

TRIAL JUROR'S HANDBOOK

You have been summoned for service as a trial juror in the Commonwealth of Massachusetts. This Handbook is intended to answer some of the most common questions you may have. Additional information is available on our website at www.MAJury.gov.

Please read this Handbook carefully so that you will be better prepared to serve as a trial juror. If you are selected to serve, the judge will give you additional instructions. In the event of a conflict, you should always follow the judge's instructions, rather than the more general directions in this Handbook.

(July 2012)

The court system is committed to treating all jurors fairly and respectfully, regardless of race, color, religious creed, national origin, sex, age, ancestry, ability, or sexual orientation. If you feel that you have experienced or witnessed discriminatory treatment during your term of service, please contact us at **1-800-THE-JURY (843-5879)** or at JurorHelp@jud.state.ma.us.

FOR MORE INFORMATION

Please visit our website at www.MAJury.gov

Juror Information Line: 1-800-THE-JURY
1-800-843-5879 (within Massachusetts only)
or 617-338-6409 (out-of-state callers only)

If You Are Impaneled

The judge will explain your responsibilities if you are selected to sit on a jury. As a juror, you will hear the evidence and decide the facts. The members of the jury evaluate the evidence and work together to reach a decision and render a verdict.

The judge will guide the conduct of the trial, making sure that the evidence is presented in an appropriate manner and that the parties follow the rules. At the end of the trial and before the jury deliberations, the judge instructs you on the principles of law applicable to the case. In deliberations, you and your fellow jurors discuss the evidence in private and apply the law to reach a decision, known as a verdict. The verdict is the final decision of the jury, which resolves the case.

As a sitting juror, you must remain fair and impartial at all times. Do not communicate with anyone about the case while it is going on, even with your fellow jurors or your family. Do not use online social media to share or read information about the case or your experience with jury service. Do not look for information about the case outside the courtroom, or use the internet to do research about the case or the people involved in it. If anyone starts to talk about the case, you should interrupt them and tell them that you are a juror and cannot hear any discussion about the case outside the courtroom. If necessary, tell the court officer what happened.

After You Serve

Compensation: Your Massachusetts employer is required by law to pay your regular wages for the first three days of jury service. After three days, the state will pay you \$50 per day, but some employers will compensate an employee even after the third day. Know your company's policy before reporting for jury service. Self-employed jurors must compensate themselves for the first three days of service unless they can demonstrate extreme financial hardship to the judge. Travel expenses for employed jurors are not reimbursed.

Reimbursement: Generally, jurors are not reimbursed for expenses. If you are a student or not employed, you may be reimbursed for reasonable out-of-pocket expenses (excluding food) incurred during the first three days of jury service, up to a

maximum of \$50 per day. After the third day, the state will pay all jurors \$50 per day.

You must request a reimbursement form from the court officer as soon as possible. You may have to explain your expenses to the judge.

Proof of service: The Office of Jury Commissioner provides juror service certificates to those who have performed juror service, generally within one to two weeks. The certificate includes a copy for your employer. You should give your employer this copy of the certificate as soon as you receive it.

Discussing the case after trial: Unless the judge orders otherwise, the lawyers are not allowed to contact you to discuss the case once the trial is over. However, the judge may invite the jury to meet with the lawyers and the judge together after the verdict.

After the jury is dismissed, you are no longer prohibited from talking about the trial. However, you should avoid revealing the names of other jurors, how any juror voted, or anything discussed during jury deliberations. If anyone tries to learn this confidential information from you, or if you feel harassed or embarrassed in any way, you should report it to the court or the Office of Jury Commissioner immediately. It is very important that the integrity of our jury system is maintained.

In Case of Emergency

Weather emergencies: Court is rarely cancelled due to weather or other public emergency, but jurors' safety always takes priority. Depending on the circumstances, court cancellations will be announced on the Juror Line listed on your Reminder Notice, on our website at www.MAJury.gov, on the Trial Court website at www.mass.gov/courts, and/or on local radio and television stations.

If you cannot appear for your first day of service: If you cannot report for service as scheduled you can postpone your service on our website at www.MAJury.gov. You will need the Badge Number and PIN from your Summons or Reminder Notice, and your ZIP Code. You can also call us at 1-800-THE-JURY (843-5879) for assistance.

If you have been impaneled on a jury and cannot return to court for a subsequent day: You must make every effort to honor your commitment once you have been selected as a juror on a case. The parties, witnesses, your fellow jurors, and the courthouse personnel are all depending on you, and the court may impose consequences on an impaneled juror who does not complete his or her service. If an emergency prevents you from returning to court, you must call the courthouse directly as soon as possible. The court officer will give you the telephone number after you are impaneled.

If you need to attend to an emergency while you are at the courthouse: A judge can excuse you from jury service at any time. You can be contacted at the courthouse during your service in the event of an emergency. Inform the court officer if you need assistance. If necessary, the court officer will notify the judge.

Importance of Jury Service

Under our state and federal Constitutions, all people are entitled to a jury trial if the government accuses them of a crime and seeks to take away their freedom. You may also be entitled to a jury trial to settle a civil dispute concerning money or property. Your jury service is a core component in guaranteeing these constitutional rights for everyone.

Citizens from all segments of our society participate in the administration of justice through the jury system, which is one of the key elements of our participatory democracy. Other than military service, jury duty is the one time that your government will call on you to serve to protect our constitutional freedoms. When called for service, please serve with pride.

**You can complete the
Juror Confirmation Form online at
www.MAJury.gov**

You will need your Badge Number and PIN, located above your name on the Summons, and your ZIP Code. You will be guided through the process.

Before Going to Court

WHO MUST SERVE

Civic responsibility: Jury duty is a civic privilege and obligation that every citizen must perform. Doctors, clergy, homemakers, police officers — even judges and lawyers — must serve when called. The judge may excuse some people based on their individual circumstances, but in general jurors represent a cross-section of the community.

Jurors must be fair and impartial, and must treat everyone equally regardless of race, color, creed, or other differences. The function of the jury is to work together to reach a decision based on the evidence presented at trial and the jurors' own common sense and experience. No one juror's opinion, background, or experience makes him or her more qualified to serve than another. Remember, the jury's verdict is a group decision, not the decision of any one person.

Qualifications: All citizens age 18 and over who are legal residents of Massachusetts, or who live in the state for six months of the year or more, are eligible for jury duty. You may be disqualified if you meet one of the 10 statutory disqualifications found in the "Juror Instructions and Information" brochure you received with your Summons.

Exemptions: There are no exemptions from jury service. Massachusetts law requires every qualified citizen between the ages of 18 and 70 to serve. (Those over age 70 may request a disqualification, if desired.) Even residents of other states (such as college students) must serve if they live in Massachusetts for six months of the year or more.

Accessibility: The Trial Court and the Office of Jury Commissioner are committed to making juror service as accessible as possible to the broadest range of eligible jurors. For more information, please visit our website at www.MAJury.gov and click on "Accessibility."

You can also contact us at
JurorHelp@jud.state.ma.us
or at **1-800-THE-JURY (1-800-843-5879)**



GENERAL INFORMATION

Reminder Notice — directions, parking, etc.: About 10 days before your date of service, you will receive a Reminder Notice with a map, directions, and information about parking, public transportation and accessibility. The Notice will also include your Group Number and the telephone number of your court's Juror Line. You must call the Juror Line after 3 p.m. on the day before your service to receive final instructions, including whether or not you still need to report.

Confidential Juror Questionnaire: On the back of your Reminder Notice you will find the Confidential Juror Questionnaire (CJQ), which you must complete and bring to the courthouse. The CJQ helps the court and the parties decide who is best suited to sit on a particular jury, and takes the place of more detailed individual questioning of jurors. Willful misrepresentation on the CJQ is a crime, so you must be sure to complete the CJQ fully and truthfully. CJQs are collected by the court after impanelment and only the court personnel have access to them. If you are not seated on a jury, your CJQ is destroyed.

When to report, length of service: Check your Summons or Reminder Notice to find out what time you must report for service (usually 8:00 or 8:30 a.m.). Most jurors, but not all, serve for one day. Most trials, but not all, are completed in three days or less, so the court will expect you to be available to return for at least three days if necessary. Before seating you on a jury, the judge will tell you the estimated length of the trial.

Cancellations: Sometimes, the needs of the court will change after the jurors have already been summoned to appear. You may receive a cancellation notice in the mail a few days or even weeks before your service, or your service may be cancelled when you call the Juror Line the day before you are scheduled to appear. If your service is cancelled, you should report to work if you are employed. Only those who are actually required to appear at the courthouse receive credit for serving, and are then disqualified for three years. We regret the inconvenience to jurors who make plans to serve and are then cancelled, but cancelling is preferable to bringing people to court when they are no longer needed to help resolve cases on that day.

Employment issues: Your Massachusetts employer is required to pay your salary for the first three days of service, and cannot unreasonably interfere with your jury service. You cannot be fired or penalized for going to jury duty, and you cannot be required to work a night shift during jury service. If you have questions or problems related to your work, call the Office of Jury Commissioner at **1-800-THE-JURY (843-5879)** and ask for the Legal Department.

At the Courthouse

Hours: Although jurors sitting on a case usually report at 9:00 a.m. and leave by 4:30 p.m., on the first morning of your jury service you must report earlier for an orientation program. The exact time is printed on your Summons and Reminder Notice, and can be found on our website at www.MAJury.gov under "Courthouse Information." You will be dismissed from the courthouse as soon as possible after the court knows with certainty that jurors are no longer needed.

What to bring: You should bring your completed Confidential Juror Questionnaire (found on the back of your Reminder Notice and on our website) and your Summons or Reminder Notice. Because you may have to wait before being sent to a courtroom, you may want to bring reading materials, work, or something else to occupy your time. You should also bring a bottle of water and money for snacks and lunch, or you can carry these food items with you.

What not to bring: You will have to pass through a security checkpoint to enter the courthouse, and certain items are prohibited at some courthouses. Call the courthouse to find out if cell phones, laptops, cameras, knitting needles, or similar items are permitted in the jury pool at that court. Weapons are not allowed. You cannot bring children or pets with you to jury service (although certified service animals are allowed).

What to wear: Jurors consider serious matters of great importance to the parties, and their clothing and attitude should reflect an appreciation of the serious nature of the cases. While business attire is not required on the first day, you should dress respectfully in clean, neat attire suitable for court.

Hardships: Remember that you have the right to reschedule your jury service to a date that is convenient for you, up to a year from the date you were originally summoned. You can pick your own date online at www.MAJury.gov or call our Call Center for assistance. You should try to resolve any hardships by picking a date that will minimize any inconvenience and allow you to meet your civic obligation.

You will also have an opportunity to speak to a judge before being impaneled on a case. If you have a hardship that prevents you from serving, you can explain it to the judge and ask to be excused.

Impanelment: If you are sent to a courtroom for impanelment, the judge will explain the case, identify the parties and witnesses, and inform you how long the trial is expected to last. Everyone will be asked a few general questions, such as whether you know anyone involved in the case and whether you can be impartial. In some instances, the judge may ask you questions of a personal and sensitive nature, such as whether you or a family member have been a victim or accused of a crime, in an effort to determine your ability to serve as a fair and impartial juror in a particular case. You will be able to speak to the judge if necessary, and the judge and the attorneys will discuss whether you can be impaneled on the jury or if you should be excused.

Only a judge can excuse you from jury duty: If you have a problem that must be resolved before you are to go to the courtroom (such as an urgent medical issue), tell the jury pool officer when you arrive. If you are in the rare situation where coming to the courthouse is itself a severe hardship, explain your circumstances in writing and mail your request to us at Office of Jury Commissioner, 560 Harrison Avenue, Suite 600, Boston, MA 02118.

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