



EXECUTIVE SUMMARY

In the spring of this year, the Commission on the Jury released its Interim Report, which puts forth a number of constructive recommendations to improve juror utilization in New York. During this past trimester, the Citizens Jury Project (CJP) also reached a milestone: CJP interviewed its five thousandth juror on May 10, 2004. In light of both developments, the first part of the report presents a statistical analysis of the 5,000 juror interviews and discusses ways in which the Commission on the Jury's findings and recommendations collude with the concerns that jurors have voiced to CJP. The section focuses on the top five most common concerns voiced by jurors: lack of information, summoning, disqualification, employment, and physical environment concerns. Recommendations follow the analysis of each of the top five concerns.

The second part of the Summer 2004 report provides a detailed analysis of the 1,001 comments of jurors interviewed by CJP from April 1 to June 30, 2004. Accompanying this analysis are recommendations that have been informed by jurors' comments and our ongoing presence at 60, 100, and 111 Centre Street courthouses in Manhattan, and 360 Adams Street in Brooklyn.

RECOMENDATIONS

Provide jurors with detailed information about where to report during all phases of service, and provide more procedural information throughout the process.

The Commission on the Jury's Interim Report details a series of recommendations on how to "improve communication with jurors." Broadly, these recommendations call for expanding public educational campaigns about service, updating jurors in the assembly rooms about delays and why their service is important, developing uniform judicial comments to thank jurors who have served on a jury, and continued investigation into linguistic disqualification concerns. In addition to these thoughtful recommendations, CJP further suggests:

- Provide multi-lingual information about service ahead of time, via the Internet and telephonic information. Early assessment lessens the burden of service on individuals and improves the efficiency of the system.
- Include information for jurors who cannot "understand and communicate in" English in the morning orientation template currently being developed. When feasible, this information should be conveyed in the predominate languages of the county. If this is infeasible, CJP concurs with the Commission's recommendation: "...a written statement in various languages should be provided for distribution at the orientation."
- Include caretaker information on the Unified Court System website and relevant court literature. Information prior to service can be particularly useful for caretakers, who live unpredictable lives that are often dictated by those they care for.
- Provide specific electronic and print information for self-employed and student jurors. Both populations face considerable temporal and financial constraints that can inhibit their ability to serve.

Refine the qualification and summoning processes.

Non-Citizens:

- Develop a clear policy for the assessment undocumented non-citizens. Instruct court officers and clerks throughout the state on how to assess and treat non-citizens.
- Provide information for undocumented non-citizens prior to service, on the qualification questionnaire and in court literature.

Multi-lingual/Non-English Speaking Individuals:

- Provide a line on the qualification questionnaire after the question, "can you understand and communicate in the English language," that states: "if not, you will be asked to participate in a language interview, once you are summoned to serve."
- Include a line on the qualification questionnaire in each county's predominant languages, which instructs non-English speakers to call a hotline that will provide information and instructions in their native languages.
- Establish toll-free information lines with recorded instructions for summoned multi-lingual/non-English speakers about the jury process and how to seek postponement or dismissal prior to service.
- Utilize the resources and knowledge that the field of English as a Second Language (ESL) has developed in relation to assessment and communication with non-English speaking jurors. ESL professionals can help develop language-qualifying interviews and should train (or could develop a training for) court staff on how to properly conduct these interviews. Linguistic professionals can also give the court system good estimates about how long language acquisition can take and when it is reasonable to summons a language disqualified juror back to the courts.

- Consider using a plain English editor in the process of standardizing the summons

Caretakers:

- Create an online service in which jurors can submit copies of the children's birth certificate to the court. Other populations could use this service too, such as non-citizens and individuals with health concerns that prohibit them from leaving their homes.

Target environmental improvements in the courts.

- Consistently staff the New York and Kings County assembly rooms with one employee whose sole responsibility is cleaning the assembly room and bathrooms and stocking the bathrooms regularly.
- Continue to encourage the City to make the necessary plumbing repairs so that water fountains can be turned on again in New York County courts. Until jurors have access to public water through the water fountains, the courts should provide water coolers for jurors.
- Continue to work to improve the physical environment for people with disabilities. New York has taken significant steps in promoting access for jurors with disabilities, but court facilities and processes can and must continue to be improved upon. Accessible court environments and processes benefit us all.

CONCLUSION

Jury reform has improved the administration of justice in New York, and jurors' perception of and performance within the jury system. In order to continue to improve the system, the Citizens Jury Project encourages the Unified Court System to implement the preceding recommendations. It is our hope that this and other CJP reports provide a framework for future reform.