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Jury Duty: Just Do It!

Being a juror is an important citizen responsibility as well as a prized privilege. As a juror, you determine the facts of a court case and then render a verdict based on those facts.

Talk about power to the people — this is, ideally, American justice at its finest.

Despite the momentous opportunity that jury duty presents, many folks are aghast at finding a jury service summons in their mailboxes. They also ponder how to get excused from this obligation.

Reasons for such reactions are not groundless, says attorney Jeff Hacker of the law firm HackerBraly LLP in Valencia.

“I understand what a hassle jury duty is for most folks,” Hacker stated. “There are child-care issues, schedule issues, work issues, inconvenience issues, and employer issues. You name it, there is always something going on in someone’s life that makes jury service a hassle.”

Clearly, time lost from one’s normal daily activities can pose a problem here. Factor into that the “speed” in court is usually slower than most people would like it to be.

“There is a lot of down time because courts are busy places,” Hacker explained. “Typically, a trial court is also handling 10 or more other matters at the same time as the trial. There are proceedings outside the presence of the jury dealing with motions that also take up time.”

Money (or lack of) is also a dilemma.

Jurors receive only \$15 a day, said Hacker, whose expertise includes business, commercial, real estate law, intellectual property, land use and complex litigation.

“That’s ‘bupkis’ (Yiddish translation: beans; a mere pittance) for your jury service,” Hacker said, adding, “this might create a financial

hardship unless your employer pays you for jury service.”

Regardless of adversities suffered, people who serve on juries generally find it to be a rewarding event.

“My experience has been that jurors, after they are finished bitching and moaning about being there, and rightfully so, listen attentively to the evidence, understand the importance of their service to the litigants, and try very hard to make the right decision based upon the evidence admitted into the case. Jurors recognize and appreciate the weight of their responsibility in deciding a dispute,” said Hacker, in practice for 25 years.

Attorney Richard A. Patterson a senior partner in Valencia law group Owen, Patterson & Owen, concurred with Hacker.

“It is my opinion that jurors, by and large, feel very good, even patriotic, once they have conscientiously and seriously completed jury service,” Patterson said. “I am consistently impressed with the way most jurors accept the serious or maybe even sacred duty that jury duty imposes upon them. It is reassuring to see how jurors strive to set aside biases, preconceived opinions and are most patient in waiting until all the evidence is presented prior to forming their conclusions.”

Patterson, who specializes in business law, personal injury law and estate planning, said there are numerous legitimate excuses for getting out of jury duty. They include: breastfeeding mothers, illness, hardship, lack of transportation, and being sole caregiver of children or elderly parents.

On the flipside, there are many lame and untrue reasons that people give when trying to get out of jury duty, he stated.

“I sometimes cringe when I hear of some of the ‘creative’ things people are willing to do or to say to avoid jury duty,” Patterson said. “I recognize that it is a sacrifice for some to have to serve, but that is what our judicial system is anchored by, sacrifice and service for the good of others.”

As for potential jury duty dodgers out there, the folks who dismiss their jury summons and may even toss it away in protest, Patterson has a cautionary message: “The penalties for refusing to serve or lying about your inability to serve are real, and they vary from state to state. In California, the court has the option to hold one in contempt of court which may then result in jail time for a few days, but the usual remedy and statutorily prescribed remedy is a \$1,500 fine and, yes, they ... levy it on those who refuse to respond or serve.”

Patterson brings our attention to a recent news story in the St. Petersburg Times. It told of a 19-year old male currently sitting in jail for 15 days for stubbornly refusing jury duty.

It seems the young man didn’t want to “sit and listen to other people’s problems.”

Now, the fellow — who, according to his distressed mother, had a clean record prior to this felony — regrets his rash actions and wishes he had performed his civic duty.

In California, we have a “one-trial or one-day” jury system. If on the first day (which is jury selection) you are dismissed, or the case gets resolved and no trial ensues, (as was my recent prospective juror experience), you do not have to serve for another year.

If more people would get on juries, we could change this one-trial or one-day system from once a year to once every three years, Judge Barbara M. Scheper of the Chatsworth Courthouse said last week.

Sitting in Scheper’s court at the time, I found great relevance to her words.

So many of us complain about jury duty and certain verdicts that come in, yet at the same time we drag our feet when it comes to serving as jurors, improving the system and promoting democracy.

As a now-reformed jury service nail biter, I understand the value of this duty and welcome the opportunity to serve as a juror in the future.

“We need good people to serve on juries; people of good conscience, honor and integrity, people who respect and support the judicial system as it was designed by our inspired founding fathers,” Patterson said. “We need to encourage everyone to be willing to serve.”

Throughout his 31 years practicing law, Patterson says he has never heard a juror complain about the jury duty experience.

“To the contrary,” he said. “I believe that most feel better about themselves for having done their best. I think that most, when faced with the responsibility, conscientiously seek to find the truth and a fair and just result.”

“There is nothing to fear,” Hacker said of that civic obligation. “It might be a hassle, but it really is only a minor inconvenience and a small price to pay in a democracy. Jury service is educational; not only do you learn about our judicial system but you are going to learn a lot of information on the topic that is the reason for the trial.”