

# 22nd Circuit Court

## Juror's Handbook

Jury Clerk's Office: (734) 222-3354

### Welcome to Jury Service!

You have been summoned for jury duty in Washtenaw County. This information is provided to assist you and answer questions you may have. The contents of this handbook are listed below:

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### The Importance of Jury Service

Jury trials have been an important part of the American legal system for over two centuries. They are an integral part of the laws that protect the fundamental rights of all citizens. As intended by the United States Constitution, the impartial and random selection of jurors is performed without regard to race, sex, occupation, education, or economic level, and is done to assemble a representative cross-section of the County's populations.

Jury duty is an important and rewarding service that you are summoned to provide by the court for your county. Through your service, the people of Washtenaw County participate directly in the administration of justice.

## **Participants in a Trial**

A jury trial involves many people. Those individuals who are direct participants in courtroom proceedings include the following:

**Judge**—will preside over the trial, instructs the jury, make rulings on points of law, and have general charge over the proceedings of the trial and its participants;

**Parties**—in a civil trial are the plaintiff and defendant; in a criminal trial they are the prosecutor (representing the people of the state or local political subdivision), and the defendant (the person charged with the crime);

**Attorneys**—participate in trials as advocates for the parties in controversy by presenting their client's case;

**Witnesses**—present testimony under oath concerning what they have seen or know about the facts of the case;

Prosecuting Attorney- is the official representing the state or a local city, township or village in a criminal case or certain civil cases;

**Court Recorder**—records and logs all trial proceedings and will be responsible for preparing a typewritten transcript of the trial if requested by either party;

**Court Officer**—of bailiff opens court and is responsible for maintaining order and security in the courtroom and protecting the jury from outside interference when they are deliberating.

## **A Jury Chosen**

Your name has been drawn at random from a list of licensed drivers in Washtenaw County. From this list of individuals, jurors will be selected to comprise the jury panel. Such persons, however, must be U.S. citizens.

When you arrive at the courthouse, a jury clerk will meet you in the jury assembly room or other designated room. Before the selection of a jury begins, you will be asked to swear or affirm that you will truthfully answer the questions concerning your fairness and ability to sit as a juror on a particular case.

As a prospective juror, you will be questioned by the judge or trial attorneys. This process, referred to as *Voir Dire*, is conducted to determine whether you have opinions or attitudes that would bias you in favor or disfavor of either side. While some questions may be personal in nature, they are not intended to embarrass you even if that becomes the result. They are asked to determine if there is a reason you should not sit on the case. Jurors may be excused for cause for reasons such as a personal or financial relationship with a party that would impair their ability to be fair. In addition, each side may excuse a limited number of jurors by peremptory challenge without any reason. Jurors who are excused for one case may be eligible to sit on another.

Once selected as a juror, you are expected to listen to the judge, witnesses and attorneys, consider the evidence presented, and make an intelligent and just decision based on the evidence presented to you following the instructions provided by the court.

## **Conduct of a Trial**

The trial will begin with opening statements by the attorneys for both sides. The attorneys will explain their client's position and what they expect to prove. These statements are not considered evidence but are an introduction to claims that must be proven by the presentation of evidence.

The examination of witnesses and presentation of evidence will begin after opening statements. The witnesses will first be examined by the attorney who called them, then cross-examined by the other attorney. This process can proceed further by redirect and re-cross examinations.

Attorneys may make objections during the trial in an effort to limit the testimony being presented. Objections are a legal and proper part of the trial process. If the judge sustains the objection, the evidence or testimony is not proper, and if he overrules the objection, the line of questioning may continue.

Occasionally during a trial, the jurors are excused so that arguments may be presented to the court concerning an objection or other legal issues. This is done outside the presence of jurors to avoid possible prejudice. These activities, and the judge's ruling on objections, should not cause you to give either side more favorable consideration.

In final arguments, both attorneys will have an opportunity to summarize their positions and review the facts of the case. At the conclusion of the final arguments, the judge will issue instructions to the jury concerning the law and its application to the particular case.

The jurors will then proceed to the jury room to begin deliberation. The jurors must select a foreperson who presides over these deliberations. You will discuss the evidence and attempt to arrive at a fair and impartial verdict based on the facts presented during the trial and the law as given by the judge's instructions. When deliberations are complete, you will return to the courtroom for the presentation of your verdict.

## **Juror's Responsibilities**

- Jurors must be prompt in arriving at the court. A trial cannot begin unless all jurors are present.
- Jurors must give their undivided attention to the witnesses, attorneys, and proceedings. Remember that the outcome of the case is very important to those concerned.
- Jurors must not let radio, television, newspaper articles, or other publicity concerning a case affect their decision. A verdict must be based on the evidence presented at trial.
- Jurors must not discuss the case with friends, relatives, or trial participants. If you are approached about the case, report the incident to the court officer immediately.

- Jurors must not become involved in independent investigations about the case. When it becomes necessary to inspect a scene, the jury will do so as a group under the court's supervision only.
- Jurors must be impartial and avoid comments or expressions during the trial that convey feelings about the case.

## **Am I eligible to be a Juror?**

You are exempt from jury service if:

- You are not a resident of Washtenaw County;
- You are not a U.S. citizen;
- You are over 70 years old and wish not to serve;
- You have served as a Circuit juror within the last 12 months;
- You are currently serving a sentence; or
- You are on probation or parole.

## **How long will I serve on Jury Duty?**

You are required to serve on one trial. If you are not selected to serve on a trial the day(s) you report, or asked to return the next day for ongoing selection, you are done. If you are selected to serve on a trial, you must complete that trial. A trial may last a few days or several days, depending on the nature of the case. You should make no personal plans for the two-week period after you report.

## **How am I paid?**

In accordance with State Law, you will be compensated at the rate of \$12.50 for the first half day of service, and \$25.00 for the first full day of jury service. Subsequent days (if any) will be compensated at a rate of \$20.00 for half-days and \$40.00 for full-days. You will be compensated for travel at the rate of \$4.40 for each full or half day of jury service. Circuit Court jurors are paid with a preloaded debit card to be used in the Courthouse ATM only. Cards include statutory amount plus maximum mileage for the county. If required by your employer, the signed receipt for your payment can serve as an attendance statement.

## **What happens when I get there?**

### ***Security***

People entering the courthouse must pass through metal detectors and may be searched. Purses, briefcases, or other containers may also be searched. Weapons are prohibited in the courthouse facility. See the Trial Court Website for detailed information about court security.

### ***Checking In***

After checking in, you must wear your badge at all times. The badge is important, it tells other people in the courthouse that you are a juror and that they should not expose you to any information about the cases you might be called to serve on. If you lose or forget your badge, go to the Jury Clerk and a new one will be issued.

### ***Orientation***

After everyone is checked in, you will receive an orientation from the jury clerk. One of the Circuit judges will also speak and you will see a short video describing the jury selection and trial process.

### ***Waiting***

There is an old saying that: "Those also serve who sit and wait." This is especially true for jury service. There are many cases set for trial on the day you called for jury duty. While you are waiting in the assembly area, the judges, lawyers and litigants are making last efforts to settle those cases without the expense and delay of a jury trial. Often the mere presence of jurors encourages an agreement that avoids a prolonged trial.

During this waiting time, however, we must prevent any interaction that could prejudice the pending trials. To protect the integrity of the system and to prevent mistrials, you must stay in the assembly room unless excused by the Jury Clerk (you may not sit in or wander in the hallway). Do not talk to anyone other than court staff or other jurors, as it may be an attorney or litigants who are present in the courthouse for a trial. Do not use the Coffee Shop located on the first floor.

We will try to make your waiting as convenient as possible. Some video entertainment will be available. Coffee, juice, and donuts will be provided. If you have a medical necessity that requires you to eat or drink at certain times during the day, please notify the Jury Clerk of this. Food/beverages are not allowed in the courtrooms.

Lunch will be at your own expense unless you are told otherwise.

### ***Restrooms***

Special locked restrooms are designated for juror use. You must obtain a key from the Jury Clerk to use these restrooms. These restrooms are located on the third floor. Make a right outside the Jury Assembly Room door and the restrooms are down the hall on the left – Room 311 for men and Room 307 for women.

### ***Smoking***

The County Courthouse is a SMOKE-FREE building. Smoking is not allowed during the jury selection process.

## **How am I selected to hear a case?**

When called by the individual court, a panel of jurors will be taken to a specific courtroom and be given preliminary information by the judge. A number of jurors will then be selected at random to sit in the jury box. If your number is called, please take the seat as directed in the jury box. If you are not selected for that case, you must then return immediately to the Jury Assembly room for potential assignment to another courtroom. If you are selected as a juror, you will receive additional instruction from the courtroom staff. Trial times and the duration of the trial will be explained to you by the Judge or staff of that courtroom.

## **Parking**

Parking is the responsibility of the juror unless you are selected for a jury. If selected as a juror, you must park in the Washington/Fourth Ave. Parking Structure (the entrance is on Washington Street) or the open lot at First/Huron, which accommodates oversized vehicles and vans (entrance is on First Street). If a juror reports for jury selection and is seated on a trial, the court will pay for parking in full only if you are parked in one of the two parking structures listed above and bring your parking stub with you into the Courthouse to be validated. (If you are parked anywhere other than the two options listed above, you will be responsible for your own parking fees.)

## **Final Note**

The jury is a critical element in our system of justice. You should be proud of your service as a juror. Your presence in the panel is necessary, regardless of whether you are selected to serve on a case. The court and the litigants appreciate your service.

## **Trial Court Judges**

The current judges for the Washtenaw County Trial Court are the:

- Honorable Archie C. Brown
- Honorable Timothy P. Connors
- Honorable Nancy C. Francis
- Honorable Melinda Morris
- Honorable Darlene A. O'Brien
- Honorable Donald E. Shelton
- Honorable David S. Swartz