stating where the bathrooms are. The water fountains are working but are low. 111 Centre, 3rd Flr, 11/29/04

Other comments regarding suggest improvements were made by a juror in a wheelchair who complained that he could not hear the loudspeaker in the hallway, and that he had to keep wheeling back and forth between the hallway and the assembly room.

Another experienced juror colorfully expressed her appreciation for improvements in the physical conditions:

I served in '75. It has vastly improved. Back then they put us in a vast cavernous room filled with smoke. It was like being in Hades – I thought no one was going to find us. You had to sit there for two weeks and sometimes you didn't even get called. 111 Centre, 3rd Flr. 10/13/04

Another juror commented on an improvement in how the court staff treated jurors:

I served seven or eight years ago and it's so much better now. The people are so much more appreciative of us. 111 Centre, 3rd Flr. 7/27/04

(2) CJP Recommendations for 111 Centre Street, 3rd Floor

CJP recommends, as with all the facilities, that 111 Centre Street, 3rd Floor continue to evaluate and improve the orientations and signage so that information regarding the policies and procedures are made clear to jurors, particularly regarding the procedure for daily service (i.e. breaks, lunch times etc.) and also the policies regarding deferments or excusals. Jurors should know what is expected of them on a daily basis, and what to do if they believe that they have a circumstance which might prevent them from being able to serve at that time.

Additionally, CJP recommends that 111 Centre, 3rd Floor, revamp and improve signage directing jurors to bathrooms, food and coffee, based on the number of jurors who approached the CJP booth asking for directions to those juror amenities.

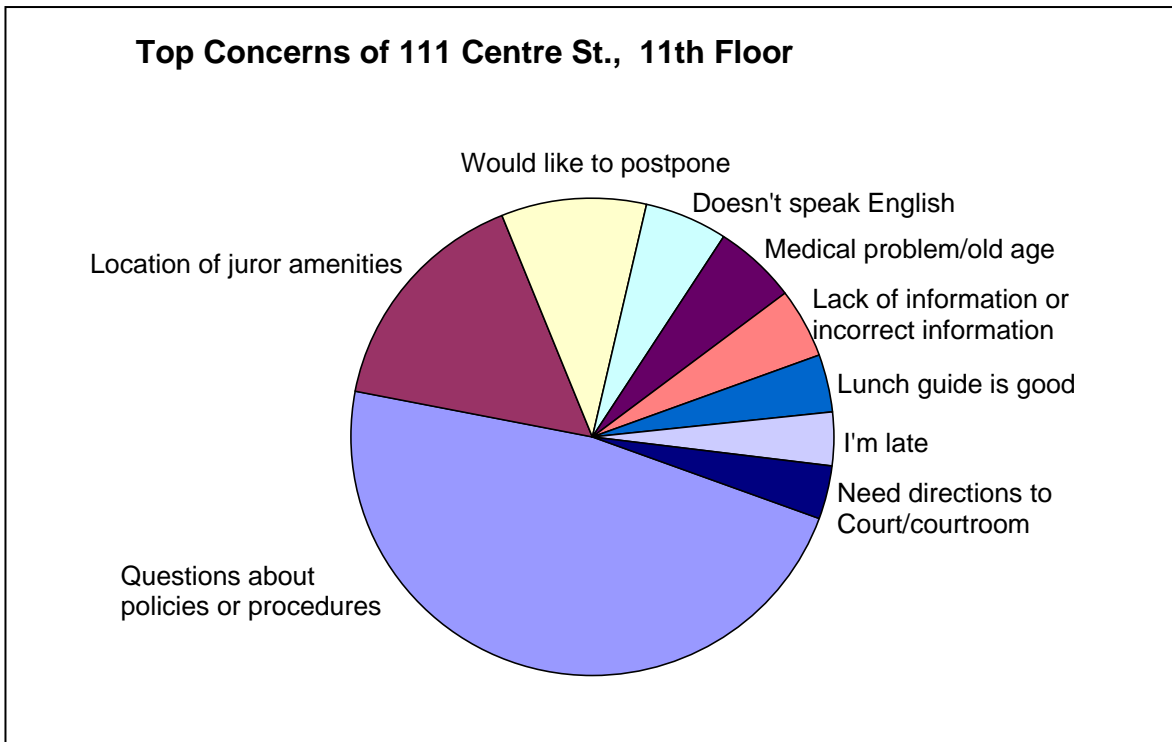
Finally, as with all the courthouses CJP recommends that ongoing efforts be made to accommodate non-English speaking jurors, so that they understand where they need to go to be evaluated, and what the policies and procedures are regarding non-English speakers.

E. 111 Centre Street – 11th Floor

Fourteen percent of the total comments recorded by CJP interns were from jurors reporting to 111 Centre Street, 11th Floor where 226 total comments and concerns were reported between July and December 2004. During those months, 8,229 jurors reported for service. Their concerns and comments are summarized in the charts, tables and comments below.

(1) Summary of juror concerns

Top Juror Concerns – 111 Centre Street – 11th Floor		
July – December 2004		
(Total Concerns = 226)		
Top Concerns	Count	% of total
Questions about policies or procedures	78	35%
Location of juror amenities	26	12%
Would like to postpone service	16	7%
Doesn't speak English	9	4%
Medical problem/old age	9	4%
Lack of information or incorrect information	8	4%
Lunch guide is good	6	3%
I'm late – not sure what to do	6	3%
Need directions to courthouse or courtroom	6	3%



As with the jurors reporting to other courthouses, the most frequently raised concern of jurors reporting to 111 Centre Street, 11th Floor was a question regarding a policy or procedure – 78 jurors or 35% of the comments fell into this category. As with the other courthouses, the majority of the questions were from jurors who were concerned that they might not be able to serve or that they needed to postpone. However, unique to the 11th floor, many questions reflect confusion caused by the fact that many jurors from this location are sent to voir dires across the street at 100 Centre Street, and the maze of court buildings in the immediate area can make finding the right court confusing:

Yesterday I was called and told to go to another courthouse. But I was dismissed and not chosen for the trial. Should I be here this morning? *(This juror asked the clerk and was sent back across the street to the courthouse where he served yesterday) 111 Centre, 11th Flr, 7/13/04*

I don't know if I am supposed to be here. Yesterday I was across the street somewhere. Should I be here this morning? *111 Centre, 11th Flr, 7/27/04*

I think I am in the wrong courthouse. I am supposed to be in the courthouse where there is a lunchroom on the ground floor. *111 Centre, 11th Flr, 10/28/04*

One juror who asked about policies and procedures, and thought she might need a postponement for financial reasons, expressed the dilemma that she faced:

Do you have knowledge about the jury selection system? I got evicted in this courthouse last year. Now I am temping and I really need the money. If I go to 60 Centre do you think I can get a financial hardship or do you think I should risk the chance of not being called for a case? Do you think it's likely that I won't be called? 111 Centre, 11th Flr, 9/22/04

Another jury on the opposite end of the economic spectrum expressed his frustration with the financial costs of jury service, coupled with his belief that he would never be selected for jury duty:

This is a “differential” sacrifice. It is not fair for the self-employed. I am a doctor; I will never get on a jury. I will never be selected and I am literally losing thousands of dollars being here. I think it is very unfair. 111 Centre, 11th Flr, 10/21/04.

The majority of the questions regarding the location of juror amenities (12% of the comments) were about directions to the bathrooms and where to buy coffee. Some jurors were unhappy to discover that they were unable to buy coffee on the 11th Floor:

Where can I buy coffee? I have to go outside in the cold?! 111 Centre, 11th Flr, 12/15/04

They should put a coffee machine in here. They don't make service convenient, that's why people want to get out of it. 111 Centre, 11th Flr, 10/18/04

Four percent of the juror comments were regarding jurors concerns that they could not speak English well enough to serve:

I do not understand engles [sic] I cannot hear Engles good – I not able to do this. (*Juror had already turned in summons and had very poor English skills. CJP intern walked him to the clerks' desk because he was very confused and did not understand the intern's explanation of where to go*) 111 Centre, 11th Flr, 9/22/04.

(2) CJP Recommendations for 111 Centre Street, 11th Floor

CJP recommends that 111 Centre, 11th Floor evaluate and improve information and signage directing jurors to bathrooms, food and coffee, based on the number of jurors who approached the CJP booth asking for directions to those juror amenities. CJP also recommends that the possibility of installing a coffee machine or a coffee

stand on the 11th floor be explored, given the length of time it can take for jurors to get back down to the ground floor.

CJP also recommends, as with all the facilities, that 111 Centre Street, 11th Floor continue to evaluate and improve the orientations and signage so that information regarding the policies and procedures are made clear to jurors. In addition to the recommendation made to explain the policies regarding deferments or excusals, CJP recommends that 111 Centre Street, 11th Floor emphasize to jurors, both through presentations and/or signs, that they should return to the assembly room in 111 Centre if they are not chosen after a voir dire across the street. CJP also recommends that that judges, attorneys and court officers conducting voir dire in 100 Centre Street of jurors who reported to 111 Centre Street clearly inform jurors were who were not selected and dismissed from a panel to go back to the 11th Floor assembly room in 111 Centre Street.

Finally, as with all the courthouses CJP recommends that ongoing efforts be made to accommodate non-English speaking jurors, so that they understand where they need to go to be evaluated, and what the policies and procedures are regarding non-English speakers.

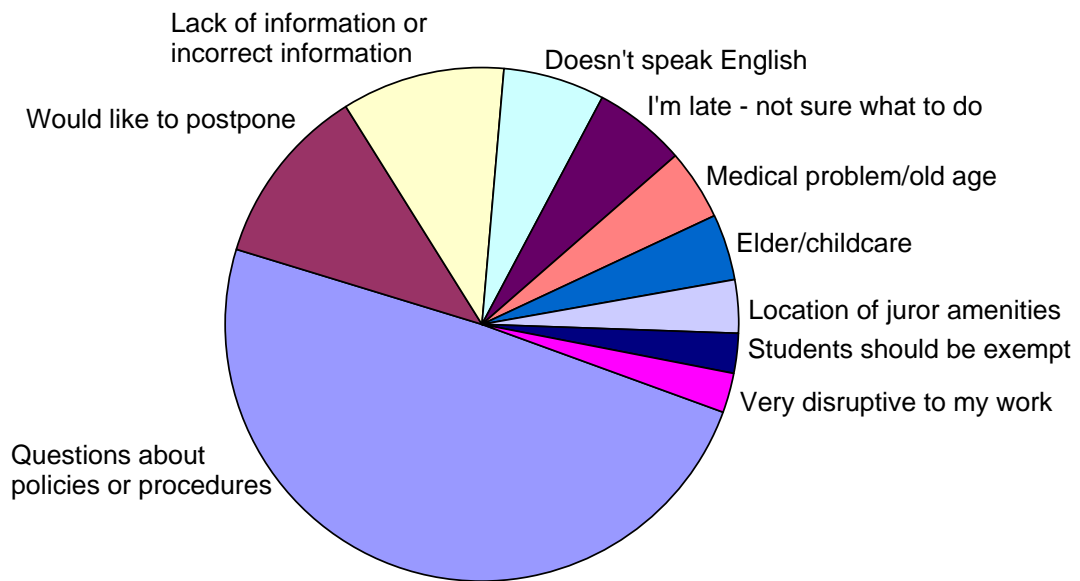
F. 360 Adams Street

The largest percentage of total comments recorded by CJP interns from July to December 2004 was recorded in Brooklyn at the 360 Adams Street jury assembly room, where 34% or 495 juror comments and concerns were collected. During this time period, 24,773 jurors reported to service at this location.

(1) Summary of juror concerns

Top Juror Concerns – 360 Adams Street		
July – December 2004		
(Total Concerns = 495)		
Top Concerns	Count	% of total
Questions about policies or procedures	194	39%
Would like to postpone service	45	9%
Lack of information or incorrect information	41	8%
Doesn't speak English	25	5%
I'm late – not sure what to do	23	5%
Medical problem or old age concern	18	4%
Elder or childcare concern	16	3%
Location of juror amenities	13	3%
Student feels entitled to exemption	10	2%
Very disruptive to my work	10	2%

Top Concerns of Jurors at 360 Adams



As with the jurors reporting to other courthouses, the most frequently raised concern of jurors reporting to 360 Adams was a question regarding a policy or procedure, and 194 jurors or 39% of the comments fell into this category. The majority of the questions were from jurors who were concerned that they might not be able to serve or that they needed to postpone, and many of these comments were from people who were self-employed, or who were juggling childcare issues:

I own my own business, and I have three workers. I have to close down my business in order to be here. Is there any way you can talk to someone about this? Can I at least postpone? *360 Adams, 7/21/04*

I am the mother of two small children and I have their birth certificates with me. I filled out the questionnaire in the mail and am surprised that they called me because I indicated the young ages of my children. I work part-time and today I am suppose to be working, but tomorrow I must take care of my kids. What should I do? *360 Adams, 7/21/04*

My wife got the same summons as me. She is supposed to come on Thursday. We have three kids. If I have to serve at least until Thursday, and her summons says Thursday, can she get a deferral? *360 Adams 10/19/04*

In addition to questions about policies, many jurors approached the CJP booth explaining that although they were chosen as jurors, they were unsure where they were to report, were confused by the different jury rooms, or needed more information about where they were supposed to be:

I'm an alternate on a case, do I just sit here? *360 Adams, 11/29/04*

I was selected for a jury and I'm supposed to be back here today. Where am I am supposed to be? *360 Adams, 12/6/04*

I am here for the [name deleted] case. They told me to report at 10am, so do I just sit here? *360 Adams, 12/9/04*

I was sent to the empanelling area, then upstairs, then they said to come back downstairs. Did they mean here or the empanelling room? *360 Adams, 12/13/04*

They chose me on a case on the 6th or 7th, but the judge said they're postponing it, so they told me to show up today at 10am. It's 10:30am right now and I don't know what to do. They didn't tell us where to go. The lady inside told me to just wait, but she didn't even look at my papers so I think she might've been in a rush. Should I just wait here? Will they call me? How do I know? The big civil cases are on the 2nd floor, right? *360 Adams, 7/26/04*

One juror, who was similarly confused about where to report to, also expressed his frustration at other aspects of his experience as a juror:

I have 2 comments. First of all, yesterday, we were told to be here at 9:30am and it is now quarter to 11am. We are still continuing a voir dire and nobody knows where to go or what to do except the lawyers who are not here. It's an abuse of juror time. Secondly, we had 3 lawyers in the voir dire. One came back from lunch 20 minutes late with not so much as a 'pardon my lateness'. At least she could say 'a lion chased me up the telephone pole' or something. I have to control my patience. It is just common courtesy. I have not served on a jury because I am a lawyer. It is amazing that when a judge presides over a voir dire, he speeds it up. In federal courts, lawyers can be penalized for being late; there isn't too much latitude or tolerance. The difference between the federal courts and these courts is resources versus culture. It is too bad in the state system we don't have better facilities. People behave themselves differently in a nicer place. *360 Adams, 10/19/04*

Other questions frequently posed to CJP interns was the procedure for taking breaks and the hours of service:

This is my first time here, and I have no idea how the whole procedure works. Can you tell me how long I have to stay here? I have to go take care of business, is there any way I can leave earlier, like at 4pm? *360 Adams, 7/26/04*

Is there anywhere I can smoke? Can you listen for my name while I go outside and smoke? *360 Adams, 12/2/04*

As in Queens, a large number of jurors stated that they were concerned about their ability to serve because of poor English skills. Some jurors seemed to speak English well enough to serve, but others brought family or friends to translate for them, or seemed unable to understand any directions in English. One English speaking juror had a comment regarding the interpretation services, and proposed an interesting potential solution:

They translate only into Spanish. People waited a long time to tell the judge that they didn't speak English. Use the TVs to translate.
360 Adams, 7/13/04

(2) CJP Recommendations for 360 Adams

CJP commends 360 Adams on its efforts to address the needs of non-English speaking jurors and to facilitate and streamline language evaluations by having presentations made in different languages, providing information in different languages on its telephone call-in system, and creating a separate line and procedure specifically for jurors who are concerned about their ability to understand English. To further this endeavor, 360 Adams should explore expanding its use of interpreters to include Russian interpreters, and/or follow the suggestion of the juror quoted above, who suggested posting instructions in different languages on the TV monitors in the assembly room.

CJP recommends that 360 Adams continue to evaluate and improve the information given to jurors during the orientation and/or through signs and directions in the assembly room regarding policies and procedures, not only about what jurors who want to postpone service should do, but also regarding where jurors selected for a trial or returning for a voir dire should report. While in part this could and should be handled by instructions from the judges and/or lawyers involved in selecting jurors, it would be helpful for jurors to also be able to hear or find this information in the assembly rooms. This is especially true in Brooklyn where the jury assembly room, lounge, and empanelling area are all connected, but not clearly marked as such.

3. Summary of Recommendations

Provide more procedural information to jurors in the assembly room and throughout the process. Jurors should be informed about their rights and have a clear understanding of the process of serving. Jurors should know what is expected of them on a daily basis, and what to do if they believe that they have a circumstance which might prevent them from being able to serve at that time. This recommendation is based on the large percentage of jurors who approached the CJP booth confused as to court policies and procedures for jury service.

Provide jurors with clear signs to direct jurors to available amenities, and giving them basic instructions. Lessening juror confusion and stress can allow jurors to focus on the proceedings and will promote comprehension. Even when information is included in orientations, clear signage is helpful for jurors who didn't listen, hear or understand oral instructions.

Investigate and devise ways to best accommodate non-English speakers. Part of the work in accommodating these individuals is systemic, yet it must also be addressed at a court and community-specific level. Court officials and individuals have a day-to-day and historical perspective on the populations and communities that visit each court, and how staff and their facilities can be accommodating. Given the fact that both Brooklyn and Queens have large non-English speaking populations, but also have such different approaches to handling these jurors, the pros and cons of each approach could be studied to determine what elements of their processes are the most efficient and also most respectful of jurors. CJP would be happy to assist in this project.