

**AN EVALUATION OF THE  
THE JURY MANAGEMENT SYSTEM  
IN COCONINO COUNTY SUPERIOR COURT**

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## **ABSTRACT**

Jurors are the heart of the judicial system in the United States. Our Founders guaranteed a right to trial by jury, and this right has been a cornerstone of American justice. Due to the importance of the jury system to our judicial system, it is critical that courts periodically review their jury operations to ensure they are efficient and effective. The purpose of this research project is to review how current jury operations in Coconino County Superior Court compare with national jury management best practices. The research project is significant to the Coconino County Superior Court because jury operations affect the lives of so many citizens. It is important not only to analyze whether the jurors in the court are being utilized efficiently, but also to ensure that juries are representative and inclusive of the community.

The goal of this research project is to measure how current jury operations compare with the twelve best practice elements listed in the book Jury System Management. For the purposes of this report, it was not possible to research in great detail all elements of effective jury management. This report will focus comprehensively on four of the twelve jury management elements. The four elements chosen for a comprehensive analysis are: qualification and summoning; exemptions, excuses, and postponements; juror utilization; and standard panel sizes. These elements were chosen based upon the ability to gather data in these areas, and the potential for significant cost savings. The other eight elements will be discussed succinctly and compared with current practices. Once the comparison of best practice elements with current practices of the Coconino County Superior Court is complete, specific recommendations will be made on how jury operations can be improved.

The data for this research project was drawn from a review of relevant literature; collection and analysis of data worksheets; personal interviews with judges and jury staff; and a survey of all fifteen jury commissioners in the State of Arizona. Three data worksheets were used to gather the necessary information to analyze juror yield and juror utilization: a yield computation worksheet; a report of jury activity worksheet; and a jury panel usage summary worksheet. Personal interviews were conducted with the five Superior Court judges who preside over jury trials in Coconino County Superior Court, the Clerk of Superior Court, and the Chief Deputy Clerk of Superior Court. A twenty-one question survey was sent electronically to all Arizona Superior Court jury commissioners to determine what jury management practices other courts utilize.

Through this research project, data has been collected and analyzed for Fiscal Years 2002 and 2003. During this two year period, the court conducted thirty-two jury trials. Based upon the juror yield data collected, the overall yield for Fiscal Year 2002 was 12.30%, and 11.83% for Fiscal Year 2003. The average jury panel size during the two year period was approximately sixty-one jurors. The average cost per jury trial during Fiscal Years 2002 and 2003 was approximately \$2,400. This cost does not include “soft” dollar costs such as personnel and overhead.

Based upon the review of relevant literature; findings of the data review; comparison of best practice standards with current practices; survey results; and personal interviews with judges and jury staff, it is clear that improvements can be made in the jury operations of the Coconino County Superior Court. Based upon the court’s reputation as one of the more progressive courts in the state in other areas, and its willingness to make changes to improve

court operations, it appears likely that the following recommendations can be implemented to make the court one of the leaders in the state in the area of jury management. The following are the main recommendations from this research project: a written plan should be developed that details the responsibilities for managing the jury system, operating steps, and court policies; the court should periodically review the source list for its representativeness and inclusiveness of the population; the court must continually collect and maintain jury statistics to allow judges and court staff to determine what steps need to be taken to improve the overall juror yield percentage and juror utilization; the current qualification and summoning process should be converted to a combined qualification process, or eliminate the ninety day letter currently used in the separate qualification summoning process; and court administration should review the jury panel usage summary worksheets with the judges to establish uniform standardized jury panel sizes to reduce the number of jurors not sworn or challenged.

## INTRODUCTION

The right to a jury trial is guaranteed by the Sixth and Seventh amendments to the United States Constitution. Jury service is one of the few opportunities most Americans have to participate in government. The earliest juries were established by Henry II in the 12<sup>th</sup> century. Distrusting traditional adjudication methods, Henry II established local twelve-man inquisitorial bodies (Bates 44). Other than the fact that juries were historically all men, a juror from the early 20<sup>th</sup> century would find the jury experience of the early 21<sup>st</sup> century dismayingly familiar; citizens angling to avoid jury duty, endless waiting, impenetrable instructions from the bench, and much else (Bates 7). Courts have a responsibility to the citizens of the community they serve to periodically measure the effectiveness of their jury management operations. Improvements should be made to ensure juries are not only representative and inclusive of the community, but are being utilized as efficiently as possible.

Although there have been many outstanding committees in Arizona over the last decade that have studied how jury service can be improved, many focused their attention on source list improvements; juror non-compliance; and improvements for jurors once they are sent to the courtroom. Over the last decade, Coconino County Superior Court has been a leader in court improvement projects such as caseload management, alternative dispute resolution, therapeutic courts, and strategic planning. A main area of judicial administration not addressed by the court during the last decade is jury management. Although the Superior Court uses the Jury+ automated jury management system (a jury management software product licensed by Jury Systems Incorporated), Coconino County jurors of a decade ago would see very few changes in how the jury system is administered today. The understaffed office of the Clerk of Superior

Court works extremely hard to process the ever increasing jury workload, and no time is left to examine how the jury management system can be improved. This research paper draws upon the excellent work product of the various Arizona statewide committees, national best practices research, data review results, Arizona jury commissioner survey results, and interviews with judges and Clerk of Superior Court staff members to make specific recommendations for how Coconino County Superior Court can administer the jury management system more efficiently and effectively. The main focus of this research paper is how jury service can be improved before jurors are sent to the courtroom.

The Coconino County Superior Court is a general jurisdiction court. The court processes the following types of cases: criminal, civil, domestic relations, mental health, delinquency, dependency, and probate. The court processes approximately three thousand cases per fiscal year. During Fiscal Year 2002, twenty-two jury trials were conducted. In Fiscal Year 2003, there were ten jury trials. Currently, five Superior Court judges are assigned to preside over jury trials. The sixth judge primarily presides over juvenile delinquency and dependency matters. Four of the judges are elected and serve four year terms, and two are appointed by the Chief Justice of the Arizona Supreme Court, the Presiding Judge of Coconino County Superior Court, and the Board of Supervisors.

The Clerk of Superior Court is an office elected by the citizens of Coconino County. The Clerk of Superior Court's office is responsible for attending each court session and making and maintaining a permanent record of court activities. The Clerk of Superior Court is also the Jury Commissioner for Coconino County Superior Court. All administrative responsibilities for

creating the source list; qualification and summoning; excuses, deferrals, and postponements; and processing checks for juror fees fall under the purview of the Clerk of Superior Court.

There are fifteen counties in Arizona. Coconino County is a medium size rural community that lies in the central region of Northern Arizona. With 18,608 square miles, Coconino is the second largest county in the United States and the largest in Arizona, but is one of the most sparsely populated. Indian reservations comprise approximately 38% of the county. Based upon 2000 census data obtained from the Arizona Department of Economic Security, the population of Coconino County is approximately 116,000, with approximately 82,000 citizens over eighteen years of age. The population composition is 57.6% White, 27.9% Native American, 10.9% Hispanic, 0.9% African American, 0.8% Asian Pacific, and 1.9% Other.

During at least the last ten years, the administration of the jury management system in Coconino County Superior Court has never been evaluated to measure its overall effectiveness. Lacking adequate resources to effectively monitor, measure, and control jury operations impacts all Coconino County citizens. A jury management system not managed effectively could result in juries that are not representative or inclusive of the population. This research paper compares national best practice jury management standards with current practices in Coconino County Superior Court to determine how jury operations can be improved.

A primary goal of this research project is to compare the twelve best practice elements noted in the book Jury System Management with the current operations of the Coconino County Superior Court. Once the comparison of best practice elements with current practices is complete, specific recommendations will be made on how jury operations can be made more efficient and effective. Using jurors efficiently, and educating the public about what to expect

from jury service hopefully will encourage more citizens to respond for jury service. For the purposes of this report, it was not possible to research in great detail all twelve elements of effective jury management. This report will focus comprehensively on four of the twelve jury management elements. The four elements chosen for a comprehensive analysis are: qualification and summoning; exemptions, excuses, and postponements; juror utilization; and standard panel sizes. These elements were chosen based upon the ability to gather data in these areas, and the potential for significant cost savings.

Another goal of this research project is to collect the following data elements to measure the overall juror yield. The overall juror yield is the total amount of prospective jurors obtained through the qualification and summoning process.

1. Qualification Questionnaires sent;
2. No responses;
3. Undeliverable;
4. Disqualified;
5. Exempt;
6. Excused;
7. Summonses sent;
8. Postponed to this period;
9. Told not to report;
10. Total not available;
11. No responses;
12. Returned undeliverable;
13. Disqualified;
14. Exempt;
15. Excused;
16. Postponed to another time;
17. Total number not available to serve;
18. Total number serving; and,
19. Total cost per trial.

The collection of data elements listed below to determine whether jurors are being efficiently utilized is another goal of this research project. The purpose of juror utilization is to

provide the minimum sufficient number of jurors efficiently to accommodate jury trial activity (Munsterman 77).

1. Number of jurors reporting for service;
2. Number of jurors sent to a courtroom;
3. Number of voir dire begun;
4. Number of jurors returned from the courtroom;
5. Length of voir dire;
6. Jury size;
7. Number of challenges (cause and peremptory);
8. Number of jurors not reached;
9. Number of trials started; and,
10. Length of jury trials.

The measurable objectives of this research project are to collect the data elements noted above, and compare the results with the best practice jury management standards. Data was collected for Fiscal Years 2002 and 2003. During that time period, thirty-two jury trials were conducted. The court sent out approximately 24,000 qualification questionnaires each year using a separate qualification and summoning process. Approximately 4,000 jurors were qualified to serve as prospective jurors, which equates to a 17.67% qualification yield. The qualification questionnaire process costs approximately \$31,000 annually. During the two years studied, approximately 2,700 summonses were sent to prospective jurors. The summons yield for Fiscal Year 2002 was 69.61%, and for Fiscal Year 2003 was 66.94%. The overall yield is the product of the summons yield and the qualification yield. The overall yield for Fiscal Year 2002 was 12.30%, and 11.83% for Fiscal Year 2003. Both of these qualification yield percentages are well below the recommended standard of 40% (Munsterman 44). Based upon the data collected during Fiscal Years 2002 and 2003, the average jury panel size was approximately 61 jurors, with approximately 31 jurors not being sworn or challenged per trial. The data collected for this

research project will be used to make specific recommendations on how jury operations can be improved in Coconino County Superior Court.

The remainder of the report is divided into several sections. The Review of Relevant Literature section describes the books and articles referenced during the writing of this report. The Methodology section describes the data collected, how it was collected, and who collected it. The Methodology section also describes the survey instruments utilized and the interviews conducted. The Findings section reviews all twelve of the best practice elements listed in the book Jury System Management. A comprehensive review will be performed on four of the elements, and a succinct review will be performed on the remaining eight elements. Each of the twelve best practice elements will be described, followed by an analysis of current court operations related to that element. The Conclusions and Recommendations section consists of findings and recommendations for each best practice element that will help the court improve its jury management system.

## REVIEW OF RELEVANT LITERATURE

Over the past twenty-five years, many books have been written about how courts can improve jury management. The literature review for this research paper centers around books and publications that deal with techniques that can be used in courts to improve jury management. Also of interest were books and publications that provide specific examples of techniques used in courts throughout the United States to improve jury management.

The Methodology Manual for Jury Systems was written in 1979 (revised in 1981) to assist a number of state courts in improving their jury systems. This manual lists twelve standards by which jury operations can be measured. This was one of the first efforts to apply measurable standards within the area of jury management. This manual is an excellent resource to assist courts in implementing jury management improvements, but was not used for the writing of this report.

The Standards Relating to Juror Use and Management was adopted by the American Bar Association's House of Delegates in 1993. The American Bar Association (ABA) adopted nineteen standards and recommended addressing four areas of jury management: selection of prospective jurors; selection of a particular jury; efficient jury management; and juror performance and deliberation (viii). This book was very useful in the writing of this report because it provides specific standards and recommendations to improve jury management systems.

Most useful for this research paper was Jury System Management by G. Thomas Munsterman. This book is a follow-up to the Methodology Manual for Jury Systems written in 1979, and incorporates new techniques that have been used successfully in courts to improve

jury management since 1979. In order for courts to evaluate jury management programs, twelve elements have been established. Most of these elements have been assigned a quantitative measure (or standard) based upon achievable and demonstrated results of efficient jury administration (Munsterman xii). When considering changes in jury operations, Munsterman maintains that each of the following twelve elements should be considered to ensure that all areas within the court's jury management system be reviewed for potential improvements:

1. Jury System Management Plan—Identification of each jury operation, who is responsible, and the plan for improvement.
2. Source Lists—Examination of present and potential source lists for inclusiveness and cross-section coverage.
3. Qualification/Summoning—Study of qualification and summoning processes to determine the most effective system and the least expensive means of delivery.
4. Exclusions—Analysis of exemptions, ineligibilities, excuses, and postponements to increase cross-section and yield.
5. Orientation—Development of efficient orientation for jurors as part of their first day of service.
6. Term of Service—Adoption of the one-day/one-trial system, whenever practicable to lessen the burden of jury duty on individuals.
7. Jury Utilization—Operation of a jury pool only when shown to be useful and to achieve 100% utilization in panels and 50% as sworn jurors.
8. Standard Panel Sizes—Determination of optimum standard panel sizes.

9. Calendar Coordination–Communication between jury system and calendar control to balance the numbers of jurors with court needs.
10. Standby Jurors–Procedures for holding citizens available for jury service by means of telephone standby systems.
11. Voir Dire–Examination of voir dire practices to increase juror usage and facilitate caseflow.
12. Monitoring and Control–Decision making based on collection and analysis of jury system operating data (xii).

Another reference consulted was Jury Trial Innovations. This book draws upon the talents of many individuals from the ABA and others interested in jury management improvement to document additional techniques used by courts. Specifically, this book provides many ideas on improving the decision making process of jurors. Chapters two and three of this book provided additional information on jury management and voir dire.

The publication Improving Citizen Response to Jury Summonses: A Report with Recommendations by Robert G. Boatright provides techniques used to improve citizen response rates to jury summonses. One hundred surveys were sent to state and federal court administrators to obtain their views on successful techniques to improve juror response rates. Four hundred citizens also were surveyed to obtain their opinions of jury service. From the survey results, the author determined that most citizens do want to perform their civic duty and serve as jurors. The author found that commonly held beliefs about jury service (e.g. high rate of scofflaws; most jurors are misinformed about jury service; and citizens are hostile and do not want to serve) are simply not true. Most citizens do not comply with the jury summons due to

lack of employer compensation; a belief that they will not be selected as a juror; thinking they are not educated enough or educated too much; and inability to figure out how to obtain a postponement from the court. Fourteen recommendations were made to improve citizen response rates to jury summonses. Boatright suggests there are no magic solutions to improve citizen response rates to jury summonses, yet he maintains that courts should try various techniques to improve response rates (120). This publication was used in this report to emphasize that most citizens want to serve on jury duty, and that techniques can be used to improve citizen response rates.

Another excellent publication is Enhancing the Jury System: A Guidebook for Jury Reform. This publication focuses on jury reform efforts in Arizona, California, Colorado, New York, and the District of Columbia. Both critics and supporters of the jury system believe it needs to be improved. Forward thinking judges, court professionals, and members of the bar have concluded that unless they lead the jury reform efforts, politicians may impose undesirable reforms upon the courts (AJS 1). It is highly recommended that all states form statewide committees to review the jury process in their respective states. This publication was not cited in this report, but provided excellent information as to how other court jurisdictions are improving their jury management systems.

Another publication used in the research of this paper was The American Jury System. This publication was funded and published by the Robert R. McCormick Tribune Foundation, which “seeks to encourage a free and responsible discussion of issues affecting our nation and to stimulate responsible citizenship” (Bates 5). Fifty judges, legal scholars, attorneys, and journalists with expertise in the jury field gathered for two days to discuss the current status of

and prospects for the American jury system. Steven Bates was asked to distill the ideas of all fifty participants and has outlined them in this book. This publication was not used extensively in this report, but it did provide information on how jury systems have changed over the years.

Three reports from the Arizona Supreme Court also were used for the research of this paper, as follows: Jurors: The Power of Twelve; Jurors: The Power of Twelve-Part Two; and the Final Report and Recommendations of the AOC Ad Hoc Committee to Study Jury Practices and Procedures. These reports provide information regarding jury reform efforts in Arizona.

Several other references were used to gather information for this research paper, including: Final Report of the Committee on Improving Jury Service; With Respect to the Jury- A Proposal for Jury Reform; Juries for the Year 2000 and Beyond: Proposals to Improve Jury Systems in Washington; and Re-Examining Wyoming's Jury Trial Procedures-Initial Recommendations. Although these publications were not cited in this report, they provided information on what courts in Utah, Colorado, Washington D.C., and Wyoming have implemented to improve jury service.

The following data instruments were obtained through the literature review process from the book Jury System Management:

1. Yield Computation Worksheet (see Appendix 1).
2. Report of Jury Activity Worksheet (see Appendix 2).
3. Jury Panel Usage Summary Worksheet (see Appendix 3).

## **METHODOLOGY**

The research design used to gather the data for this report was the following:

1. Collection and analysis of jury data worksheets;
2. Personal interviews with judges and jury staff from the Clerk's office; and,
3. Survey of Arizona jury commissioners.

### **COLLECTION AND ANALYSIS OF JURY DATA WORKSHEETS**

Jury System Management by G. Thomas Munsterman was the primary source of information regarding what types of data and information to collect in order to effectively determine what changes, if any, are necessary to a current jury management system. The data collected for this report was hand-generated by either staff members of the Clerk's office or court administration. It includes all jury trials for the last two fiscal years (Fiscal Year 2002 and 2003). The Fiscal Year period for Coconino County is July 1 to June 30. There were a total of ten jury trials for Fiscal Year 2003; and twenty-two for Fiscal Year 2002. There were no "zero" panel day jury trials (i.e. jurors appeared at court but the jury trial was cancelled) in Fiscal Year 2003, and four "zero" panel days jury trials in Fiscal Year 2002. The data collected regarding the questionnaire process was for Fiscal Year 2003. The questionnaire data for Fiscal Year 2002 could not be obtained since it already had been deleted from the automated jury system. Data collection and analysis are not high priorities for an already overburdened Clerk's office. Although the Clerk's office has an automated jury management system, data was not entered into the system to allow for the necessary management reports to be generated. After the data was collected, court administration staff members analyzed the data to determine whether the court

met the standards and recommendations adopted by the ABA and by G. Thomas Munsterman in Jury System Management.

The following data worksheets were created using the examples listed in Jury System Management:

1. Yield Computation Worksheet (see Appendix 1).

The yield computation worksheet is designed to capture how many questionnaires were sent, the number returned undeliverable, excuses, disqualifications, exemptions, and non-responses. Also included in this worksheet is how many jurors were summoned for each trial, along with the number of summonses returned undeliverable, excuses, disqualifications, exemptions, and non-responses. The calculated result of this data collection is the summons yield. The result of this worksheet is the total qualification, summons, and overall yield (Munsterman 45).

2. Report of Jury Activity Worksheet (see Appendix 2).

The report of jury activity worksheet was used to capture how many jury trials were called, how many jurors reported, the number of cause and peremptory challenges, the number of jurors not reached, the length of voir dire, and the length of trial (Munsterman 83).

3. Jury Panel Usage Summary Worksheet (see Appendix 3).

The jury panel usage summary worksheet was designed to illustrate, in an easy to read format, how many jurors were summoned, the number of jurors actually needed for voir dire, and the number of jurors not sworn or challenged (Munsterman 105).

The data for the aforementioned worksheets was primarily collected by staff members from court administration and the Clerk's office. The only information generated by the automated jury management system was the number of questionnaires sent, and the number of excuses, disqualifications, exemptions, and non-responses. The information regarding the number of questionnaires returned undeliverable was not maintained. Since the commencement of this report, the information regarding undeliverable questionnaires will be collected and

monitored by the Clerk's office. The Clerk's office staff provided the raw data for the yield computation worksheet. Once the raw data was collected and placed on the data worksheet, court administration staff members calculated the qualification, summons, and overall yield.

The case-related data for the report of jury activity worksheet was collected manually by the Clerk's office. Once this information was compiled, court administration staff members reviewed each case to determine the number of cause and peremptory challenges, and the total number of jurors not reached. After this data was analyzed, it was determined how jurors are being utilized during the voir dire process.

The information collected on the jury panel usage summary worksheet was obtained from data on the report of jury activity worksheet. The data on the former will be used to recommend a standard panel size for trials in Superior Court.

The data on the three worksheets was collected from June to September, 2003. The results from this data is discussed in greater detail in the section comparing current jury practices with the best practice standards, beginning on page 31.

The main obstacle encountered during data collection was the absence of jury management reports generated by the automated system. The automated system has the capability to generate such reports, but the importance of entering jury data into the system to allow for an analysis of the efficiency of the overall jury system was never communicated to the Clerk's office staff. After several discussions with the Clerk of Superior Court, the data collection process needed to analyze jury processes effectively has now been institutionalized within the Clerk's office. The Clerk's office staff has been very gracious in expending many hours to hand-gather the necessary data for this report.

## **PERSONAL INTERVIEWS WITH JUDGES AND CLERK OF COURT STAFF**

From August 13-22, 2003, five interviews were conducted by the Court Administrator with the Superior Court judges who preside over jury trials. These interviews were conducted to ascertain how well each of the judges believes the jury management system is currently functioning. Eighteen questions were asked of each judge (see Appendix 4). Each interview was approximately one hour in length. Answers to the questions were written down, and later typed into a master questionnaire for each judge. The questions ranged from overall satisfaction with the current jury system, to questions relating to the voir dire process. In addition, the judges were asked their perception of the benefits of a one-day/one-trial system. The information gathered from each judge was beneficial in terms of understanding their impressions of the current jury management system. In particular, the majority of judges believe the court needs to provide additional information on the questionnaire and summons to better educate jurors. Although most of the judges thought calendar coordination would be beneficial on those days when the court has multiple trials, it generally was perceived that this would not easily be achieved due to the current de-centralized calendaring system used by the court. Most judges felt a one-day/one-trial system would be received well by the public, but they were concerned about having a sufficient number of jurors for voir dire. All the judges are satisfied with the current number of jurors sent to their courts for voir dire, but are interested in reviewing the compiled data regarding jury panels. The majority of the judges believed the court should follow up with jurors who do not respond to the qualification letter and jury summons. All the judges are satisfied with the court's excusal policy adopted in 1992 but felt it could be tightened up once the court implements a one-day/one-trial system. While all the judges believe juror

orientation is performed very well, one believes that a judge, rather than court staff members, should conduct juror orientation.

Personal interviews with the Clerk of Superior Court and the Chief Deputy Clerk of Superior Court were conducted by the Court Administrator during the week of August 25, 2003. These interviews lasted approximately two hours each. Answers to the questions were written down, and later typed into a master questionnaire for each person. Sixteen questions were asked to determine their perceptions regarding the effectiveness of the current jury management system (see Appendix 5). Whereas the questions asked of the judges related more to courtroom issues, the questions asked of the Clerk's office staff related more to administrative jury procedures. For the most part, both staff members interviewed thought the overall jury management system operates very well. Both staff members thought the public would appreciate the court implementing a one-day/one-trial system; that judges typically request too many jurors for voir dire; that they are comfortable with the current modified two-step method of qualifying and summoning jurors; that jurors are provided good orientation on the first day of service; and that someone should follow up with jurors who do not respond. The staff members felt a strong letter should be sent to non-responders, but they differed on who should send it. One staff member thought a judge should sign the letter, and the other believed a computer generated post card would be a good idea.

## **SURVEY OF ARIZONA SUPERIOR COURT JURY COMMISSIONERS**

A twenty-one question survey was sent electronically by the court administrator to all Arizona jury commissioners in Arizona Superior and Limited Jurisdiction Courts (see Appendix 6) during September 2003. The survey was developed by court administration and two staff members from the Administrative Office of the Courts (AOC). The AOC assisted in the development of this survey because they had the Perseus Survey Solutions software which allowed the survey to be electronically distributed to all Arizona Courts, and the AOC wanted to collect data from limited jurisdiction courts. Once the development of the survey was complete, an AOC staff member input the questions into a software called Perseus Survey Solutions. This software system allowed for all the responses to be automatically compiled. Once all the responses were collected, the information was then downloaded into a Microsoft Excel spreadsheet. Although only the information from Superior Courts will be used for this project, the AOC was interested in collecting data from all Arizona courts. A similar survey was conducted by the AOC in 2001 and was amended for this project. Nine of the original fifteen questions were included in this survey. Several questions were amended to gather additional information. Questions were added to determine what type of qualification and summoning process courts use; whether courts have written plans detailing their jury management systems; for what types of reasons courts excuse jurors; whether any documentation is required for jurors to be excused; whether any calendar coordination is performed; and whether courts use any type of standby juror system. The main purpose of this survey was to determine what other jury management techniques are being used in other Arizona counties and how Coconino County's current practices compare with them.

## **INSTRUMENT PRE-TEST**

The three data worksheets were obtained from Jury System Management, which seemed to obviate the need for pre-testing.

Each interview and survey question was pre-tested prior to being used. The judicial officer interview questions were pre-tested by Judge H. Jeffrey Coker. Judge Coker was chosen because of his experience serving on one the Supreme Court's Ad Hoc Jury Committees. One question was added after the pre-test to find out whether attorneys are doing anything to make the jury process inefficient. One question was amended to make it more understandable to a judge.

The Clerk of Court staff interview form was pre-tested by Deputy Court Administrator, Mr. Frank Maiocco, Jr. Frank was chosen based upon his prior experience conducting jury operational reviews for the State of Oregon, Office of the State Court Administrator (OSCA). Several questions were amended to ensure that accurate answers were received.

Due to the importance of clarity on the jury commissioner survey, several individuals were asked to perform the pre-test. Ms. Deborah Young, Clerk of Coconino County Superior Court, was asked to pre-test the survey due to her position as jury commissioner in Coconino County; Mr. Frank Maiocco, Jr. was chosen based upon his above mentioned work at the Oregon OSCA; Ms. Theresa Barrett from the Arizona AOC was chosen because she drafted the survey sent to all jury commissioners in Arizona in 2001; and, finally, Mrs. Jennifer Greene from the Arizona AOC was chosen based upon her background as an attorney and her knowledge of the Arizona jury system. This survey was amended countless times to clarify and further define definitions to ensure that respondents correctly understood the questions.

## **FINDINGS**

This section is divided into three sub-sections. The first sub-section will consist of findings of the data review; the second sub-section compares four best practice elements of effective jury management with current practices in Coconino County Superior Court; and the final sub-section describes additional findings related to the other essential elements of effective jury management observed during the research of this project.

### **FINDINGS OF DATA REVIEW**

The statistical data for this report was generated from three data worksheets:

1. Yield computation worksheet;
2. Report of jury activity worksheet; and,
3. Jury panel usage summary worksheet.

The yield computation worksheets (see Appendix 7) were designed to capture the number of: qualification questionnaires sent to prospective jurors; questionnaires returned undeliverable; excuses; disqualifications; exemptions; and non-responses. Also included in this worksheet was data on how many jurors were summoned for each trial, along with the number of summonses returned undeliverable, excuses, disqualifications, exemptions, and non-responses. The calculated result of this data is the summons yield. The result of this data collection worksheet is the total qualification, summons, and overall yield (Munsterman 45). The qualification yield is the total number of jurors qualified to serve divided by the total number of qualification questionnaires sent. The summons yield is the actual number of jurors who are available to serve divided by the total number of jurors summoned. The overall yield is the product of the

summons yield and the qualification yield. Table 1 illustrates the data collected using the yield computation worksheet.

Table 1  
Yield Computation Worksheet Data for the Period of July 1, 2002 to June 30, 2003

ACTION	NUMBER
# of Qualification Questionnaires Sent	24,000
# of No Responses	12,808
# Returned Undeliverable	N/A
# of Disqualified	4,618
# of Exempt	0
# of Excused	2,333
Total Not Qualified	19,759
<b>Total Qualified</b>	<b>4,241</b>

This data was collected for the period of July 1, 2002 through June 30, 2003. All previous data regarding juror qualification questionnaires had been deleted from the court's automated jury management system. One of the difficulties of collecting data for the yield computation worksheet was that data for all the required fields traditionally was not collected by the Clerk's office. For instance, the number of juror qualification questionnaires returned undeliverable by the United States Post Office was not maintained, and is, therefore, incorporated in the 12,808 no responses. Based upon the transient population in Coconino County, it is believed that the number of questionnaires returned to the court undeliverable would be quite high. In the future, the Clerk's office has agreed to maintain these figures for monitoring purposes. The number of jurors exempt from jury service currently is zero. This figure will increase with the passage of House Bill 2124 by the Arizona State Legislature, which

exempts peace officers from serving on juries upon the filing of a request for exemption. Based upon the data in Table 1, of the 24,000 questionnaires sent out to prospective jurors, only 4,241 were qualified, which equates to a **17.67%** qualified yield percentage.

The yield computation worksheet also allows for data collection for each jury trial. Jury trial data was collected for Fiscal Years July 1, 2001 through June 30, 2002; and July 1, 2002 through June 30, 2003. There were 22 jury trials in Fiscal Year 2002 and 10 in Fiscal Year 2003. Table 2 illustrates the data collected for the period of July 1, 2001 through June 30, 2002, and Table 3 depicts the data collected for the period of July 1, 2002 through June 30, 2003.

Table 2  
Jury Summons Data for Fiscal Year 2002

ACTION	NUMBER
Total Jury Summonses Sent	1,856
# of Jurors Postponed to This Period	N/A
# of Jurors Told Not to Report	N/A
# of No-Shows	254
# Returned Undeliverable	N/A
# of Disqualified	N/A
# of Exempt	N/A
# of Excused	76
# Postponed to Another Period	234
Total Not Available	564
Total Available (Summons Yield)	1,292
<b>Summons Yield Percentage</b>	<b>69.61%</b>

Table 3  
 Jury Summons Data for Fiscal Year 2003

ACTION	NUMBER
Total Jury Summonses Sent	865
# of Jurors Postponed to This Period	N/A
# of Jurors Told Not to Report	N/A
# of No-Shows	134
# Returned Undeliverable	N/A
# of Disqualified	N/A
# of Exempt	N/A
# of Excused	41
# Postponed to Another Period	111
Total Not Available	286
Total Available (Summons Yield)	579
<b>Summons Yield Percentage</b>	<b>66.94%</b>

Upon reviewing the data collected in Tables 2 and 3, the following observations are made. First, additional data needs to be collected (e.g. number of jurors postponed to this period, number of jurors told not to report, number of undeliverable summonses, number of jurors disqualified, and number of exempt jurors) in order for the court to determine which areas of juror attendance can be improved. The Clerk's office has agreed to institutionalize these data collection elements into their daily operations. Second, although there are no established national standards for summons yield percentage, the numbers of approximately 70% for Fiscal Year 2002; and approximately 67% for Fiscal Year 2003 do not intuitively appear to be excessively low. Since the additional data elements mentioned above will be collected in the

future, the court will be able to analyze in what potential areas the summons yield percentage can be improved.

Based upon the qualification and summons data collected in the yield computation worksheet, the overall yield of the court can be calculated. Munsterman states that the overall yield for well managed courts should be greater than 40% (xv). Tables 4 and 5 depict the overall yield rate for Fiscal Years 2002 and 2003 in Coconino County.

Table 4  
Overall Yield for Fiscal Year 2002

Qualification Yield		Summons Yield		Overall Yield
17.67%	Times	69.61%	Equals	<b>12.30%</b>

Table 5  
Overall Yield for Fiscal Year 2003

Qualification Yield		Summons Yield		Overall Yield
17.67%	Times	66.94%	Equals	<b>11.83%</b>

As Tables 4 and 5 indicate, the best overall yield rate for Coconino County is approximately 12%, well below the established standard of greater than 40%. Based upon the data in the yield computation worksheet, the court’s most significant problem is in the qualification yield. The qualification yield of approximately 18% has a major impact in the overall yield rate. Since limited amounts of questionnaire data was collected, it is difficult to make recommendations for improvements in this area other than to begin collecting and monitoring the data necessary to improve the qualification yield percentage. Once the additional data is collected, and it does not look feasible that the qualification yield can be improved, the court may wish to consider a one-step method of qualification and summoning. This would

allow the court to reduce the amount of clerical time currently expended on mailing and processing 24,000 questionnaires.

The report of jury activity worksheet (see Appendix 2) was used for jury trial data for Fiscal Years 2002 and 2003 to capture the number of jury trials called, how many jurors reported, the number of cause and peremptory challenges, the number of jurors not reached, the length of voir dire, and the length of trial (Munsterman 83). The data for each jury trial is listed in Appendix 8. Tables 6 and 7 provide summary data for all jury trials conducted in Fiscal Years 2002 and 2003. The total number of jurors not used on “zero” panel days was not maintained by the Clerk’s office so it is not included in Tables 6 and 7. The total number of jurors in Table 6 would have been higher had the data from the four “zero” panel days been available.

Table 6  
Report of Jury Activity for Fiscal Year 2002

Trials	Total Jurors	Voir Dire Time (Hrs)	Total Jury Size	Total Cause Challenges	Total Peremptory Challenges	Total Jurors Not Reached	Total Trial Days
22	1,342	72.75	201	198	214	729	97
Ave.	61.00	3.31	9.14	9.00	9.73	33.14	4.41

Table 7  
Report of Jury Activity for Fiscal Year 2003

Trials	Total Jurors	Voir Dire Time (Hrs)	Total Jury Size	Total Cause Challenges	Total Peremptory Challenges	Total Jurors Not Reached	Total Trial Days
10	604	45	114	148	116	226	42
Ave.	60.40	4.50	11.40	14.80	11.60	22.60	4.20

The data in Tables 6 and 7 will be analyzed in greater detail later in this report, but overall it appears that the major area of concern is in the number of total jurors summoned. Based upon the combined totals for both years, approximately 61 jurors were summoned for each jury trial, resulting in an average of approximately 30 jurors not being reached per trial. Although there are currently no national standards for length of voir dire, the Coconino County Superior Court average of 3.68 hours per voir dire does not appear to be excessive.

The jury panel usage summary worksheet (see Appendix 3) illustrates how many jurors were summoned per trial, the number of jurors actually needed for voir dire, and the number of jurors not sworn or challenged (Munsterman 105). Tables 8 and 9 depict the average panel size per jury trial for Fiscal Years 2002 and 2003.

Table 8  
 Jury Panel Usage Summary for Fiscal Year 2002

TOTAL SIZE OF PANEL FURNISHED	JURORS ACTUALLY NEEDED FOR VOIR DIRE	JURORS NOT SWORN OR CHALLENGED
66	27	39
34	15	19
59	24	35
52	17	35
64	31	33
71	35	36
86	38	48
54	40	14
56	22	34
79	35	44
71	20	51
73	40	33
78	26	52
88	31	57
61	28	33
73	34	39
50	26	24
54	36	18
52	24	28
56	27	29
15	12	3
50	25	25
1,342	613	729
61.00 (Ave.)	27.86 (Ave.)	33.14 (Ave.)

Table 9  
 Jury Panel Usage Summary for Fiscal Year 2003

TOTAL SIZE OF PANEL FURNISHED	JURORS ACTUALLY NEEDED FOR VOIR DIRE	JURORS NOT SWORN OR CHALLENGED
58	20	38
71	46	25
52	31	21
80	56	24
61	39	22
64	41	23
31	28	3
51	40	11
75	41	34
61	36	25
604	378	226
60.40 (Ave.)	37.8 (Ave.)	22.6 (Ave.)

Based upon the data in Tables 8 and 9, the court's panel sizes are too large. Munsterman recommends that the total number of jurors not reached should be less than or equal to 10% (105). In Fiscal Year 2002, approximately 49% of summoned jurors were not sworn or challenged. During Fiscal Year 2003, approximately 37% of summoned jurors were not sworn or challenged. The high number of jurors not sworn or challenged has several problems associated with it. First, the high number of jurors not sworn or challenged has a budgetary impact even though only mileage is paid for those jurors not sworn. This will be described in greater detail later in this report. Second, jurors not selected to serve think that they have wasted their time, and that the court is not efficiently managed (ABA 118). Next, jurors not sworn or challenged may potentially not serve the next time based upon their perception that their time

will be wasted (Boatright 122). Finally, these jurors may tell other citizens that jury service is a waste of their time, and thus response rates for jury service could be negatively impacted. The data from Tables 8 and 9 will be provided to the judges in the hopes of implementing changes to the number of jurors that are summoned per panel.

### **FINDINGS OF BEST PRACTICE ELEMENTS COMPARED TO CURRENT PRACTICES**

For the purposes of this report, it was not possible to research in great detail all twelve of Munsterman's elements of effective jury management (xii). This report will comprehensively focus on four of the twelve jury management elements. The four elements chosen for a more comprehensive analysis are: qualification and summoning; exemptions, excuses, and postponements; juror utilization; and standard panel sizes. The narrative that follows will describe each element, and compare best practices with the current procedures in Coconino County Superior Court. Additional findings of the other eight elements will be described succinctly and compared with the current practices of the court later in this section.

**QUALIFICATION AND SUMMONING**– The purpose of this element is to ensure that the opportunity for jury service not be denied or limited on the basis of race, national origin, gender, age, religious belief, income, occupation, or any other factor that discriminates against a cognizable group in the jurisdiction (Munsterman 21). Random selection procedures should be used throughout the juror selection process. Any method may be utilized, manual or automated, that provides each eligible and available person with an equal probability of selection (ABA 24).

Arizona Revised Statute 21-201 establishes an individual's eligibility for jury service. Every juror, grand and trial, shall be at least eighteen years of age and meet the following qualifications:

1. Be a citizen of the United States;
2. Be a resident of the jurisdiction in which he is summoned to serve;
3. Never have been convicted of a felony, unless the person's civil rights have been restored; and,
4. Is not currently adjudicated mentally incompetent or insane.

Generally, these eligibility standards comply with the ABA standards with the exception of a potential juror being able to understand the English language. The ABA standards consider a juror who is unable to understand the English language as ineligible to serve. Arizona considers this type of potential juror as eligible, but a candidate for an excusal from jury service.

After preparing the jury source list (discussed later in this section), the next major responsibility for a jury manager is to bring qualified jurors into the court to serve. This involves the following tasks:

1. Preparing a master list. Rather than going through all the names on the entire source list, it is more expedient for courts to prepare a random master (working) jury list comprised of just some of the names.
2. Developing a qualified list. Most states require courts to qualify potential jurors based upon statutory eligibility requirements. Qualifications could include age, citizenship, competency, and residency.
3. Summoning prospective jurors. Persons are notified by a summons that their presence is required for jury service. Service of the summons usually is performed by mail, by phone, or in person (Munsterman 24).

There are basically two methods used by courts to qualify and summon jurors.

1. **Separate Qualification and Summoning.** This sometimes is referred to as the two-step method. Qualification questionnaires are sent to persons randomly selected from the jury master list, usually annually. Qualification questionnaires that are returned are then screened by court staff to determine who is qualified to serve as potential jurors. Names then are randomly selected from the qualified list and sent a summons for jury duty. Potential jurors then serve, are granted a disqualification, exemption, excuse, or postponement from service, or fail to respond. Some of the persons summoned also may not respond to the summons. Table 10 depicts the separate qualification and summoning process.
2. **Combined Qualification and Summoning.** This sometimes is referred to as the one-step method. Names are selected randomly from the master list and sent a summons combined with a qualification questionnaire. People then serve, are granted a disqualification, exemption, excuse, or postponement from service, or fail to appear (Munsterman 25). Table 11 depicts the combined qualification and summoning process.

Table 10  
Separate Qualification and Summoning Process

Qualification Questionnaires Sent (1,000)	Summonses Sent (500)
Not Qualified-500 (50%)	Not Serving-250 (50%)
Qualified-500 (50%)	Serving-250 (50%)

Table 11  
Combined Qualification and Summoning Process

Qualification/Summonses Sent (1,000)
Not Serving-750 (75%)
Serving-250 (25%)

By reviewing the information in Tables 10 and 11, it can be seen that the court which uses the separate qualification and summoning process (Table 10) needs to send out 1,500 qualification questionnaires and summonses to achieve a total of 250 jurors. This process requires additional cost expenditures (e.g. postage, envelopes, letters) and additional staff resource time to screen the additional paperwork. The court which uses the combined qualification and summoning process needs to send out 1,000 qualification/summons forms to arrive at a total of 250 jurors. Comparing the requirements and costs associated with the separate and combined qualification and summoning processes indicates the savings in mailing and screening requirements of the combined process. Courts that have converted from the separate process to the combined process also have experienced increased overall juror yield rates (Munsterman 27).

Standard Eleven of the ABA's Standards Relating to Juror Use and Management recommends that the notice that summons a person to jury service and the questionnaire eliciting information should be:

1. Combined in a single document;
2. Phrased so as to be readily understood by someone unfamiliar with the court system; and,
3. Delivered by first class mail.

The summons should explain clearly how and when to report for jury service and the consequences for failure to respond. The questionnaire should be organized efficiently to allow for jury staff to screen the questionnaires quickly and accurately (ABA 101).

The high percentage of persons failing to respond to a jury summons is a major problem in Arizona. The Arizona Supreme Court estimates the failure to appear rate could be as high as 25% (Power of Twelve-Part Two 1). The Arizona Supreme Court Committee on More Effective Use of Jurors recommended in its report Jurors: The Power of 12 that Arizona courts, at a minimum, should comply with the state statute requiring follow-up mailings to persons who fail to respond to the courts summons (49). Arizona Revised Statute section 21-334 states that it is unlawful for a juror who is summoned and who fails to obtain a postponement or who is not excused from jury service to willfully and without reasonable excuse fail to attend on the date scheduled for jury service. This statute also allows the court to compel the person to appear and explain why they did not respond to the summons. A fine not exceeding five hundred dollars may be imposed. State law currently does not provide courts any enforcement mechanism if a person willfully fails to complete and return their juror qualification questionnaire.

In addition to the information needed to qualify a juror, many courts also ask for personal juror information (e.g. sex, education, occupation). Either this information can be gathered and input prior to the juror appearing for jury service, or a court can ask the reporting juror to

complete a form on the first day of jury service. The advantages to the latter are that the court does not enter and/or collect information that may not be needed; the juror information is more current; and there is a greater measure of privacy for the juror since the information is restricted and will be used only for the appropriate voir dire (Munsterman 36).

A survey (see Appendix 6) was sent to the fifteen Arizona Superior Court jury commissioners to obtain information on jury management procedures. One question was aimed at determining which qualification and summoning process each court uses. As indicated in the survey results (see Appendix 9), only three Arizona superior courts, located in Maricopa, Pima, and Yuma counties, use the combined method of qualification and summoning. The jury commissioners in Maricopa and Pima courts (see Appendix 10 and 11) both stated that, due to limited staff members and budgetary constraints, they can summon jurors only through the combined method. The Pinal County deputy jury commissioner (see Appendix 12), whose court is similar in size to Coconino's, states that the court has considered switching from the separate to the combined method but is uncertain whether the court is large enough, and is concerned about not knowing which jurors will appear for service.

The jury commissioner survey also asked whether courts follow up on jurors who fail to complete the qualification questionnaire and/or fail to respond to the jury summons. Based upon the survey results (see Appendix 9), only two Arizona superior courts use some type of follow-up procedure for jurors who fail to complete and return the qualification questionnaire. For persons who fail to respond to the jury summons, eleven courts currently use some type of follow-up procedure. Most courts indicated they send either a form letter or a post card to the jurors who fail to respond. Maricopa County Superior Court is the only court in Arizona that

schedules persons who fail to respond to their jury summons for an Order to Show Cause Hearing.

**Current practice**– Coconino County Superior Court currently obtains its jury source list from the voter registration and driver’s license records. Once the Clerk’s office obtains the “cleansed” master list from the County’s Information Technology Department, it is sent to the vendor who supports the Clerk’s office’s automated jury management system. Based upon past jury usage needs, the Clerk’s office has determined that the jury master list needs to be comprised of 45,000 jurors. The vendor randomly selects 45,000 names from approximately 64,000 names on the “cleansed” source list to create the court’s master jury list. This list is used to qualify and summon jurors.

Currently, a modified version of the separate qualification and summoning process is used in the Coconino County Superior Court. Approximately 24,000 qualification questionnaires are sent out randomly each year. The Clerk’s office sends out approximately 1,000 qualification questionnaires bi-weekly. The court’s automated jury management system randomly selects 1,000 names from the court’s master jury list. A form letter (see Appendix 13) is generated by the Clerk’s office and sent to each prospective juror. Once the qualification questionnaire is returned, the Clerk’s office staff screens each questionnaire to determine if a person is qualified to be a juror. The entire screening process (i.e. opening the envelope; reviewing the questionnaire; entering the questionnaire responses into the automated jury management system; and filing the questionnaire) takes approximately ten minutes per questionnaire. Table 12 depicts the annual qualification yield information for Coconino County Superior Court.

Table 12  
 Qualification Yield for Fiscal Years 2002 and 2003

ACTION	NUMBER	PERCENTAGE
Qualification Questionnaires Sent	24,000	100%
No Responses	12,808	53.38%
Disqualified	4,616	19.23%
Excused	2,333	9.72%
Total Qualified Jurors	4,241	17.67%

Statistics currently are not maintained on the number of qualification questionnaires returned undeliverable. In Table 12, the number of qualification questionnaires returned as undeliverable is included in the number of no responses. The Clerk's office has begun maintaining statistics on the number of qualification questionnaires returned undeliverable. As Table 12 indicates, approximately 4,200 persons are qualified annually to serve as jurors from the 24,000 qualification questionnaires sent out annually, resulting in a qualification yield of approximately 18%. Table 13 depicts a cost estimate of the current annual qualification questionnaire process.

Table 13  
 Cost Analysis of Current Qualification Questionnaire Process

ITEM	NUMBER	COST PER UNIT	TOTAL COST
Qualification Questionnaire Letter	24,000	\$ .018	\$ 432.00
Envelope	24,000	.046	1,104.00
Postage	24,000	.350	8,400.00
Clerical Time	11,192 (ten minutes per)	\$ 1.90	\$ 21,265.00
<b>TOTAL COSTS</b>			<b>\$ 31,201.00</b>

Based upon information submitted on the qualification questionnaire, if a person is determined to be qualified to serve as a juror, their name is placed into the jury qualified pool. The juror's personal information from the qualification questionnaire is then input into the court's automated jury management system. If the potential juror is disqualified, excused, or postponed they are sent a form letter informing them of their status by the Clerk's office (see Appendix 14 and 15).

During each three month period, the court's automated jury management system randomly selects approximately one thousand names to be potential jurors. The Clerk's office sends a form letter (see Appendix 16) to prospective jurors informing them that their names have been drawn for service as trial jurors for a three month period. The letter informs these people that they will receive a summons for a particular day if they are needed to serve. This letter also requests that the person call the Clerk's office immediately to report planned vacations or out of town trips during their three month term. This letter currently generates a significant number of telephone calls that the Clerk's office staff must respond to, and requires the entry of information into the automated jury management system. In addition, it costs approximately seventeen hundred dollars in postage and supplies to mail out the ninety day letter.

Upon receiving confirmation from a judicial division that a jury trial is going to take place, the court's automated jury management system randomly selects the names to be summoned. The Clerk's office then sends a summons form letter (see Appendix 17) to the randomly selected prospective jurors. The mailing of the summonses usually takes place approximately one week before the start date of the jury trial.

Currently there are no processes established in the Coconino County Superior Court to follow up on persons who fail to respond to the jury qualification questionnaire, or the jury summons. This is partly due to staff limitations and an uncertainty whether the court desires to force citizens to participate in jury service.

**EXEMPTIONS, EXCUSES, AND POSTPONEMENTS**– The purpose of this element is to increase the yield of prospective jurors and make jury duty more convenient for citizens (Munsterman 43). Standard Six of the ABA’s standards relating to jury management states:

1. All automatic excuses or exemptions should be eliminated;
2. Eligible persons who are summoned may be excused from jury service only if:
  - A. Their ability to receive and evaluate information is so impaired that they are unable to perform their duties as a juror; or
  - B. Their service would be a continuing hardship to them or to members of the public; or
  - C. They have been called for jury service during the last two years;
3. Postponement of jury service for reasonably short periods of time may be permitted by a judge or court staff member;
4. Requests for excuses and postponements and their disposition should be documented by court staff; and,
5. Uniform guidelines for determining such requests should be adopted by the court (ABA 49).

The United States Supreme Court in *Taylor v. Louisiana*: 419 U.S. 522 (1975) held that a jury drawn from a representative cross-section of a community is an essential component of the

Sixth Amendment guaranty of a trial by an impartial jury. The exclusion of a substantial portion of the community from jury service through excuses or exemptions seriously alters the representativeness and inclusiveness of a jury panel (ABA 49).

The American Legislative Exchange Council's "Jury Patriotism Act" recommends that it be made more difficult for the privileged to avoid jury service by tightening the standard for hardship excuses (Schwartz 8). The "Jury Patriotism Act" would limit undue or extreme physical or financial hardship to three circumstances:

1. If a person has to abandon a person under his or her personal care or supervision because of the impossibility of obtaining an appropriate substitute care giver;
2. If the person would incur costs that would have a substantial adverse impact on the payment of the individual's necessary daily living expenses; and,
3. If the person would suffer physical illness or disease by serving (Schwartz 8).

Under both the ABA standards and the "Jury Patriotism Act", written documentation should be required to obtain an excuse from jury service. The written documentation should be maintained or input into an automated case management system to ensure the appropriate records are retained for future reference.

One of the most important aspects of the qualification and summoning process is the analysis of the overall yield. The overall yield is the total amount of prospective jurors obtained through the process. The percentage of those persons selected who are qualified and available to serve indicates the efficiency of the source list, the willingness of the community to serve on jury duty, the efficacy of the excuse and postponement policy, and the number of exemptions allowed

by statute. Based upon his review of many courts throughout the United States, Munsterman recommends that the overall yield rate for a well managed jury system is 40% (44).

Analysis of the overall yield and non-yield requires a court to collect data from the qualification and summoning processes. The qualification yield is the total number of prospective jurors obtained through the qualification process. Courts must collect the following data to be able to determine the jury qualification yield (Munsterman 45).

1. Qualification Questionnaires sent;
2. No responses;
3. Returned undeliverable;
4. Disqualified;
5. Exempt; and,
6. Excused.

To determine the summons yield for a court, the following data must be collected:

1. Summonses sent;
2. Postponed to this period;
3. Told not to report;
4. Total not available;
5. No responses;
6. Returned undeliverable;
7. Disqualified;
8. Exempt;
9. Excused;
10. Postponed to another time;
11. Total not available to serve; and,
12. Total serving.

Once this data is collected, a court can determine what the overall jury yield is by multiplying the qualification yield by the summons yield (i.e. qualification yield X summons yield=overall yield).

When a court has collected all the necessary data, it can then analyze what areas of the qualification and summoning process can be improved. In addition, a court should establish a

process to review the jury yield data periodically to ensure that the qualification and summoning process is working effectively. Table 14 depicts the typical values Munsterman assigned to each specific area of the jury yield process (46).

Table 14  
Typical Values of the Jury Yield Process

CATEGORY	TYPICAL VALUE
Disqualifications	10%
Exemptions	5%
Excused	35%
Postponed	5%
No response/no show	10%
Returned undeliverable	10%
Serving or available to serve	25%
Total	100%

Arizona recently adopted two new laws which affect jury service. First, on May 12, 2003, Governor Janet Napolitano signed into law the “Jury Patriotism Act” (House Bill 2520), which is intended to strengthen the state’s jury system. The Arizona “Jury Patriotism Act” will make it more difficult for persons to be excused from jury service. A person requesting to be excused must present written documentation to the court. In addition, the new law allows persons scheduled to appear for jury service to postpone their initial jury service only twice. The postponement can be for no more than three months. Second, House Bill 2124 became law on May 6, 2003. This law exempts a peace officer from serving as a juror upon filing a timely application.

All Arizona courts are currently amending their jury excuse policies to incorporate the changes required by these two new laws. The following are the mandated changes included in the revised Arizona Code of Judicial Administration which apply to exemptions, excuses, and postponements of jury service:

1. No automatic excuses or exemption from jury service shall be permitted unless specified by statute;
2. Upon timely application to the court or upon the court's own motion, the court shall excuse eligible persons from jury service for either of the following reasons:
  - A. Absence from the prospective juror's regular place of employment would, in the judgment of the court, tend to affect materially and adversely the public safety, health, welfare or interest; or
  - B. Service as a juror would impose an undue financial, physical, emotional, or other hardship;
3. A judge or duly authorized court official may excuse eligible persons from jury service upon their timely application to the court, if they have been sworn as a juror in any court in Arizona during the two years preceding the summons;
4. A judge or duly authorized court official may postpone jury service for reasonably short periods of time for the convenience of a juror; and,
5. The presiding judge shall adopt specific uniform guidelines for determining requests to postpone service and to be excused from service. Prospective jurors seeking to postpone their jury service should be permitted to submit a request by phone, by mail, in person, or electronically if the court offers this option.

Prospective jurors seeking to be excused from jury service shall be required to submit a written request that complies with the court's specific guidelines. Court officials shall respond promptly to requests to postpone service or to be excused from service. Any time a juror is granted a postponement or is excused from service, the court shall make an appropriate record of its decision.

**Current practice**– Prior to May 2003, Arizona law did not allow automatic exemptions from jury service. On May 6, 2003, House Bill 2124 became law and allowed certified peace officers to be excused automatically from jury service upon the filing of a request for excusal.

The court's current guidelines for jury excuses has not been revised since 1992. They are somewhat vague and could be interpreted differently by different court staff members.

Fortunately, the majority of excuse and postponement requests are processed by one jury clerk in the Clerk's office. Reasons for the excuse are documented and input into the court's automated jury management system. Postponements are monitored using a manual process. Other than the guidelines for jury excuses, there are no written policies and procedures governing jury excuses or postponements for court staff to follow.

During interviews with the judges (see Appendix 18-22), each stated that he/she is satisfied with the current jury excuse guidelines but feels that if the current ninety day juror term is changed to a one-day/one-trial term, the jury excuse guidelines should be strengthened. Several judges inquired whether the Clerk's office documents and maintains information as to why excuses are given to jurors.

During interviews with the Clerk of Superior Court and the Chief Deputy Clerk of Superior Court (see Appendix 23 and 24), both stated that the current jury excuse guidelines

work well and are not too lenient. One suggested the current jury excuse guidelines should be re-worded to be consistent with current excuse guidelines from other counties. Overall, the judges and jury staff believe the current jury excuse guidelines work well.

The Clerk’s office currently collects most of the necessary data to calculate the qualification yield through the court’s automated jury management system. The only major data element not currently collected is the number of qualification questionnaires returned undeliverable. Since the commencement of this project, the Clerk’s office has begun collecting data on the number of undeliverable summons. Although most of the qualification data is currently collected, there is no process currently in place to monitor and analyze the data periodically.

A process has not been established yet to collect the necessary data to determine the summons yield. For the purposes of this report, the Clerk’s office and court administration staff manually collected most of the necessary data. The number postponed to another period, the number told not to report, the number of summonses returned undeliverable, and the number of disqualified and exempt jurors were not maintained and could not be collected. Table 15 indicates the qualification yield; summons yield; and the overall yield for Fiscal Years 2002 and 2003.

Table 15  
Qualification Yield; Summons Yield; and Overall Yield

Yield Type	Fiscal Year 2002	Fiscal Year 2003
Qualification Yield	17.67%	17.67%
Summons Yield	69.61%	66.94%
Overall Yield	12.30%	11.83%

The qualification yield numbers are the same for Fiscal Years 2002 and 2003 because the Clerk's office retains qualification data only for one year.

As mentioned previously, the overall recommended yield standard is 40% (Munsterman 44). Table 15 indicates that the overall yield for Coconino County Superior Court during Fiscal Year 2002 was 12.30%, and 11.83% for Fiscal Year 2003. Both of these percentages are well below the recommended standard of 40%.

Table 16 depicts how Coconino County Superior Court in Fiscal Years 2002 and 2003 compares with the recommended standards for specific areas of the qualification and summoning process.

Table 16  
Recommended Jury Yield Values Compared to Coconino's Current Values

CATEGORY	RECOMMENDED VALUE	FISCAL YEAR 2002 COCONINO VALUE	FISCAL YEAR 2003 COCONINO VALUE
Disqualification	10%	19.24%	19.24%
Exemptions	0%	0%	0%
Excused	35%	10.04%	9.89%
Postponed	5%	0.97%	0.46%
No Response/No Show	10%	54.43%	53.93%
Returned undeliverable	10%	N/A	N/A
Serving or Available to Serve	25%	15.32%	16.48%
Total	100%	100%	100%

The data regarding the number of undeliverable qualification questionnaires and summonses was not maintained previously. The Clerk's office has developed a process to collect this data in the future.

**JUROR UTILIZATION**– The purpose of this element is to provide the minimum sufficient number of jurors efficiently to accommodate jury trial activity (Munsterman 77).

Standard Thirteen of the ABA's Standards Relating to Juror Use and Management states that:

1. Courts should employ the services of prospective jurors so as to achieve optimum use with a minimum of inconvenience to jurors;
2. Courts should determine the minimally sufficient number of jurors needed to accommodate trial activity. This information and appropriate management techniques should be used to adjust both the number of individuals summoned for jury duty, and the number assigned to jury panels;
3. Courts should ensure that each prospective juror who has reported to the courthouse is assigned to a courtroom for voir dire before any prospective juror is assigned a second time; and,
4. Courts should coordinate jury management and calendar management to make efficient use of jurors (116).

The goals of effective juror utilization are to increase the overall efficiency of jury operations, reduce costs, and improve the attitude of the citizenry toward jury service and the court system (ABA 116). These goals are important for all courts to consider in reviewing their jury operations and are interrelated; efficiency decreases the costs for jury operations and improves the attitude of citizens toward the jury system (ABA 116).

Good juror utilization practices can be summarized into seven rules:

1. Adapt panel sizes as needed;
2. Do not call panels prematurely or unnecessarily;
3. Make special arrangements for exceptionally large panels;
4. Stagger trial starts;
5. Maintain intensive operation when jury pool is used;
6. Do not overcall jurors to the jury pool; and,
7. Dismiss and excuse jurors whenever possible (Munsterman 78).

Courts throughout the United States use basically three different methods to assign and dispatch jurors to courtrooms:

1. Multiple voir dire—This method consists of a judge selecting several juries on a given day. The last jury selected proceeds directly into trial. The other jury panels are called back when subsequent trials are commenced;
2. Jury pool—This method involves sharing prospective jurors among several courts. The jurors are assembled in a central location and then distributed to the various courtrooms as necessary; and,
3. Panel per judge—A panel or venire is summoned for each judge hearing a jury trial. This is the least efficient in terms of citizenry time, court time, and court costs (Munsterman 80).

For courts to determine whether jurors are utilized efficiently, data must be collected and analyzed over a period of time. Jury operating records should be kept for each day of jury activity listing the major transactions that take place for each jury panel. Courts should develop a form to track daily jury activity. The form would vary depending upon the type of assignment method used by a court. Major transactions that should be tracked are:

1. Number of jurors reporting for service;
2. Number of jurors sent to a courtroom;

3. Number of voir dires begun;
4. Number of jurors returned from the courtroom;
5. Length of voir dire;
6. Jury size;
7. Number of challenges (cause and peremptory);
8. Number of jurors not reached;
9. Number of trials started; and,
10. Length of jury trials.

Once the data elements listed above are collected over a period of time, court staff members can analyze the data to determine whether any aspects of its jury operation need be improved. If the jury activity data is not currently maintained on a daily basis, then court staff can determine which cases went to jury trial and manually gather the necessary data. Once the data has been collected and analyzed, a process should be established to institutionalize the practice of collecting jury activity data daily.

The jury activity data collected in a court should be compared with the following standards, and necessary steps should be taken to improve the areas that do not meet the standards (Munsterman 86):

1.	Voir dire attendance/reporting	100%
2.	Sworn jurors	50%
3.	Overcall	20%
4.	Panel calls per day	3%
5.	“Zero” panel calls	10%
6.	Juror days per trial (JDPT)-six person	24
	Juror days per trial-twelve person	40
7.	Persons brought in (PBI)-six person	18
	Persons brought in-twelve person	30

Based upon the survey results of the fifteen jury commissioners in Arizona (see Appendix 9) it appears that most courts collect some data, but very few collect all the information necessary to measure all aspects of the jury management system. The lack of data collection is due to a shortage of staff members, and a lack of training sessions in the past that

emphasize the importance of jury data collection. Although there are currently no standardized juror utilization statistics required to be submitted on a statewide level, the Arizona Supreme Court provides courts with jury management training that emphasizes the importance of data collection.

**Current practice**– A process never has been established to collect and analyze jury activity data in the Coconino County Superior Court. The Clerk’s office is understaffed and handles the daily operations of jury management effectively, but does not have a procedure established to collect jury activity data on a daily basis. Prior to the commencement of this research project, no jury activity data was collected. Through the efforts of the Clerk’s office and court administration staff, jury activity data was collected over a period spanning two years. A total of thirty-two jury trial cases were reviewed to compile the necessary data. The report of jury activity worksheet (see Appendix 2) was developed to record the jury activity of all thirty-two jury trials. The jury activity data for Fiscal Years 2002 and 2003 is depicted in Appendix 8 and is summarized in Tables 6 and 7. Table 17 is a cumulative total of both years.

Table 17  
Report of Jury Activity Combined Totals for Fiscal Years 2002 and 2003

Trials	Total Jurors	Voir Dire Time (Hrs)	Total Jury Size	Total Cause Challenges	Total Peremptory Challenges	Total Jurors Not Reached	Total Trial Days
32	1,946	117.75	315	346	330	955	139
Ave.	60.81	3.68	9.84	10.81	10.31	29.84	4.34
Percentage	N/A	N/A	16.19%	17.78%	16.96%	49.07%	N/A

Table 17 indicates that during Fiscal Years 2002 and 2003 the average number of jurors summoned for each trial was approximately sixty-one; the average length of juror voir dire was

approximately four hours; the average jury size was approximately ten; approximately eleven challenges for cause were used per case; an average of ten peremptory challenges were used (pursuant to Arizona rules, each party in death penalty cases is allowed ten peremptory challenges, in all other criminal cases each party can use six. In civil cases, each party gets four peremptory challenges); a total of approximately thirty prospective jurors were not reached for voir dire; and the average length of jury trial was approximately four days. It also should be noted that the number of jurors reporting for service for the four “zero” panel days in Fiscal Year 2002 are not listed in Table 17. The court did not maintain statistics on the number of jurors reporting for these trials. Based upon the data collected and information gathered during the judge interviews, the number of peremptory challenges used probably will not change in the future since most attorneys always use all of their peremptory challenges.

Table 18 compares the summary of jury activity data listed in Table 17 with the standards recommended by Munsterman (86).

Table 18  
Juror Utilization Comparison

Measure	Standard	Coconino
Voir dire attendance/reporting	100%	100%
Sworn jurors	50%	16.19%
“Zero” panel days	10%	11.11%
Persons brought in (PBI)-Six person jury	18	N/A
Persons brought in (PBI)-Twelve person jury	30	60.81

The voir dire attendance of 100% meets the standard; however the current voir dire percentage reflected for the Coconino County Superior Court is aided by two factors. First, the

four “zero” panel days during Fiscal Year 2002 were not used in this calculation because the court did not maintain statistics on how many prospective jurors reported for jury duty on those days. Second, the method the court used to assign jurors to a courtroom ensures that unless there is a “zero” panel day, all jurors will report for voir dire. Currently, jury panels are requested by each division for a particular date. The Clerk’s office summons the requested number of jurors to appear for jury service for that division. All jurors who report for jury service are then sent to the courtroom for voir dire unless the jury trial is cancelled.

The percentage of sworn jurors for Fiscal Years 2002 and 2003 was 16.19%, well below the recommend standard of 50%. This finding indicates that the number of jurors requested to appear for jury service is too high, requiring the court to expend more funds than necessary and leading to higher juror dissatisfaction with jury service and the court system.

The percentage of “zero” panel days was 11.11% for Fiscal Years 2002 and 2003 combined. This percentage compares favorably with the recommended standard of 10% established by Munsterman (86). This occurred four times in Fiscal Year 2002, and zero times in Fiscal Year 2003.

The persons brought into court (PBI) averaged approximately 61 jurors for the two fiscal year period. This number does not include jurors who reported for jury service for the four “zero” panel days in Fiscal Year 2002. The recommended standard is 18 jurors for a 6-person jury, and 30 jurors for a 12-person jury. Currently in Arizona, jury trials can consist of six; eight; or twelve-person juries. Of the thirty-two cases that went to jury trial during this two year period, two (6%) were six-person juries, twenty-four (75%) were eight-person juries, and six (19%) were twelve-person juries. Since the majority of the jury trials were eight- or twelve-

person juries, the standard used in this finding is thirty jurors for a twelve-person jury. Comparing the number of jurors the court brought in of approximately 61 jurors with the standard of 30 jurors for a 12-person jury, it can be seen that the court brought in approximately 31 more jurors than the standard recommends.

The cost per trial is not currently documented by the court. Although the Clerk’s office acts as the Jury Commissioner for Superior Court, juror expenses, such as per diem fees and mileage, are paid by court administration. All costs associated with the qualification and summoning process are paid by the Clerk’s office. The total costs that court administration incurred for juror per diem fees and mileage for Fiscal Year 2002 was \$75,521. Total costs for Fiscal Year 2003 equaled \$40,169. Total costs for both fiscal years equaled \$115,690. It is also important to note that these expenditures include all costs for grand and trial jurors.

Pursuant to Arizona Revised Statutes section 21-221, each juror is paid twelve dollars per day if sworn as a juror, and mileage costs per mile (currently \$.345) round trip.

Since actual juror costs per trial are not maintained currently, the information provided in Appendix 25 is based upon estimates provided by the Clerk’s office and court administration staff. Table 19 summarizes the total cost per trial for Fiscal Years 2002 and 2003.

Table 19  
Total Juror Costs Per Trial

Item	Type of Costs	Total Costs
Total first day unsworn juror costs	Mileage	\$ 1,055
Daily sworn juror costs	Per diem fees and mileage	1,397
Total juror costs per trial	Per diem fees and mileage	\$ 2,452

In Table 19, the thirty-two jury trials held during Fiscal Years 2002 and 2003 cost the court approximately \$78,000. The additional costs expended for jury services during these two Fiscal Years were for grand jury costs, which equaled approximately \$18,000 annually.

Based upon the jury activity data summarized in Table 17, approximately thirty jurors per trial were not reached. Based upon the jury cost data in Table 20, these additional jurors cost the court approximately \$620 per day. Based upon an analysis of juror costs for one month, 80% of the jurors came from Flagstaff and 20% came from outside Flagstaff. The \$620 cost per day on jurors not reached equates to a total cost of approximately \$20,000 over a two year period for the thirty-two jury trials. The poor use of the individual juror’s time combined with the disappointment of not being selected for voir dire increases his/her dissatisfaction with jury service and the court system (ABA 118).

Table 20  
Total Costs of Not Reached Jurors Per Trial

Place of Juror Residence	Number of Jurors	Mileage Cost	Total Cost
Flagstaff	24	\$ 3.45	\$ 82.80
Outside Flagstaff	6	\$ 89.70	538.20
Total	30	N/A	\$ 621.00

In addition to the approximately \$20,000 incurred due to excessive panel sizes, the court also expended approximately \$4,000 for the four “zero” panel days in Fiscal Year 2002. The excessive panel days and the four “zero” panel days cost the court approximately \$24,000 during a two year period. Since the jury expenditures for Fiscal Years 2002 and 2003 totaled approximately \$115,000, the \$24,000 in excessive panel costs and “zero” panel costs equates to approximately 21% of the court’s total expenditures for juror pay.

Since the court uses the panel per judge assignment method, all jurors who report for jury service are sent to the courtroom for voir dire. It is not possible under the court's current assignment system to have a prospective juror attend two voir dire before another juror attends one voir dire on the same day.

**STANDARD PANEL SIZES**– The purpose of this element is to provide the minimum sufficient number of prospective jurors for jury selection and to provide the instruction needed by the parties to conduct voir dire (Munsterman 101). Standard Thirteen of the ABA's Standards Relating to Juror Use and Management states that courts should reduce the number of prospective jurors on a jury panel to the minimum number likely to be required to yield a jury in a given type of case (117).

In the past, panel sizes have been set by judges or court staff members through local custom, rule of court, or statute. Rarely have panel sizes been calculated quantitatively on the basis of past experience. Panel sizes must be large enough to provide for appropriate voir dire, taking into consideration the number of sworn jurors needed and the number of peremptories and challenges for cause (Munsterman 101). Munsterman does state, however, that habitual panel sizes used in many courts have been extended far beyond the limits of prudence, with the result of a large number of jurors not being reached during voir dire (102).

Many judges request unnecessarily large panels to avoid delay in trial starts (ABA 117). Panels that are too large result in an inefficient use of prospective jurors and waste the jurors' time because many will not be reached during the selection process. The inefficient use of juror time leads to excessive costs and high juror dissatisfaction (ABA 118).

Reducing the panel size to the minimum number of prospective jurors leads to a more efficient use of jurors. Courts should adopt a standardized size for panels in a given case type, after collecting and analyzing jury panel size data. The following factors should be used to determine the appropriate panel size (ABA 119):

1. Jury size;
2. Number of challenges typically exercised;
3. Number of parties; and,
4. Procedures for exercising challenges.

Many courts resist reducing panel sizes for fear that trials will have to be continued if there are not a sufficient number of jurors. Actual experience indicates that courts that reduce panel sizes based upon data reflecting past experience of juror use have found the reduced panel sizes sufficient to meet their needs (ABA 118).

Establishing standardized sizes for jury panels is essential to effective jury management. Data must be collected to aid judges and court administrators in determining appropriate panel sizes. In addition, judges and court administrators must establish an acceptable level of risk of running out of jurors which would cause a delay in the start of the jury trial. In determining the acceptable risk level, the frequency with which delay might occur, and the maximum times a judge would have to wait for jurors should be considered (ABA 118).

For court staff members to determine whether current panel sizes are appropriate, data must be collected on the utilization of prospective jurors within panels (Munsterman 102). A form should be designed to collect the following information:

1. Date of trial;
2. Total panel size;
3. Jury size;
4. Challenges for cause;

5. Peremptory challenges; and,
6. Jurors not reached (not sworn or challenged).

Once the above information is collected, court staff members can determine what percentage of prospective jurors are not being reached by dividing the total number of jurors sworn or challenged by the total number of jurors in the panel (Munsterman 104). If the percentage of prospective jurors not reached is greater than the recommended standard of less than or equal to 10%, the court should consider reducing its panel sizes (Munsterman 105).

The average number of jurors needed for each trial should not be used to determine the recommended standardized panel size. If the average were used, half the panels would not have sufficient jurors to complete voir dire (Munsterman 105). The recommended standard for panel sizes in six-person juries is eighteen. For a twelve-person jury, the recommended standard is thirty jurors (Munsterman 86). Each court should collect juror utilization data to establish its own standardized panel sizes based upon local culture, rules of court, statutory rules, and, most importantly, the past experiences of jury panel usage. The recommended standards noted above then can be used as a guide to determine how a court's current panel sizes compare with the recommended standard.

Pima and Maricopa County Superior Courts are the only courts that have indicated they have been successful in establishing standardized panel sizes. In Pima County, data was collected and shared with the judges to obtain a consensus on standardized panel sizes. Table 21 indicates the panel size guidelines used in Pima County.

Table 21  
Standardized Panel Sizes in Pima County

Case Type	Jury Size	Estimated Trial Length	Panel Size
Civil	6	2-4 days	30
Civil	6	5-8 days	40
Civil	6	More than 2 weeks	50
Criminal	8	2-4 days	40
Criminal	8	More than 4 days	45
Criminal	12	2-4 days	45
Criminal	12	More than 4 days	50
Criminal-Sex cases	N/A	N/A	50

Capital cases are determined on a case by case basis. A judge in Pima County who requests additional jurors must document the reasons and submit a form to the jury commissioner's office. The documentation to exceed the standardized panel size and the juror utilization data for that trial are shared with the presiding judge on a monthly basis.

**Current practice**– Each judge currently determines the appropriate panel size based upon several factors: type of case; number of parties; time of year; and local custom. There is not a process currently established to collect the necessary data to determine what a minimum panel size should be for Coconino County Superior Court. The judges are concerned about having an insufficient number of jurors, and that the jury trial will need to be continued. However, past experience has shown in other areas of court operations that the judges are willing to consider and implement changes if valid data is presented that substantiates why change is necessary.

For this report, the jury activity data in Appendix 8 was gathered to allow the judges and court administration to evaluate the current jury panel selection process. The data was then used to prepare the jury panel usage summary sheets listed in Tables 8 and 9. Tables 8 and 9 depict the following information for each voir dire conducted during Fiscal Years 2002 and 2003:

1. Total size of panel furnished;
2. Jurors sworn or challenged; and,
3. Jurors not sworn or challenged.

The jury panel usage data in Tables 8 and 9 has been combined and is summarized below in Table 22.

Table 22  
Jury Panel Summary for Fiscal Years 2002 and 2003

	Total Size of Panel Furnished	Jurors Actually Needed for Voir Dire	Jurors Not Sworn or Challenged
Total	1,946	991	955
Average	60.81	30.97	29.84
Percentage	N/A	50.92%	49.08%

Table 22 indicates that during Fiscal Years 2002 and 2003, the average panel size was approximately sixty-one jurors per case; approximately thirty-one jurors were sworn or challenged; and approximately thirty jurors per trial were not sworn or challenged (not reached). The percentage of jurors not reached during these two years was 49%, far exceeding the standard of less than or equal to 10%. This finding indicates that the current number of prospective jurors called for voir dire is excessive based upon national standards. During Fiscal Year 2002, the most jurors needed for voir dire was 40. The least amount of jurors used was 12. The most jurors needed for voir dire in Fiscal Year 2003 was 56, and the least was 20. The specific case listed in Appendix 8 where 56 jurors were required was a two week murder trial, which required

additional jurors. As indicated in the section discussing juror utilization, this excessive number of jurors called per trial costs approximately \$620 per trial, and \$20,000 over a two year period.

During interviews with the Clerk of Superior Court and the Chief Deputy Clerk, both indicated their belief that the divisions request too many jurors for voir dire. Both staff members felt standardized panel sizes would reduce the costs expended each year for jurors.

The judges stated they are satisfied with the current panel sizes. However, one judge did indicate that he would like to see management data collected to allow for more informed decisions regarding the size of jury panels.

### **ADDITIONAL FINDINGS**

The next few pages will succinctly describe the following eight elements: jury system management plan; source lists; orientation; term of service; calendar coordination; standby jurors; voir dire; and monitoring and control.

**JURY SYSTEM MANAGEMENT PLAN**– The purpose of a jury system management plan is to provide an overall management strategy for the operations of the jury management system. A plan allows courts to help defend a legal challenge to the jury system; train new personnel; and describe what types of statistics are needed to measure the success of the jury management system (Munsterman 1).

**Current practice**– The current practice in the Coconino County Superior Court is to process the daily operations as efficiently as possible. Due to time constraints, there is currently not a written jury system management plan.

**SOURCE LISTS**– In Taylor v. Louisiana: 419 U.S. 522 (1975), the court found that “a fair cross-section of the community is fundamental to the American system of justice”. Because

there is no practical way to pick prospective jurors from the population at large, organized source lists must be used (ABA 11). Source lists are used to ensure that the jury list is representative and inclusive of the eligible community population. The term “representative” means the degree to which the list reflects the eligible population based upon its demographic characteristics (e.g. age, race, gender, and occupation) (Munsterman 4). The term “inclusiveness” means what percentage of the entire adult population in a jurisdiction is included in the source list (ABA 11). The standard used for inclusiveness is greater than or equal to 85% of the eligible population (Munsterman xv). Under the United States Supreme Court’s ruling in *Duren v. Missouri*: 439 U.S. 357 (1979), a defendant’s Sixth Amendment rights are violated if the jury selection process systematically leaves a distinct group (such as women or African-Americans) underrepresented in venires (Bates 15). Courts should periodically compare their source lists with the population statistics to determine what percentage of their population is included in the source list, and to make any necessary changes to improve the representativeness and inclusiveness of their source lists.

**Current practice**– The Coconino County Superior Court obtains its source list pursuant to Arizona Revised Statutes section 21-301. The current source list is comprised of persons on the voter registration list and persons who have been licensed to drive who reside in Coconino County. The voter registration records contribute 63,392 names to the jury source list, and 51,258 names are contributed from the driver’s license records. A computer program written by the County’s Information Technology Department combines both source lists and compares persons’ names and addresses on both lists to purge duplicate names or suppressed records. A record may be suppressed due to: prior jury service in the last two years; death; or permanent

excusal. After the two source lists are merged and purged twice per year, a “cleansed” source list is created which consists of approximately 64,000 names. 55% of the names on the “cleansed” master source list are obtained from the voter registration files, and 45% come from the driver’s license records. Based upon census data obtained from the Arizona Department of Economic Security, there are 82,895 citizens over eighteen years of age in Coconino County. The 64,426 names on the “cleansed” source list represents a 78% coverage rate, which compares favorably to the 85% standard for this element. The voter registration list provides a 76% coverage rate, and the driver’s license list provides a 62% coverage rate.

**ORIENTATION**– Munsterman states the purpose of this element is to ensure essential information is provided to jurors, to ensure the proper use of court staff in providing juror orientation, and to make jurors comfortable with their task (53). Jurors should be provided essential information from the qualification stage through the post-trial proceedings. More information provided to jurors may decrease the mystery of serving on juries and hopefully increase the number of citizens who respond for jury service.

**Current practice**– Coconino County Superior Court currently does a very good job of orientating jurors once they appear at the courthouse. A juror handbook is provided to each juror. After a brief orientation by one of the bailiffs regarding parking, restrooms, and other basic information, the jurors are shown a thirteen minute juror orientation video featuring local judges.

**TERM OF SERVICE**– The purpose of this element is to increase the yield of prospective jurors and decrease the burden of jury duty on citizens and their employers (Munsterman 65). Standard Five of the ABA’s Standards Relating to Juror Use and Management states:

1. A term of service of one day or the completion of one trial, whichever is longer, is recommended. However, a term of one week or the completion of one trial, whichever is longer, is acceptable; and,
2. Persons should not be required to maintain a status of availability for jury service for longer than two weeks except in areas with few jury trials when it may be appropriate for persons to be available for service over a longer period of time (42).

The one change in jury systems over the past twenty-five years that has had the greatest effect on the citizen has been the reduction in the length of time in which persons are asked to serve (Munsterman 66). It must be noted, however, that from the court's point of view, a reduced term of service means more people must be called, which increases administrative costs. From the juror's perspective, the length of the term determines the amount of hardship and is related to his/her willingness to serve (Munsterman 66).

The length of the jury term has a substantial impact on jury management in a court. Most important is the correlation between the length of term and the representativeness and inclusiveness of the jury panel. The ABA stresses that reducing the term is essential to achieving a representative and inclusive jury panel (43).

By reducing the term of jury service, several benefits are achieved. Juror attitudes are improved toward jury service and the court system, the number of excuses are reduced by decreasing the hardship to the prospective juror and his/her employer, and, finally, the representativeness and inclusiveness of jury panels are increased (ABA 45).

The Arizona Supreme Court established one of the first comprehensive jury reform efforts in 1993 when the Committee on More Effective Use of Juries was formed (AJS 5). This committee was empowered to recommend comprehensive reforms. There have been several additional committees established by the Arizona Supreme Court over the last ten years with the goal of continuing juror improvements in the state. The Arizona Supreme Court's Ad Hoc Committee to Study Jury Practices and Procedures in 2003 recommended that the Supreme Court adopt proposed Arizona Code of Judicial Administration section 5-203, which would mandate the use of a one-day/one-trial jury term of service unless an exception is granted by the Supreme Court (9). Arizona Code of Judicial Administration section 5-203 and the recently adopted House Bill 2520 mandates that all courts in Arizona implement a one-day/one-trial jury term by January 1, 2005, unless granted an exception by the Supreme Court. Based upon the survey results of all fifteen Arizona Superior Courts, currently eleven courts already have what they consider to be a one-day/one-trial jury term.

**Current practice**– The Coconino County Superior Court currently is using a version of the one-day/one-trial jury term. Prospective jurors are sent a letter informing them that their name has been drawn for jury service and their term will be for a period of ninety days. If a juror is summoned for jury duty and appears for service, then the Clerk's office attempts not to use that juror again for a two year period. Data was not available to determine how many times jurors that did serve were called back for jury service.

During interviews with the Clerk of Superior Court and the Chief Deputy Clerk, both indicated that they try to have jurors report for service only once. Both staff members stated that

a one-day/one-trial juror term would be a better use of the jurors' time and may also increase the overall juror yield.

During judicial interviews, most of the judges stated that the one-day/one-trial jury term should improve juror morale and also may increase the representativeness of the jury panels. The one disadvantage stated by the judges was that the implementation of a one-day/one-trial term may result in a shortage of prospective jurors.

**CALENDAR COORDINATION**– The purpose of this element is to ensure that there is an adequate number of jurors available and that case scheduling methods support good juror utilization (Munsterman 111). This element emphasizes that procedures for calendar coordination between the courtrooms and the division responsible for summoning jurors be established to ensure that all members of the system are working together as effectively as possible. An effective calendar coordination system will help ensure that jurors are available when necessary and are not used inefficiently. One measurement for this element is the number of days when jurors have been called to serve and the trial is cancelled on the day of trial. Munsterman refers to these days as “zero days” and recommends that the number of “zero days” should be less than or equal to 10% of all trials that jurors appear at the courthouse for and the trial folds (83).

**Current practice**– Coconino County Superior Court currently has effective calendar coordination between the judicial divisions and the Clerk's office. Each division must notify the Clerk's office by no later than 5:00 p.m. on the Monday of the week before the trial if a jury is needed and how many jurors to summon. This allows the Clerk's office sufficient time to create, print, and prepare the summonses for mailing. Each division is responsible for calling the

Clerk's office if a jury trial cancels. This information allows the Clerk's office to inform the jurors using the standby telephone system that the juror need not report. The Coconino County Superior Court had four jury "zero" days (18%) in Fiscal Year 2002, and no jury "zero" days (0%) in Fiscal Year 2003. The overall percentage for the last two fiscal years for Coconino County Superior Court of approximately 11% is just slightly higher than the less than or equal to 10% standard.

**STANDBY JURORS**– This element is intended to provide the minimum number of jurors to accommodate jury trial activity and decrease jury trial costs. A standby system is essential to allow for the court to notify jurors that a jury trial has been cancelled prior to the juror's appearing at the court. Courts can use several standby methods to notify jurors of any changes to their jury service from the court's web site to telephone answering devices.

**Current practice**– Coconino County Superior Court complies with this element. All jurors are instructed on their summons to call a toll-free telephone number after 5:00 p.m. the night before their report date to make sure the trial has not been cancelled and they will need to report for jury duty.

**VOIR DIRE**– This element is intended to provide courts with standards on how juries should be selected once they are sent to the courtroom. This element defines how voir dire should be conducted; who should conduct voir dire (i.e., attorneys or judge); the removal of jurors for cause; and, the number of peremptory challenges available per side (Munsterman 125-126). This element is important to provide judges with best practices information in the area of selecting a jury.

**Current practice**– Coconino County Superior Court judges currently expend approximately 3.50 hours per each voir dire based upon data collected for all trials conducted during Fiscal Years 2002 and 2003. To expedite the voir dire process, basic background information regarding jury panel members is provided to attorneys at 3:00 p.m. the day before the trial. In complex cases, an additional supplemental questionnaire is used prior to the commencement of voir dire. Based upon information gathered during interviews with each judge, all the judges in Coconino County Superior Court use the “struck method” of voir dire. The “struck method” means that a number of prospective jurors plus the total number of peremptories permitted is chosen. After examination, any person challenged for cause is replaced. When the panel is “cause free”, the parties alternately strike names from the list of the panel. If all the peremptory challenges are not used, the jury is finalized using the first names selected that were not challenged (Munsterman 130). The trial judge conducts initial voir dire examination. After the initial voir dire is conducted, the trial judge allows counsel to ask panel members follow-up questions. This method of voir dire examination complies with Arizona Rules of Criminal Procedure section 18.5 and Standard Seven of the ABA standards (ABA 58).

**MONITORING AND CONTROL**– This element is established to allow courts to oversee and maintain the efficiency of the jury system operation (Munsterman 131). Courts should develop a system that allows for statistics to be collected and analyzed for all the processes of the jury management system. Management information should be continuously provided to judges and court administrators so the efficiency of the court’s jury management system can be measured.

**Current practice**– Coconino County Superior Court does not currently have a system to monitor and control the effectiveness of its jury management system.

## **CONCLUSIONS AND RECOMMENDATIONS**

This section consists of six sub-sections. The first sub-section is a summary of findings in the four elements reviewed in detail; the second sub-section summarizes additional findings for the eight elements that were succinctly reviewed; the third sub-section lists recommendations to improve jury operations in the four elements reviewed in detail; the fourth sub-section lists the recommendations for the eight elements that were succinctly reviewed; the fifth sub-section lists the implications for future work required to implement the recommendations; and the final sub-section details how this research project might have been approached differently.

### **SUMMARY OF FINDINGS**

The following represents a summary of findings for each of the four jury management best practice elements that were reviewed comprehensively.

**QUALIFICATION AND SUMMONING**– The court currently uses a version of the separate qualification and summoning process. There are currently three steps to qualify and summon jurors:

1. Qualification questionnaire;
2. Ninety day jury term letter; and,
3. Jury summons.

Approximately 24,000 qualification questionnaires are sent out randomly each year, and approximately 4,000 persons are qualified as prospective jurors. The qualification process of printing, mailing, screening, and inputting the qualification questionnaires costs approximately \$31,000 annually.

Currently, most of the data necessary to determine the qualification yield is collected by the Clerk's office. The only critical data not collected and maintained is the number of qualification questionnaires returned undeliverable.

A process has not been established yet to follow-up on persons who fail to respond to the qualification questionnaire.

**EXEMPTIONS, EXCUSES, POSTPONEMENTS**– The court's guidelines for jury excuses have not been revised since 1992. The jury excuse guidelines are broad primarily due to the court's ninety day jury term. Judges and jury staff members have expressed interest in revising the guidelines to reduce the number of excuses allowed once the court implements a one-day/one-trial term.

The court's qualified yield rate of approximately 18% for Fiscal Years 2002 and 2003 is impacted significantly by the high number of no responses (which currently includes the returned undeliverable qualification questionnaires) rate of approximately 54%.

The court has not established a process to collect data to determine the summons yield. For this report, staff members manually collected that data. The summons yield for Fiscal Year 2002 was 69.61%, and 61.94% for Fiscal Year 2003.

The overall yield for Coconino County Superior Court during Fiscal Years 2002 and 2003 was approximately 12%, far below the desired best practice standard of 40%.

**JUROR UTILIZATION**– A never process has been established to collect and analyze jury activity data in the court. For the purposes of this report, data from all jury trials conducted over the last two years was collected. Information from thirty-two jury trials was collected and analyzed. The data indicates that during Fiscal Years 2002 and 2003, the average panel size for

the court was approximately sixty-one jurors; the average jury size was ten; approximately eleven jurors were challenged for cause; an average of ten peremptory challenges were used; and, approximately thirty prospective jurors were not sworn or challenged (not reached).

The percentage of sworn jurors for Fiscal Years 2002 and 2003 of approximately 16% was well below the recommended standard of 50%. The average number of jurors brought to court of approximately 61 also far exceeded the recommended standard of 30 jurors for a 12-person jury.

Based upon the low percentage of jurors that are sworn, and the high number of jurors not reached, it appears that jurors could be used more efficiently.

**STANDARD PANEL SIZES**– Establishing standardized panel sizes is essential to effective jury management. Currently, quantitative data is not routinely collected by the court to enable judges and court administration to make informed decisions about standardized panel sizes. Based upon the data collected for the thirty-two jury trials conducted in Fiscal Years 2002 and 2003, the average panel size of 61 jurors far exceeds the current recommended standard of 30 jurors for a 12-person jury. The percentage of jurors not reached during Fiscal Years 2002 and 2003 was 49%, far exceeding the standard of less than or equal to 10%.

The excessive panel sizes cost the court approximately \$10,000 annually in juror mileage costs. This may seem like a small amount, but for the Coconino County Superior Court this represents 21% of the total jury services budget. In addition to the cost impact, the excessive panel sizes lead to higher juror dissatisfaction with jury service and the court system.

## **SUMMARY OF ADDITIONAL FINDINGS**

The following represents a summary of findings for each of the eight jury management best practice elements that were succinctly reviewed.

**SOURCE LISTS**– The Coconino County Superior Court obtains its source list pursuant to Arizona Revised Statutes section 21-301. The current source list is comprised of persons on the voter registration list and persons who have been licensed to drive who reside in Coconino County. The voter registration records contribute 63,392 names to the jury source list, and 51,258 names are contributed from driver’s license records. Based upon census data obtained from the Arizona Department of Economic Security, there are 82,895 citizens over eighteen years of age in Coconino County. The 64,426 names on the “cleansed” (merged/purged) source list represents a 78% coverage rate which compares favorably to the 85% standard for this element.

**ORIENTATION**– A juror handbook is provided to each juror. After a brief orientation by a bailiff regarding parking, restrooms, and other basic information, the jurors are shown a thirteen minute juror orientation video which features local judges.

**TERM OF SERVICE**– The Coconino County Superior Court currently is using a version of the one-day/one-trial jury term. Prospective jurors are sent letters informing them that their names have been drawn for jury service and that their term will be for ninety days. Although this ninety day jury term letter would indicate that a one-day/one-trial system is not used in Coconino County Superior Court, if a juror is summoned for jury duty and appears for service, then the Clerk’s office attempts not to use that juror again for a two year period.

**CALENDAR COORDINATION**– Currently each division must notify the Clerk’s office by no later than 5:00 p.m. on the Monday of the week before the trial if a jury is needed and how many jurors to summon. This allows the Clerk’s office sufficient time to create, print, and prepare the summonses for mailing. Each division is responsible for calling the Clerk’s office if a jury trial cancels. The overall percentage of “zero” panel days for the last two fiscal years for Coconino County Superior Court of approximately 11% was just slightly higher than the less than or equal to 10% standard. It is important to note, however, that there were four “zero” panel days (15%) in Fiscal Year 2002, and no (0%) “zero” panel days for Fiscal Year 2003. A written procedure was established in Fiscal Year 2003 to provide for more improved communication between each judicial division and the Clerk’s office.

**STANDBY JURORS**– All jurors are instructed on their summons to call a toll-free telephone number after 5:00 p.m. the night before their report date to make sure the trial has not been cancelled and they will need to report for jury duty.

**VOIR DIRE**– The Coconino County Superior Court judges currently expend approximately 3.50 hours per each voir dire based upon data collected for all trials conducted during Fiscal Years 2002 and 2003. To expedite the voir dire process, basic background information regarding jury panel members is provided to attorneys at 3:00 p.m. the day before the trial. All the judges in Coconino County Superior Court currently use the “struck method” of voir dire.

**MONITORING AND CONTROL**– The Court does not currently have a system established to monitor and control the effectiveness of its jury management system.

## **RECOMMENDATIONS**

### **QUALIFICATION AND SUMMONING–**

**Recommendation 1**– Replace the current separate qualification and summoning process (two-step) with a combined qualification and summoning process (one-step). The benefits of this change would be the following:

1. 24,000 qualification questionnaires would not have to be mailed annually;
2. Clerical time in processing the 24,000 qualification questionnaires would be eliminated. This would save the Clerk’s office approximately \$21,000 annually; and,
3. Postage and supply costs would be decreased by approximately \$10,000 annually.

The implementation of this recommendation would allow the Clerk’s office staff to be assigned more efficiently and would decrease office supply costs. However, the current process allows the Clerk’s office the certainty that approximately 4,000 jurors are qualified to serve. The conversion from a separate qualification and summoning process to a combined process eliminates that certainty.

If this recommendation is implemented, and if the current qualification yield is not improved through other measures, then approximately 430 combined qualification and summons forms would need to be sent to prospective jurors for each trial. The combined qualification and summons form should be sent to prospective jurors two to three weeks before the trial. The costs savings in eliminating the mailing of 24,000

qualification questionnaires would easily cover the costs of mailing the combined qualification and summons form.

**Recommendation 1-A**– Maintain the current separate qualification and summoning process, but eliminate the ninety day jury term letter that is sent to approximately 1,000 jurors each quarter. This recommendation would have the following benefits:

1. Decrease the large number of telephone calls from prospective jurors who cannot serve on various days during the ninety day term; and,
2. Decrease postage and supply costs by approximately \$1,700 annually.

**Recommendation 2**– Eliminate the juror personal information from the qualification questionnaire letter. This would relieve the Clerk’s office of inputting personal information on all qualified jurors each year that may or may not be called for jury service. This should be discussed with the judges and the Coconino County Bar Association prior to implementing. Court administration should work with the Clerk’s office to develop a multi-part form where jurors can write their personal information when they appear for jury service. This would eliminate the needless entry of juror personal information into the court’s automated jury management system for approximately 4,000 qualified jurors. In addition, this would provide the judges and attorneys with current juror personal information. The cost of this form would be approximately \$0.30 per form.

**Recommendation 3**– If the separate qualification and summoning process is converted to a combined process, court administration should work with the Clerk’s office to develop a combined qualification and summons form that provides important information

in non-legal terminology. This form would cost approximately \$0.25 each. The form should contain the following information: location of courthouse, length of service, excuse policy, attire, parking, compensation, weapon screening policy, and consequences for failing to appear. The form should allow jury staff to easily screen and enter the necessary information from the form into the court's automated jury management system.

**Recommendation 3-A**– If the current separate qualification and summoning process is maintained, court administration should work with the Clerk's office to revise the current qualification questionnaire letter to delete the personal information. The newly-revised form should include the following information: length of service, excuse policy, a telephone number to call with questions, and the consequences for failing to respond.

**Recommendation 4**– Court administration should work with the Clerk's office to place bar codes on envelopes and/or qualification questionnaires and jury summonses to allow the jury staff to scan information into the court's automated jury management system.

**Recommendation 5**– The Clerk's office should follow-up with a post card stating the consequences for failure to comply with a jury notice to those persons who fail to respond to a qualification questionnaire and summons.

**Recommendation 6**– Court administration and the Clerk's office should explore using a National Change of Address vendor to obtain current addresses for persons prior to sending out qualification questionnaire letters. This could decrease the number of letters and summonses returned to the court undeliverable.

**Recommendation 7**– If the current separate qualification and summoning process is maintained, court administration should work with the Clerk's office to update the

summons letter to include the following basic information: location of courthouse, parking, length of service, excuse policy, attire, compensation, weapon screening policy, consequences for failing to appear, a telephone number to call with questions, and a telephone number to call the night before jury service is to commence.

#### **EXEMPTIONS, EXCUSES, POSTPONEMENTS–**

**Recommendation 1–** Court administration and the Clerk’s office should work with the judges to update the jury excuse guidelines in view of House Bill 2520, which changes the juror term of service, and requires a more stringent excuse policy. The court should also review the jury excuse guidelines from other courts in Arizona.

**Recommendation 2–** The Clerk’s office should collect the following data from the qualification and summoning process:

1. Qualification Questionnaires sent;
2. No responses;
3. Undeliverable;
4. Disqualified;
5. Exempt;
6. Excused;
7. Summons sent;
8. Postponed to this period;
9. Told not to report;
10. Total not available;
11. No responses;
12. Returned undeliverable;
13. Disqualified;
14. Exempt;
15. Excused;
16. Postponed to another time;
17. Total number not available to serve; and,
18. Total number serving.

**Recommendation 3–** Establish a process for court administration or the Clerk’s office to review the qualification and summons data quarterly to determine qualification yield,

summons yield, and overall yield. Establish a process for court administration or the Clerk's office to compare current qualification and summons data with best practice standards annually. Based upon this review make improvements as necessary.

**Recommendation 4**– Court administration, the Clerk's office, and the judges should develop and conduct an outreach program to encourage citizens to serve as jurors. Press releases and public service announcements should be used to impress upon the public the importance of jury service and to emphasize that the new one-day/one-trial juror term will make it easier for citizens to serve.

**Recommendation 5**– The Clerk's office with assistance from court administration should publish an annual report to the judges regarding juror utilization data and jury costs.

#### **JUROR UTILIZATION**–

**Recommendation 1**– Court administration should work with the Clerk's office to develop a form similar to that found in Appendix 2 for court technicians (courtroom clerks) to collect the major jury transaction data listed below on a daily basis.

Transactional data should be entered into the court's automated jury management system on a routine basis.

1. Number of jurors reporting for service;
2. Number of jurors sent to a courtroom;
3. Number of voir dices begun;
4. Number of jurors returned from the courtroom;
5. Length of voir dire;
6. Jury size;
7. Number of challenges (cause and peremptory);
8. Number of jurors not reached;
9. Number of trials started; and,
10. Length of jury trials.

**Recommendation 2**– Court administration or the Clerk’s office should compare the juror utilization data with the best practice standards quarterly to determine if improvements are necessary.

**Recommendation 3**– Court administration should present recommendations from this research project to the judges and Clerk of Superior Court to inform them that jurors could be used more efficiently in Coconino County Superior Court. A more efficient use of jurors will reduce costs and improve the attitudes of the citizenry toward jury service and the court system.

**Recommendation 4**– The Clerk’s office should maintain daily cost per trial data and publish an annual report to judges and court administration.

#### **STANDARD PANEL SIZES-**

**Recommendation 1**– Court administration should share the jury panel data from this research project with the judges and present alternatives regarding standardized panel sizes that would improve the sworn juror percentage from the current 16.19% sworn juror rate per trial to the standard of 50%. The goal of this recommendation would be to reduce the current number of jurors brought in from approximately sixty-one jurors to a number that better utilizes jurors. This would reduce the number of jurors not reached per trial, thus reducing jury costs and improving citizens’ attitudes toward jury service.

**Recommendation 2**– Court administration and the Clerk’s office should propose that the following guidelines for standardized panel sizes be adopted if the judges are willing to accept a low risk of not having a sufficient number of jurors to complete voir dire. Based upon an analysis of the thirty-two jury trials conducted during Fiscal Years 2002 and

2003, if the guidelines for standardized panel sizes in Table 23 had been used, the court would have had an insufficient number of jurors in only three cases during that period. Cost savings if this recommendation were adopted would be approximately \$415 per trial. One of these cases was a two week murder trial. These standards are identical to the standards adopted in Pima County Superior Court.

Table 23  
Standardized Panel Sizes with Low Risk of Not Having Sufficient Jurors

Case Type	Jury Size	Estimated Trial Length	Panel Size
Civil	6	2-4 days	30
Civil	6	5-8 days	40
Civil	6	More than 2 weeks	50
Criminal	8	2-4 days	40
Criminal	8	More than 4 days	45
Criminal	12	2-4 days	45
Criminal	12	More than 4 days	50
Criminal-Sex Cases	N/A	N/A	50

**Recommendation 2-A**– The guidelines for standardized panel sizes listed below in Table 24 would be an option if the judges chose to take only a very low risk of not having sufficient jurors to complete voir dire. Cost savings if this recommendation were adopted would be approximately \$315 per trial.

Table 24  
Standardized Panel Sizes with Very Low Risk of Not Having Sufficient Jurors

Case Type	Jury Size	Estimated Trial Length	Panel Size
Civil	6	2-4 days	40
Civil	6	5-8 days	45
Civil	6	More than 2 weeks	55
Criminal	8	2-4 days	45
Criminal	8	More than 4 days	50
Criminal	12	2-4 days	50
Criminal	12	More than 4 days	55
Criminal-Sex Cases	N/A	N/A	55

**Recommendation 2-B**– The guidelines for standardized panel sizes in Table 25 would be an option if the judges are uncomfortable taking any risk of not having sufficient jurors to complete voir dire. Cost savings if this recommendation were adopted would be approximately \$210 per trial.

Table 25  
Standardized Panel Sizes with No Risk of Not Having Sufficient Jurors

Type of Case	Jury Size	Estimated Trial Length	Panel Size
Civil	6	2-4 days	45
Civil	6	5-8 days	50
Civil	6	More than 2 weeks	60
Criminal	8	2-4 days	50
Criminal	8	More than 4 days	55
Criminal	12	2-4 days	55
Criminal	12	More than 4 days	60
Criminal-Sex Cases	N/A	N/A	60

**Recommendation 3**– Develop a process to allow judges to request that additional jurors be summoned. The reasons for additional jurors should be submitted in writing to the jury commissioner.

**Recommendation 4**– Court administration or the Clerk’s office should provide the presiding judge with a quarterly analysis of jury panel usage data.

## **ADDITIONAL RECOMMENDATIONS**

### **JURY MANAGEMENT PLAN–**

**Recommendation 1–** Recommend to the Clerk of Superior Court that jury staff attend an Institute for Court Management Jury Management Workshop.

**Recommendation 2–** Court administration should work with the Clerk’s office to develop a written plan that details the responsibilities for managing the jury system, operating steps, and policies of the court. The written plan also should contain a jury element profile similar to the one listed on page xv of the book Jury System Management. This element profile form will allow the court to compare how its current practices compare with best practice standards.

**Recommendation 3–** Establish a process for court administration and the Clerk’s office to conduct a biennial review of the written management plan to determine if updates are necessary.

### **SOURCE LISTS–**

**Recommendation 1–** Court administration and the Clerk’s office should establish a process to review the source lists (currently voter registration and driver’s license records) annually to determine if the court’s coverage rate from the current source lists meets the standard of greater than or equal to 85%. If the court determines that the coverage rate is less than the established standard, review alternatives that could improve the coverage rate. Alternatives could include using other source lists, limiting hardship excuses, and postponing instead of excusing persons from jury service.

**Recommendation 2**– Periodically review the source list for its representativeness and inclusiveness of the population. Appropriate corrective action should be taken if necessary. Corrective action could include any or all of the following: use different source lists, increase selection frequency, combine qualification and summoning, limit hardship excuses, reduce term of service, provide public education, and enforce statutes.

#### **TERM OF SERVICE**–

**Recommendation 1**– Eliminate the ninety day juror term. This lengthy term leads to a high number of juror excuse requests due to hardship reasons from prospective jurors.

**Recommendation 2**– Implement a one-day/one-trial term of service (as defined in Arizona Revised Statutes section 21-336.01) as soon as practical, but no later than the statutory requirement of January 1, 2005. The implementation of a one-day/one-trial system may be difficult due to the size of the population in Coconino County, and the costs involved to summon additional jurors.

#### **ORIENTATION**–

**Recommendation 1**– Court administration should explore the feasibility of having a judge conduct initial juror orientation. The initial orientation could include: a warm personal welcome, an explanation as to why jury service is a citizen’s right and a privilege in a free democratic society, why jury service is a critical part of the judicial process in the United States, a brief description of the jury trial process, what to expect throughout the day, and why waiting is an important and necessary part of the jury trial process. The thirteen minute juror orientation video then would be shown, and a bailiff

then could provide basic information such as the location of parking, restrooms, and vending machines.

#### **CALENDAR COORDINATION–**

**Recommendation 1–** Court administration should present to the judges and court staff the financial impact of continuing or canceling jury trials on the day of trial. A process also should be established by court administration and the Clerk’s office to collect data and cost information on the number of and cost impact of “zero” jury panel days.

**Recommendation 2–** The Clerk’s office with assistance from court administration should prepare an annual report to the judges regarding the number of and cost impact of “zero” jury panel days.

#### **STANDBY JURORS–**

**Recommendation 1–** Court administration should explore the feasibility of placing the juror standby information on the court’s web site.

#### **VOIR DIRE–**

**Recommendation 1–** After consultation with the judges and the Coconino County Bar Association, the Clerk’s office should provide the juror personal information to judges and attorneys on the day of trial, rather than the afternoon prior to trial. This recommendation would allow for more current juror personal information, and eliminate the unnecessary entry of personal data into the court’s automated jury management system for approximately four thousand jurors.

**Recommendation 2**– Court administration should work with the Clerk’s office to establish a process to monitor juror utilization statistics periodically to determine whether any improvements in the voir dire process are necessary.

#### **MONITORING AND CONTROL**–

**Recommendation 1**– Court administration should work with the Clerk’s office to establish a process to collect and periodically analyze information regarding the performance of the jury management system. The representativeness and inclusiveness of the source lists should be analyzed; the effectiveness of the qualification and summoning process should be evaluated; the responsiveness of individual citizens should be monitored; the efficient use of jurors should be analyzed; and the cost effectiveness of the jury system should be measured.

**Recommendation 2**– The Clerk’s office with the assistance of court administration should provide an annual report to the judges regarding the performance of the jury management system.

**Recommendation 3**– Court administration should develop and implement a data base program to compile and maintain the completed jury exit surveys. The jury exit surveys should be reviewed monthly by court administration.

#### **IMPLICATIONS FOR FUTURE WORK**

The initial step that should be taken in the future is for judges, the Clerk of Superior Court, and court administration to develop a strategic plan to prioritize the recommendations that need to be performed in order to accomplish the jury improvements that are necessary. The collection of jury management data needs to be routinely collected and analyzed by court staff

members. When jury management data becomes available from other counties in Arizona, the data from Coconino County should be compared with the other counties. There are many areas of the jury management system that can be improved, and with the dedication and willingness of the judges and court staff, significant improvements can be implemented in the court. These improvements not only will reduce costs, but will improve the efficiency of the jury management system, which will have a positive impact on citizens' attitudes toward jury service and the court system as a whole.

**YIELD COMPUTATION WORKSHEET  
COCONINO COUNTY SUPERIOR COURT  
REPORT PERIOD \_\_\_\_\_**

QUALIFICATION	NUMBER	PERCENT	NUMBER	PERCENT
A. # of Qualification Questionnaires Sent	N/A	N/A		
B. No Reponse				
C. Undelivered	N/A		N/A	N/A
D. Disqualified			N/A	N/A
E. Exempt			N/A	N/A
F. Excused			N/A	N/A
G. Total Not Qualified (B+C+D+E+F)	N/A	N/A		
H. Total Qualified (A+G) (Qualification Yield)	N/A	N/A		

SUMMONING	DATE 7/17/01		DATE 8/7/01		DATE 8/28/01		DATE 9/18/01		DATE 11/27/01	
A. Number of Summons Sent										
B. Number of Postponed to This Period	N/A		N/A		N/A		N/A		N/A	
C. Number Told Not to Report	N/A		N/A		N/A		N/A		N/A	
D. Total Number Available {(A+B)-C}	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
E. No Response (no show)										
F. Undeliverable										
G. Disqualified										
H. Exempt										
I. Excused										
J. Postponed to Another Time										
K. Total # Not Available to Serve										
L. Total Number Serving (D-K) = (Summoning Yield)										

QUALIFICATION YIELD: \_\_\_% X SUMMONING YIELD: \_\_\_ = OVERALL YIELD: \_\_\_%







5. Overall, how satisfied are you with the Coconino County Superior Court jury selection process (e.g. length of voir dire permitted, method of voir dire employed, use of questionnaires, etc.)?
  
  
  
  
  
  
  
  
  
  
6. Do you use the “struck” or the “strike and replace” method of jury selection? Why?
  
  
  
  
  
  
  
  
  
  
7. Is basic information (e.g. age, gender, occupation) regarding the juror given to the attorneys prior to the commencement of voir dire?
  
  
  
  
  
  
  
  
  
  
8. Who conducts the voir dire in your court (judge, attorneys, or both)?
  
  
  
  
  
  
  
  
  
  
9. Do you think jurors would be more satisfied with the one-day/one trial term versus our current 90 day term?





August 22, 2003

**CLERK OF COURT STAFF INTERVIEW QUESTIONS RE.  
JURY MANAGEMENT**

1. How satisfied are you with the current jury management system? Any initial observations that could improve our jury system?
  
2. Please explain the current jury qualification and selection process. (Get sample of forms)
  
3. Have you explored the feasibility of the one-step qualification and summoning (qualification and summons sent at the same time) process versus the current two-step process?
  
4. Are you satisfied with the court's current juror excusal policy which was developed in 1992? What changes would you recommend?
  
5. How satisfied are you with the number of jurors each division is requesting for voir dire? What changes would you recommend?
  
6. Are you satisfied with the current level of juror orientation given to jurors?

7. What basic juror information is given to the attorney? When is the information given to the attorneys?
  
8. Overall, how satisfied are you with the Coconino County Superior Court jury selection process (e.g. length of voir dire permitted, method of voir dire employed, use of questionnaires, etc.)?
  
9. What do you think would be the advantages and disadvantages to a one-day/one trial system?
  
10. How do you think the court should follow-up on citizens who do not respond to the qualification letter or summons?
  
11. What do you think about the idea of coordinating division calendars so jurors may be utilized more efficiently when there are multiple trials on a given day? Where do you see obstacles implementing this kind of trial coordination?
  
12. Are you satisfied with our current jury exit survey? Any ideas for improvement?

13. If you could make changes what would the ideal automated jury system do that your current automated system does not?
  
  
  
  
  
  
  
  
  
  
14. Are you currently using bar code technology for jury operations? If so, in what areas?
  
  
  
  
  
  
  
  
  
  
15. What jury management system improvements would you like to see?
  
  
  
  
  
  
  
  
  
  
16. What changes would you suggest to reduce funding in the area of jury operations?

**JURY COMMISSIONER SURVEY**Instructions for completing the survey:

- Only complete one response per court.
- Use the tab key to maneuver through the survey. *Note: The “Enter” key will end the session and send the survey.*
- Answer each question to the best of your ability.
- When completed select the “Submit” button.

## 1a. Please identify your county:

<input type="checkbox"/> Apache	<input type="checkbox"/> Greenlee	<input type="checkbox"/> Pima
<input type="checkbox"/> Cochise	<input type="checkbox"/> La Paz	<input type="checkbox"/> Pinal
<input type="checkbox"/> Coconino	<input type="checkbox"/> Maricopa	<input type="checkbox"/> Santa Cruz
<input type="checkbox"/> Gila	<input type="checkbox"/> Mohave	<input type="checkbox"/> Yavapai
<input type="checkbox"/> Graham	<input type="checkbox"/> Navajo	<input type="checkbox"/> Yuma

## 1b. Please identify your position:

<input type="checkbox"/> Clerk of Court	<input type="checkbox"/> Court Administrator
<input type="checkbox"/> Justice of Peace	<input type="checkbox"/> Other - please specify
<input type="checkbox"/> Municipal Court Presiding Magistrate	[Go to question 1c]

## 1c. Please specify.

## 1d. Please identify your court:

<input type="checkbox"/> Superior Court	<input type="checkbox"/> Justice Court	<input type="checkbox"/> Municipal Court
---	--	--

2. Has your court written a plan detailing the various responsibilities for managing the jury system in your court, the operating steps, and the policies of the court? Please do not consider the JURY+ automation manual as your written plan.

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

3. Please identify all juror “source lists” used in your court to summon potential jurors.  
**(check all that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Driver’s License                         | <input type="checkbox"/> Utility Hook-ups         |
| <input type="checkbox"/> Voter’s Registration                     | <input type="checkbox"/> City Directories         |
| <input type="checkbox"/> Department of Revenue (State Income Tax) | <input type="checkbox"/> Other [Go to question 4] |
| <input type="checkbox"/> Telephone Directories                    |   |

4. List other sources:

5a. Which qualification/summoning process does your court use?

- Separate qualifying questionnaire and summons (two-step process)  
 Combined qualifying questionnaire and summons (one-step process)

5b. Please describe any other mailing that your court sends to prospective jurors other than the qualifying questionnaire and summons.

6. Does your court take any action against individuals who fail to respond to a jury qualifying questionnaire?

- Yes [Go to question 7]       No [Go to question 8]

7. Explain what type of action your court takes against individuals who fail to respond to a qualifying questionnaire.

8. Does your court take any action against individuals who fail to respond to a jury summons?

- Yes [Go to question 9]       No [Go to question 10]

9. Explain what type of action your court takes against individuals who fail to respond to a jury summons.

10a. Does your court excuse jurors for any of the following reasons: **(check all that apply)**

- Financial hardship
- Lack of child care
- Lack of transportation
- Attending school
- Taking care of sick or disabled family member
- Physical, mental, or emotional hardship
- Person who travels outside the county for work more than 50% of time
- Felony conviction
- Prior jury service in another court during the last year
- Person engaged in research or development for national defense whose absence from work would create a hardship
- Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship
- Person with specialized skills who is not readily replaceable
- Professional who cannot be replaced at work and whose absence would adversely impact patients or clients
- Person of advanced age who would be unable to perform jury service
- Is not currently capable of understanding the English language

10b. What other types of excuses are accepted?

10c. Does your court require any supporting documentation before excusing jurors for any of the following reasons? **(check all that apply)**

- Financial hardship
- Lack of child care
- Lack of transportation
- Attending school
- Taking care of sick or disabled family member
- Physical, mental, or emotional hardship
- Person who travels outside the county for work more than 50% of time
- Felony conviction
- Prior jury service in another court during the last year
- Person engaged in research or development for national defense whose absence from work would create a hardship
- Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship
- Person with specialized skills who is not readily replaceable
- Professional who cannot be replaced at work and whose absence would adversely impact patients or clients





18. Please check any of the following offered to jurors in your court: **(check all that apply)**

- |   |  |
|---|--|
| <input type="checkbox"/> Jury assembly room | <input type="checkbox"/> Phones                          |
| <input type="checkbox"/> Deliberation room  | <input type="checkbox"/> Designated or reserved parking  |
| <input type="checkbox"/> Vending machines   | <input type="checkbox"/> Juror appreciation certificates |
| <input type="checkbox"/> I.D. badges        | <input type="checkbox"/> Computer terminals/web access   |
| <input type="checkbox"/> Beepers            | <input type="checkbox"/> Bus passes                      |
| <input type="checkbox"/> Reading rooms      | <input type="checkbox"/> Cable television/movies         |
| <input type="checkbox"/> Reading materials  |  |

19. Does your court ask jurors to complete a written juror exit survey?

- Yes                                       No

20. If you are responding on behalf of a justice or municipal court, please answer the following question.

Please identify which of the following services are performed for your court by your county jury commissioner **(check all that apply)**.

- Sends out juror questionnaires
- Screens jurors for eligibility
- Provides a master jury list
- Sends out jury summonses
- Provides juror orientation on the first day of service
- Pays my jurors

**21. OPTIONAL PERSONAL INFORMATION:**

Name of person completing survey:

Name of court:

**YIELD COMPUTATION WORKSHEET  
COCONINO COUNTY SUPERIOR COURT  
REPORT PERIOD July 1, 2001 - June 30, 2002**

QUALIFICATION	NUMBER	PERCENT	NUMBER	PERCENT
A. # of Qualification Questionnaires Sent	N/A	N/A	24,000	100%
B. No Reponse	12,808	53.37%		
C. Undelivered	N/A		N/A	N/A
D. Disqualified	4,618		N/A	N/A
E. Exempt	0		N/A	N/A
F. Excused	2,333		N/A	N/A
G. Total Not Qualified (B+C+D+E+F)	N/A	N/A	19,759	82.33%
H. Total Qualified (A+G) (Qualification Yield)	N/A	N/A	4,241	17.67

SUMMONING	DATE 7/17/01		DATE 8/7/01		DATE 8/28/01		DATE 9/18/01		DATE 11/27/01	
A. Number of Summons Sent	150		190		95		100		170	
B. Number of Postponed to This Period	N/A		N/A		N/A		N/A		N/A	
C. Number Told Not to Report	N/A		N/A		N/A		N/A		N/A	
D. Total Number Available {(A+B)-C}	NO. 150	% 100%	NO. 190	% 100%	NO. 95	% 100%	NO. 100	% 100%	NO. 170	% 100%
E. No Response (no show)	16	11%	42	22%	28	29%	22	22%	5	3%
F. Undeliverable	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
G. Disqualified	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
H. Exempt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I. Excused	8	5%	10	5%	1	1%	2	2%	4	2%
J. Postponed to Another Time	26	17%	27	14%	2	2%	5	5%	19	11%
K. Total # Not Available to Serve	50	33%	79	42%	31	12%	29	29%	28	16%
L. Total Number Serving (D-K) = (Summoning Yield)	100	67%	111	58%	64	67%	71	71%	142	84%

QUALIFICATION YIELD: \_\_\_% X SUMMONING YIELD: \_\_\_ = OVERALL YIELD: \_\_\_%

**YIELD COMPUTATION WORKSHEET  
COCONINO COUNTY SUPERIOR COURT  
REPORT PERIOD July 1, 2001 - June 30, 2002**

QUALIFICATION	NUMBER	PERCENT	NUMBER	PERCENT
A. # of Qualification Questionnaires Sent	N/A	N/A	24,000	100%
B. No Reponse	12,808	53.37%		
C. Undelivered	N/A		N/A	N/A
D. Disqualified	4,618		N/A	N/A
E. Exempt	0		N/A	N/A
F. Excused	2,333		N/A	N/A
G. Total Not Qualified (B+C+D+E+F)	N/A	N/A	19,759	82.33%
H. Total Qualified (A+G) (Qualification Yield)	N/A	N/A	4,241	17.67

SUMMONING	DATE 12/11/01		DATE 11/15/02		DATE 2/5/02		DATE 2/20/02		DATE 2/26/02	
A. Number of Summons Sent	100		100		100		103		85	
B. Number of Postponed to This Period	N/A		N/A		N/A		N/A		N/A	
C. Number Told Not to Report	N/A		N/A		N/A		N/A		N/A	
D. Total Number Available {(A+B)-C}	NO. 100	% 100%	NO. 100	% 100%	NO. 100	% 100%	NO. 103	% 100%	NO. 85	% 100%
E. No Response (no show)	20	20%	15	15%	12	12%	0	0%	0	0%
F. Undeliverable	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
G. Disqualified	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
H. Exempt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I. Excused	2	2%	5	5%	5	5%	0	0%	4	5%
J. Postponed to Another Time	24	24%	1	1%	10	10%	15	15%	10	12%
K. Total # Not Available to Serve	46	46%	21	21%	27	27%	15	15%	14	16%
L. Total Number Serving (D-K) = (Summoning Yield)	54	54%	79	79%	73	73%	88	85%	71	84%

QUALIFICATION YIELD: \_\_\_% X SUMMONING YIELD: \_\_\_ = OVERALL YIELD: \_\_\_%

**YIELD COMPUTATION WORKSHEET  
COCONINO COUNTY SUPERIOR COURT  
REPORT PERIOD July 1, 2001 - June 30, 2002**

QUALIFICATION	NUMBER	PERCENT	NUMBER	PERCENT
A. # of Qualification Questionnaires Sent	N/A	N/A	24,000	100%
B. No Reponse	12,808	53.37%		
C. Undelivered	N/A		N/A	N/A
D. Disqualified	4,618		N/A	N/A
E. Exempt	0		N/A	N/A
F. Excused	2,333		N/A	N/A
G. Total Not Qualified (B+C+D+E+F)	N/A	N/A	19,759	82.33%
H. Total Qualified (A+G) (Qualification Yield)	N/A	N/A	4,241	17.67

SUMMONING	DATE 3/5/02		DATE 3/19/02		DATE 3/26/02		DATE 4/3/02		DATE 4/16/02	
A. Number of Summons Sent	100		94		94		95		80	
B. Number of Postponed to This Period	N/A		N/A		N/A		N/A		N/A	
C. Number Told Not to Report	N/A		N/A		N/A		N/A		N/A	
D. Total Number Available {(A+B)-C}	NO. 100	% 100%	NO. 94	% 100%	NO. 94	% 100%	NO. 95	% 100%	NO. 80	% 100%
E. No Response (no show)	11	11%	0	0%	0	0%	26	27%	6	8%
F. Undeliverable	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
G. Disqualified	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
H. Exempt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I. Excused	5	5%	6	6%	2	2%	6	6%	6	8%
J. Postponed to Another Time	6	6%	27	79%	19	20%	13	14%	14	18%
K. Total # Not Available to Serve	22	22%	33	35%	21	22%	45	47%	26	33%
L. Total Number Serving (D-K) = (Summoning Yield)	78	78%	61	65%	73	78%	50	53%	54	67%

QUALIFICATION YIELD: \_\_\_% X SUMMONING YIELD: \_\_\_ = OVERALL YIELD: \_\_\_%

**YIELD COMPUTATION WORKSHEET  
COCONINO COUNTY SUPERIOR COURT  
REPORT PERIOD July 1, 2001 - June 30, 2002**

QUALIFICATION	NUMBER	PERCENT	NUMBER	PERCENT
A. # of Qualification Questionnaires Sent	N/A	N/A	24,000	100%
B. No Reponse	12,808	53.37%		
C. Undelivered	N/A		N/A	N/A
D. Disqualified	4,618		N/A	N/A
E. Exempt	0		N/A	N/A
F. Excused	2,333		N/A	N/A
G. Total Not Qualified (B+C+D+E+F)	N/A	N/A	19,759	82.33%
H. Total Qualified (A+G) (Qualification Yield)	N/A	N/A	4,241	17.67

SUMMONING	DATE 6/11/02		DATE 6/12/02		DATE 6/18/02		DATE		DATE	
A. Number of Summons Sent	100		75		25					
B. Number of Postponed to This Period	N/A		N/A		N/A		N/A		N/A	
C. Number Told Not to Report	N/A		N/A		N/A		N/A		N/A	
D. Total Number Available {(A+B)-C}	NO. 100	% 100%	NO. 75	% 100%	NO. 25	% 100%	NO.	%	NO.	%
E. No Response (no show)	38	38%	6	8%	7	28%				
F. Undeliverable	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
G. Disqualified	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
H. Exempt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I. Excused	4	4%	6	8%	0	0%				
J. Postponed to Another Time	6	6%	7	9%	3	12%				
K. Total # Not Available to Serve	48	48%	19	25%	10	40%				
L. Total Number Serving (D-K) = (Summoning Yield)	52	52%	56	75%	15	60%				

QUALIFICATION YIELD: \_\_\_% X SUMMONING YIELD: \_\_\_ = OVERALL YIELD: \_\_\_%

**YIELD COMPUTATION WORKSHEET  
COCONINO COUNTY SUPERIOR COURT  
REPORT PERIOD July 1, 2002 - June 30, 2003**

QUALIFICATION	NUMBER	PERCENT	NUMBER	PERCENT
A. # of Qualification Questionnaires Sent	N/A	N/A	24,000	100%
B. No Reponse	12,808	53.37%		
C. Undelivered	N/A		N/A	N/A
D. Disqualified	4,618		N/A	N/A
E. Exempt	0		N/A	N/A
F. Excused	2,333		N/A	N/A
G. Total Not Qualified (B+C+D+E+F)	N/A	N/A	19,759	82.33%
H. Total Qualified (A+G) (Qualification Yield)	N/A	N/A	4,241	17.67

SUMMONING	DATE 7/16/02		DATE 8/6/02		DATE 9/10/02		DATE 10/23/02		DATE 11/20/02	
A. Number of Summons Sent	75		100		95		120		90	
B. Number of Postponed to This Period	N/A		N/A		N/A		N/A		N/A	
C. Number Told Not to Report	N/A		N/A		N/A		N/A		N/A	
D. Total Number Available {(A+B)-C}	NO. 75	% 100%	NO. 100	% 100%	NO. 95	% 100%	NO. 120	% 100%	NO. 90	% 100%
E. No Response (no show)	3	4%	12	12%	28	29%	14	12%	14	16%
F. Undeliverable	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
G. Disqualified	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
H. Exempt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I. Excused	3	4%	3	3%	6	6%	7	6%	5	6%
J. Postponed to Another Time	11	15%	14	14%	9	9%	19	16%	10	11%
K. Total # Not Available to Serve	17	36%	29	29%	43	45%	40	33%	29	32%
L. Total Number Serving (D-K) = (Summoning Yield)	58	77%	71	71%	52	55%	80	67%	61	68%

QUALIFICATION YIELD: \_\_\_% X SUMMONING YIELD: \_\_\_ = OVERALL YIELD: \_\_\_%

**YIELD COMPUTATION WORKSHEET  
COCONINO COUNTY SUPERIOR COURT  
REPORT PERIOD July 1, 2002 - June 30, 2003**

QUALIFICATION	NUMBER	PERCENT	NUMBER	PERCENT
A. # of Qualification Questionnaires Sent	N/A	N/A	24,000	100%
B. No Reponse	12,808	53.37%		
C. Undelivered	N/A		N/A	N/A
D. Disqualified	4,618		N/A	N/A
E. Exempt	0		N/A	N/A
F. Excused	2,333		N/A	N/A
G. Total Not Qualified (B+C+D+E+F)	N/A	N/A	19,759	82.33%
H. Total Qualified (A+G) (Qualification Yield)	N/A	N/A	4,241	17.67

SUMMONING	DATE 1/7/03		DATE 3/25/03		DATE 6/03/03		DATE 6/18/03		DATE 9/24/03	
A. Number of Summons Sent	90		50		80		75		90	
B. Number of Postponed to This Period	N/A		N/A		N/A		N/A		N/A	
C. Number Told Not to Report	N/A		N/A		N/A		N/A		N/A	
D. Total Number Available {(A+B)-C}	NO. 90	% 100%	NO. 50	% 100%	NO. 80	% 100%	NO. 75	% 100%	NO. 90	% 100%
E. No Response (no show)	12	13%	17	34%	14	18%	12	16%	8	9%
F. Undeliverable	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
G. Disqualified	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
H. Exempt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
I. Excused	32	3%	1	2%	2	3%	5	7%	6	7%
J. Postponed to Another Time	11	12%	1	2%	13	16%	8	11%	15	17%
K. Total # Not Available to Serve	26	29%	19	38%	29	36%	25	33%	29	32%
L. Total Number Serving (D-K) = (Summoning Yield)	64	71%	31	62%	51	64%	50	67%	61	68%

QUALIFICATION YIELD: \_\_\_% X SUMMONING YIELD: \_\_\_ = OVERALL YIELD: \_\_\_%

**REPORT OF JURY ACTIVITY WORKSHEET  
COCONINO COUNTY SUPERIOR COURT**

DATE	TOTAL JURORS PAID TODAY	TOTAL JURORS BROUGHT TO COURT FOR VOIR DIRE	<u>VOIR DIRE</u>		TIME STARTED	TIME ENDED	TOTAL TIME	JURY SIZE	CHALLENGE	PEREMPORY	CAUSE	NOT REACHED	<u>TRIAL START</u>		<u>TRIAL END</u>		TRIAL DAYS
			CASE#	TOTAL JURORS BROUGHT TO COURT FOR VOIR DIRE									DATE	TIME	DATE	TIME	
7/17/01	76	66	CR00-014	66	0930	1300	3.5	9	6	12	39	39	7/17/01	0930	7/19	1600	3
7/17/01	43	34	C00-331	34	0900	1300	4	6	1	8	19	19	7/17/01	0900	7/17	1657	1
8/7/01	73	59	C098-340	59	0930	1200	2.5	9	7	8	35	35	8/7/01	0930	8/9	1820	3
8/7/01	71	52	C099-409	52	0900	1200	3	9	0	8	35	35	8/7/01	0900	8/10	1630	4
8/28/01	81	64	C00-129	64	0900	1100	2	9	14	8	33	33	8/28/01	0900	8/30	1700	3
9/18/01	93	71	C097-361	71	0930	1200	2.5	10	17	8	36	36	9/18/01	0930	10/11	1314	13
11/27/01	114	86	CR01-645	86	1000	1600	6	9	17	12	48	48	11/27/01	1000	11/30	2130	4
12/11/01	74	54	CR01-679	54	1300	1715	4.25	10	18	12	14	14	12/11/01	1300	12/12	1354	2
11/27/01	64	56	C000-344	56	0900	1600	7	9	5	8	34	34	11/27/01	0900	12/6	0804	7
TOTAL	689	542		542			34.75	80	85	84	293	293					40

**REPORT OF JURY ACTIVITY WORKSHEET  
COCONINO COUNTY SUPERIOR COURT**

DATE	TOTAL JURORS PAID TODAY	TOTAL JURORS BROUGHT TO COURT FOR VOIR DIRE	<u>VOIR DIRE</u>		TOTAL TIME STARTED	TIME ENDED	TOTAL TIME	JURY SIZE	CHALLENGE	PEREMPTORY	NOT REACHED	<u>TRIAL START</u>		<u>TRIAL END</u>		TRIAL DAYS
			CASE#	TIME								DATE	TIME	DATE	TIME	
1/15/02		79	CR01-406	1000	1200	2	13	10	12	44	44	11/15/02	1000	1/17	1800	3
2/26/02		71	CV98-607	0930	1200	2.5	8	4	8	51	51	2/26/02	0930	3/1	0935	2
2/5/02		73	CV00-538	0900	1200	3	10	22	8	33	33	2/5/02	0900	2/14	1549	7
3/8/02		78	CV96-551	0930	1330	4	9	9	8	52	52	3/5/02	0930	3/8	1529	4
2/20/02		88	CV98-734	0930	1715	3.75	8	15	8	57	57	2/20/02	0930	3/20	1559	16
3/19/02		61	CR01-248	1330	1603	2.5	9	7	12	33	33	3/19/02	1330	3/20	1751	2
3/26/02		73	CR01-933	1215	1630	3.75	10	12	12	39	39	3/26/02	1215	3/29	1530	4
4/3/02		50	CR01-1042	0830	1130	3	9	5	12	24	24	4/3/02	0830	4/5	1740	3
4/16/02		54	CR01-941	0900	1200	3	14	10	12	18	18	4/16/02	0900	4/22	1900	5
6/11/02		52	CV00-404	0930	1225	3	9	7	8	28	28	6/11/02	0930	6/14	1456	4
TOTAL		681				30.5	99	101	100	381	381					50



**REPORT OF JURY ACTIVITY WORKSHEET  
COCONINO COUNTY SUPERIOR COURT**

DATE	TOTAL JURORS PAID TODAY	TOTAL JURORS BROUGHT TO COURT FOR VOIR DIRE	VOIR DIRE		TIME STARTED	TIME ENDED	TOTAL TIME	TOTAL JURY SIZE	CHALLENGE	PEREMPORY	CAUSE NOT REACHED	TRIAL START		TRIAL END		TRIAL DAYS
			CASE#	TIME								DATE	TIME	DATE	TIME	
7/16/02		58	PB99-116	0900	1200	3	9	3	8	38		7/16/02	0900	7/17	1700	2
8/16/02		71	CR02-063	0930	1300	3.5	15	19	12	25		8/16/02	0930	8/14	0814	5
9/10/02		52	CR01-971	1300	1700	4	9	10	12	21		9/10/02	1300	9/12	1424	3
10/23/02		80	CR02-064	0830	1730	9	15	29	12	24		10/23/02	0830	11/7	1045	10
11/20/02		61	CR01-986	1300	1700	4	10	17	12	22		11/20/02	1300	12/4	1850	6
1/7/03		64	CR02-575	0930	1500	5.5	10	19	12	23		1/7/03	0930	1/10	0829	4
3/25/03		31	CR02-947	0930	1400	4.5	9	7	12	3		3/25/03	0930	3/26	1530	2
6/3/03		51	CR02-1041	0930	1400	4.5	9	19	12	11		6/3/03	0930	6/6	1155	4
6/18/03		75	CR02-898	0955	1411	3	14	15	12	34		6/18/03	0955	6/26	6456	5
9/24/03		61	CR01-1042	1300	1700	4	14	10	12	25		9/24/03	1300	9/27	1700	4
TOTAL		604				95	114	148	116	226						42

**SUMMARY OF RESULTS OF  
SUPERIOR COURT  
JURY COMMISSIONER SURVEY**

**1a. Counties Who Responded to Survey**

Apache	Graham	Mohave	Santa Cruz
Cochise	Greenlee	Navajo	Yavapai
Coconino	La Paz	Pima	Yuma
Gila	Maricopa	Pinal	

**1b. Position of Respondent**

<b>Apache:</b> Clerk of Court	<b>Greenlee:</b> Clerk of Court	<b>Pima:</b> Other
<b>Cochise:</b> Clerk of Court	<b>La Paz:</b> Clerk of Court	<b>Pinal:</b> Other
<b>Coconino:</b> Clerk of Court	<b>Maricopa:</b> Other	<b>Santa Cruz:</b> Clerk of Court
<b>Gila:</b> Clerk of Court	<b>Mohave:</b> Other	<b>Yavapai:</b> Other
<b>Graham:</b> Other	<b>Navajo:</b> Clerk of Court	<b>Yuma:</b> Clerk of Court

**1c. Please Specify**

<b>Apache:</b> Chief Deputy	<b>Greenlee:</b>	<b>Pima:</b> Jury
<b>Cochise:</b> Associate	<b>La Paz:</b>	<b>Pinal:</b> Associate Jury Commissioner
<b>Coconino:</b>	<b>Maricopa:</b> Director of Jury	<b>Santa Cruz:</b>
<b>Gila:</b>	<b>Mohave:</b> Deputy Clerk	<b>Yavapai:</b> Jury
<b>Graham:</b> Tech Clerk ii	<b>Navajo:</b>	<b>Yuma:</b>

**1d. Please Identify your Court**

<b>Apache:</b> Superior Court	<b>Greenlee:</b> Superior Court	<b>Pima:</b> Superior Court
<b>Cochise:</b> Superior Court	<b>La Paz:</b> Superior Court	<b>Pinal:</b> Superior Court
<b>Coconino:</b> Superior Court	<b>Maricopa:</b> Superior Court	<b>Santa Cruz:</b> Superior Court
<b>Gila:</b> Superior Court	<b>Mohave:</b> Superior Court	<b>Yavapai:</b> Superior Court
<b>Graham:</b> Superior Court	<b>Navajo:</b> Superior Court	<b>Yuma:</b> Superior Court

**2. Has your court written a plan detailing the various responsibilities for managing the jury system in your court, the operating steps, and the policies of the court? Please do not consider the JURY+automation manual as your written plan.**

<b>Apache:</b> NO	<b>Graham:</b> NO	<b>Mohave:</b> YES	<b>Santa Cruz:</b> NO
<b>Cochise:</b> NO	<b>Greenlee:</b> NO	<b>Navajo:</b> NO	<b>Yavapai:</b> YES
<b>Coconino:</b> NO	<b>La Paz:</b> NO	<b>Pima:</b> NO	<b>Yuma:</b> NO
<b>Gila:</b> NO	<b>Maricopa:</b> YES	<b>Pinal:</b> YES	

Total Yes 4                      Total No 11

**3. Please identify all juror “source lists” used in your court to summon potential jurors. (Check all that apply)**

**Apache:** Driver’s License; Voter’s Registration  
**Cochise:** Driver’s License; Voter’s Registration  
**Coconino:** Driver’s License; Voter’s Registration  
**Gila:** Driver’s License; Voter’s Registration  
**Graham:** Driver’s License; Voter’s Registration  
**Greenlee:** Driver’s License; Voter’s Registration  
**La Paz:** Driver’s License; Voter’s Registration  
**Maricopa:** Driver’s License; Voter’s Registration  
**Mohave:** Driver’s License; Voter’s Registration  
**Navajo:** Driver’s License; Voter’s Registration  
**Pima:** Driver’s License; Voter’s Registration  
**Pinal:** Driver’s License; Voter’s Registration  
**Santa Cruz:** Driver’s License; Voter’s Registration  
**Yavapai:** Driver’s License; Voter’s Registration  
**Yuma:** Driver’s License; Voter’s Registration

**4. List other sources**

<b>Apache:</b>	<b>Graham:</b>	<b>Mohave:</b>	<b>Santa Cruz:</b>
<b>Cochise:</b>	<b>Greenlee:</b>	<b>Navajo:</b>	<b>Yavapai:</b>
<b>Coconino:</b>	<b>La Paz:</b>	<b>Pima:</b>	<b>Yuma:</b>
<b>Gila:</b>	<b>Maricopa:</b>	<b>Pinal:</b>	

**5a. Which qualification/summoning process does your court use?**

**Apache:** Separate qualifying questionnaire and summons (two-step process)  
**Cochise:** Separate qualifying questionnaire and summons (two-step process)  
**Coconino:** Separate qualifying questionnaire and summons (two-step process)  
**Gila:** Separate qualifying questionnaire and summons (two-step process)

**Graham:** Separate qualifying questionnaire and summons (two-step process)  
**Greenlee:** Separate qualifying questionnaire and summons (two-step process)  
**La Paz:** Separate qualifying questionnaire and summons (two-step process)  
**Maricopa:** Combined qualifying questionnaire and summons (one-step process)  
**Mohave:** Separate qualifying questionnaire and summons (two-step process)  
**Navajo:** Separate qualifying questionnaire and summons (two-step process)  
**Pima:** Combined qualifying questionnaire and summons (one-step process)  
**Pinal:** Separate qualifying questionnaire and summons (two-step process)  
**Santa Cruz:** Separate qualifying questionnaire and summons (two-step process)  
**Yavapai:** Separate qualifying questionnaire and summons (two-step process)  
**Yuma:** Combined qualifying questionnaire and summons (one-step process)

Total Separate 12 Total Combined 3

**5b. Please describe any other mailing that your court sends to prospective jurors other than the qualifying questionnaire and summons.**

**Apache:**

**Cochise:** Excuse letters, Failure to Appear Letters, Letters requesting additional info

**Coconino:**

**Gila:** Letters granting or denying exemptions or asking for doctor's excuses.

**Graham:**

**Greenlee:**

**La Paz:**

**Maricopa:**

**Mohave:**

**Navajo:**

**Pima:** Postponement notices, excuse notice, failure to appear notices

**Pinal:** Failure to appear letters, failure to respond to questionnaire postcards, excuse notice postcards.

**Santa Cruz:** Notices - Selection and Excused

**Yavapai:**

**Yuma:** We send a "failure to return questionnaire" post card requesting that they come to the clerk's office to complete the questionnaire.

**6. Does your court take any action against individuals who fail to respond to a jury qualifying questionnaire?**

**Apache:** No

**Cochise:** No [Go to Question 8]

**Coconino:** No [Go to Question 8]

**Gila:** No [Go to Question 8]

**Graham:** No [Go to Question 8]

**Greenlee:** No [Go to Question 8]

**La Paz:** No [Go to Question 8]

**Maricopa:** Yes [Go to Question 7]

**Mohave:** No [Go to Question 8]

**Navajo:** No [Go to Question 8]

**Pima:** No [Go to Question 8]

**Pinal:** Yes [Go to question 7]

**Santa Cruz:** Yes [Go to Question 7]

**Yavapai:** No [Go to Question 8]

**Yuma:** No [Go to Question 8]

Total Yes 3

Total No 12

**7. Explain what type of action your court takes against individuals who fail to respond to a qualifying questionnaire.**

**Apache:**

**Cochise:**

**Coconino:**

**Gila:**

**Graham:**

**Greenlee:** A fine

**La Paz:**

**Maricopa:** A second summons is sent requiring the juror to attend on a new date. In addition to that, beginning October 2003, we will be sending an OSC to jurors who fail to appear after the second summons. This will result in a court hearing before a judge where they may face financial sanctions.

**Mohave:**

**Navajo:**

**Pima:**

**Pinal:** I'm not sure if this qualifies as a yes, but we send a postcard to all prospective jurors who failed to respond to the questionnaire. The juror is given a date specific to report to our court and fill out the questionnaire.

**Santa Cruz:** Bring in an Order to show cause

**Yavapai:**

**Yuma:**

**8. Does your court take any action against individuals who fail to respond to a jury summons?**

**Apache:** Yes [Go to Question 9]

**Cochise:**

**Coconino:** No [Go to Question 10]

**Gila:** Yes [Go to Question 9]

**Graham:** Yes [Go to Question 9]

**Greenlee:** Yes [Go to Question 9]

**La Paz:** Yes [Go to Question 9]

**Maricopa:** Yes [Go to Question 9]

**Mohave:** Yes [Go to Question 9]

**Navajo:** No [Go to Question 10]

**Pima:** Yes [Go to Question 9]

**Pinal:** Yes [Go to question 9]

**Santa Cruz:** Yes [Go to Question 9]

**Yavapai:** Yes [Go to Question 9]

**Yuma:** No [Go to Question 10]

Total Yes 11

Total No 3

**9. Explain what type of action your court takes against individuals who fail to respond to a jury summons.**

**Apache:** Judge Nelson

**Cochise:**

**Coconino:**

**Gila:** We send a letter asking them to let us know why they failed to appear. If they don't respond, we send their names to the presiding judge. Sometimes he meets with them, sometimes not.

**Graham:** A letter from the judge requests a reason for no showing. Person is then put back in the juror pool.

**Greenlee:** A small fine

**La Paz:** In rare absolute belligerent cases, we will request the Sheriff to deliver a summons to appear for the next trial. Haven't done so in a couple of years.

**Maricopa:** As a one-step court as described in 5a above, the answer submitted in number 7 above applies here as well.

**Mohave:** We summon them a second time and a third if necessary. After that no action is taken.

**Navajo:**

**Pima:** Mail post card directing them to contact the court

**Pinal:** Same as #8. We follow up with all FTA jurors by phone, if the juror cannot be reached by phone, we send a letter. If no response to the letter, the names are given to the judge.

**Santa Cruz:**

**Yavapai:** A firm letter is sent requesting them to contact the Jury Commissioner.

**Yuma:**

**10a. Does your court excuse jurors for any of the following reasons: (check all that apply).**

**Apache:** Financial Hardship, Attending School, Taking care of sick or disabled family, Physical, mental or emotional hardship, Felony Conviction, Prior jury service in another court within the

last year, Person engaged in research or development of national defense whose absence from work would create an emotional hardship, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**Cochise:** Financial Hardship, Lack of child care, Lack of Transportation, Attending School, Taking care of sick or disabled family, Physical, mental or emotional hardship, Felony Conviction, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service

**Coconino:** Lack of Transportation, Attending School, Taking care of sick or disabled family, Physical, mental or emotional hardship, Person who travels outside the county for work more than 50% of time, Felony Conviction, Prior jury service in another court within the last year, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**Gila:** Financial Hardship, Lack of child care, Lack of Transportation, Attending School, Taking care of sick or disabled family, Physical, mental or emotional hardship, Person who travels outside the county for work more than 50% of time, Felony Conviction, Prior jury service in another court within the last year, Person engaged in research or development of national defense whose absence from work would create an emotional hardship, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Person with specialized skills who is not readily replaceable, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**Graham:** Attending School, Taking care of sick or disabled family, Physical, mental or emotional hardship, Felony Conviction, Person engaged in research or development of national defense whose absence from work would create an emotional hardship, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**Greenlee:** Financial Hardship, Attending School, Taking care of sick or disabled family, Physical, mental or emotional hardship, Person who travels outside the county for work more than 50% of time, Felony Conviction, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**La Paz:**

**Maricopa:** Financial Hardship, Lack of child care, Lack of Transportation, Attending School, Taking care of sick or disabled family, Physical, mental or emotional hardship, Prior jury service in another court within the last year

**Mohave:** Financial Hardship, Lack of child care, Lack of Transportation, Attending School, Taking care of sick or disabled family, Physical, mental or emotional hardship, Person who travels outside the county for work more than 50% of time, Felony Conviction, Prior jury service in another court within the last year, Person engaged in research or development of national defense whose absence from work would create an emotional hardship, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Person with specialized skills who is not readily replaceable, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**Navajo:** Financial Hardship, Attending School, Taking care of sick or disabled family, Physical, mental or emotional hardship, Felony Conviction, Prior jury service in another court within the last year, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**Pima:** Financial Hardship, Lack of child care, Lack of Transportation, Taking care of sick or disabled family, Physical, mental or emotional hardship, Felony Conviction, Prior jury service in another court within the last year, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Person with specialized skills who is not readily replaceable, Is not currently capable of understanding the English language

**Pinal:** Financial hardship, Lack of child care, Lack of transportation, Attending school, Taking care of sick or disabled family member, Physical, mental, or emotional hardship, Person who travels outside the county for work more than 50% of time, Felony conviction, Person with specialized skills who is not readily replaceable, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service

**Santa Cruz:** Financial Hardship, Taking care of sick or disabled family, Physical, mental or emotional hardship, Felony Conviction, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service

**Yavapai:** Financial Hardship, Lack of child care, Lack of Transportation, Attending School, Taking care of sick or disabled family, Physical, mental or emotional hardship, Person who travels outside the county for work more than 50% of time, Felony Conviction, Prior jury service in another court within the last year, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**Yuma:** Financial Hardship, Lack of Transportation, Attending School, Taking care of sick or disabled family, Physical, mental or emotional hardship, Felony Conviction, Prior jury service in another court within the last year, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**10b. What other types of excuses are accepted?****Apache:**

**Cochise:** Mothers who breast feed newborn babies

**Coconino:**

**Gila:** Nursing mothers; school teachers or school employees during the school year

**Graham:** Will be out of the county for an extended period such as a planned vacation or business trip

**Greenlee:** Prior vacation plans for which reservations have been made

**La Paz:** All of the above can be categorized as a 'hardship' jurors are not excused, but postponed

**Maricopa:** Member of religion who has documentation showing doctrine of inability to judge other people as a trial juror

**Mohave:****Navajo:**

**Pima:** Work hardship, not tied to any particular profession Out of county, for any reason, not just work, for longer than 90 day postponement period, Deceased, Certified Peace Officer

**Pinal:**

**Santa Cruz:** Permanent medical conditions or disabilities

**Yavapai:****Yuma:****10c. Does your court require any supporting documentation before excusing jurors for any of the following reasons? (Check all that apply)**

**Apache:** Financial, Attending school, Taking care of sick or disable family member, Physical, mental, or emotional hardship, Felony conviction, Prior jury service in another court during the last year, Person engaged in research or development for national defense whose absence from work would create a hardship, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**Cochise:** Financial, Attending school, Person with specialized skills who is not readily replaceable, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients

**Coconino:** Lack of transportation, Attending school, Taking care of sick or disable family member, Physical, mental, or emotional hardship, Person who travels outside the county for work more than 50% of time, Prior jury service in another court during the last year, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**Gila:** Physical, mental, or emotional hardship, Person engaged in research or development for national defense whose absence from work would creat a hardship, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Person with

specialized skills who is not readily replaceable, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**Graham:** Attending school, Taking care of sick or disable family member, Physical, mental, or emotional hardship, Person who travels outside the county for work more than 50% of time

**Greenlee:** Taking care of sick or disable family member, Physical, mental, or emotional hardship, Person who travels outside the county for work more than 50% of time, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients

**La Paz:** Physical, mental, or emotional hardship

**Maricopa:** Financial, Physical, mental, or emotional hardship, Prior jury service in another court during the last year, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients

**Mohave:** Taking care of sick or disable family member, Physical, mental, or emotional hardship

**Navajo:** Taking care of sick or disable family member, Physical, mental, or emotional hardship, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship

**Pima:** Financial, Lack of child care, Taking care of sick or disable family member, Physical, mental, or emotional hardship, Is not currently capable of understanding the English language

**Pinal:** Financial hardship, Lack of child care, Lack of transportation, Attending school, Taking care of sick or disabled family member, Physical, mental, or emotional hardship, Person who travels outside the county for work more than 50% of time, Felony conviction, Person with specialized skills who is not readily replaceable, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients, Person of advanced age who would be unable to perform jury service

**Santa Cruz:** Physical, mental, or emotional hardship, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Professional who cannot be replaced at work and whose absence would adversely impact patients or clients

**Yavapai:** Financial, Lack of child care, Lack of transportation, Attending school, Taking care of sick or disable family member, Physical, mental, or emotional hardship, Person who travels outside the county for work more than 50% of time, Felony conviction, Prior jury service in another court during the last year, Person engaged in federal, state, or local law enforcement whose absence from work would create a hardship, Person of advanced age who would be unable to perform jury service, Is not currently capable of understanding the English language

**Yuma:** Attending school, Taking care of sick or disable family member, Physical, mental, or emotional hardship

**11. Does your court collect any of the following jury utilization statistics: (check all that apply)**

**Apache:** Total cost per trial

**Cochise:** Number of questionnaires sent, Number of questionnaires returned undeliverable, Number of questionnaires completed and returned, Number of jurors excused based upon qualifying questionnaire response, Number of jurors summoned, Number of summoned jurors

excused, Number of juror no-shows, Number of jurors per panel, Length of voir dire, Number of sworn jurors, Total cost per trial, Number of days served per juror, Total cost per juror

**Coconino:** Number of questionnaires sent, Number of questionnaires returned undeliverable, Number of questionnaires completed and returned, Number of jurors excused based upon qualifying questionnaire response, Number of jurors summoned, Number of summoned jurors excused, Number of summoned jurors excused and why, Number of juror no-shows, Number of jurors per panel, Number of challenges for cause per panel, Number of peremptory challenges per panel, Length of voir dire, Number of sworn jurors, Total cost per trial, Number of days served per juror, Total cost per juror

**Gila:** Total cost per trial, Number of days served per juror

**Graham:**

**Greenlee:** Number of questionnaires sent, Number of questionnaires returned undeliverable, Number of questionnaires completed and returned

**La Paz:** Number of questionnaires sent, Number of questionnaires returned undeliverable, Number of questionnaires completed and returned, Number of jurors excused based upon qualifying questionnaire response and why, Number of jurors summoned, Number of summoned jurors excused, Number of summoned jurors excused and why, Number of juror no-shows, Number of jurors per panel, Number of peremptory challenges per panel, Length of voir dire, Number of sworn jurors, Total cost per trial, Number of days served per juror, Total cost per juror

**Maricopa:** Number of questionnaires sent, Number of questionnaires returned undeliverable, Number of questionnaires completed and returned, Number of jurors excused based upon qualifying questionnaire response, Number of jurors excused based upon qualifying questionnaire response and why, Number of jurors summoned, Number of summoned jurors excused, Number of summoned jurors excused and why, Number of juror no-shows, Number of jurors per panel, Length of voir dire, Number of sworn jurors, Total cost per trial, Number of days served per juror, Total cost per juror

**Mohave:** Number of jurors summoned, Number of juror no-shows, Number of jurors per panel, Number of challenges for cause per panel, Number of peremptory challenges per panel, Number of sworn jurors

**Navajo:**

**Pima:** Number of questionnaires sent, Number of questionnaires returned undeliverable, Number of questionnaires completed and returned, Number of jurors excused based upon qualifying questionnaire response and why, Number of jurors summoned, Number of summoned jurors excused, Number of summoned jurors excused and why, Number of juror no-shows, Number of jurors per panel, Number of challenges for cause per panel, Number of peremptory challenges per panel, Length of voir dire, Number of sworn jurors, Total cost per trial, Number of days served per juror, Total cost per juror

**Pinal:** Number of questionnaires returned undeliverable, Number of questionnaires completed and returned, Number of jurors excused based upon qualifying questionnaire response, Number of jurors excused based upon qualifying questionnaire response and why, Number of jurors summoned, Number of summoned jurors excused, Number of summoned jurors excused and why, Number of juror no-shows, Number of jurors per panel, Number of challenges for cause per

panel, Number of peremptory challenges per panel, Length of voir dire, Number of sworn jurors, Total cost per trial, Number of days served per juror, Total cost per juror

**Santa Cruz:** Number of questionnaires sent, Number of questionnaires returned undeliverable, Number of questionnaires completed and returned, Number of jurors excused based upon qualifying questionnaire response, Number of jurors excused based upon qualifying questionnaire response and why, Number of jurors summoned, Number of summoned jurors excused and why, Number of juror no-shows, Number of jurors per panel, Number of challenges for cause per panel, Number of peremptory challenges per panel, Number of sworn jurors, Total cost per trial, Number of days served per juror, Total cost per juror

**Yavapai:** Number of questionnaires sent, Number of questionnaires returned undeliverable, Number of questionnaires completed and returned, Number of jurors excused based upon qualifying questionnaire response, Number of jurors excused based upon qualifying questionnaire response and why, Number of jurors summoned, Number of juror no-shows, Number of jurors per panel, Number of challenges for cause per panel, Number of peremptory challenges per panel, Length of voir dire, Number of sworn jurors, Total cost per trial, Number of days served per juror, Total cost per juror

**Yuma:** Number of questionnaires sent, Number of questionnaires returned undeliverable, Number of questionnaires completed and returned, Number of jurors excused based upon qualifying questionnaire response, Number of jurors excused based upon qualifying questionnaire response and why

**12. Please list any other types of juror utilization statistics that are collected by your court.**

**Apache:** I am unsure the exact information on the stat reports. We have just started having jury trials this year and I am not completely familiar with the Jury+ Next Gen reports. Can provide more information at a later date

**Cochise:**

**Coconino:**

**Gila:** Number of criminal and civil trials by month

**Graham:**

**Greenlee:**

**La Paz:**

**Maricopa:** Panels sent to courtrooms each day divided by the number of panels requested by judges on same day.

**Mohave:** Total cost per case in Civil trials

**Navajo:**

**Pima:** Number of jurors not reached, not called into the jury box during voir dire

**Pinal:**

**Santa Cruz:**

**Yavapai:**

**Yuma:**

**13. In courts with more than one judge, does your court coordinate calendars so jury trial start times are staggered?**

<b>Apache:</b>	<b>Graham:</b> No	<b>Mohave:</b> No	<b>Santa Cruz:</b> Yes
<b>Cochise:</b> No	<b>Greenlee:</b>	<b>Navajo:</b> No	<b>Yavapai:</b> No
<b>Coconino:</b> No	<b>La Paz:</b>	<b>Pima:</b> Yes	<b>Yuma:</b> Yes
<b>Gila:</b> No	<b>Maricopa:</b> No	<b>Pinal:</b> No	

Total Yes 3 Total No 9

**14. Does your court use either of the following standby juror systems? (Check all that apply)**

**Apache:**  
**Cochise:** Jurors call the court (live person or answering device), Jurors check the court's web-site  
**Coconino:** Jurors call the court (live person or answering device)  
**Gila:** Jurors call the court (live person or answering device)  
**Graham**  
**Greenlee:** Jurors call the court (live person or answering device), Court calls the jurors  
**La Paz:**  
**Maricopa:** Jurors call the court (live person or answering device)  
**Mohave:** Jurors call the court (live person or answering device)  
**Navajo:** Jurors call the court (live person or answering device), Court calls the jurors  
**Pima:** Jurors call the court (live person or answering device), Jurors check the court's web-site  
**Pinal:**  
**Santa Cruz:** Court calls the jurors  
**Yavapai:** Jurors call the court (live person or answering device), Jurors check the court's web-site  
**Yuma:** Court calls the jurors

Jurors call the court 9 Jurors check the website 3 Court calls the Juror 4

**15. Using the following definition as stated in recently amended Arizona Revised Statutes section 21-336.01 (Chapter 200; House Bill 2520), does your court have a One Day/One Trial jury system?**

<b>Apache:</b> Yes	<b>Graham:</b> Yes	<b>Mohave:</b> Yes	<b>Santa Cruz:</b> Yes
<b>Cochise:</b> No	<b>Greenlee:</b> No	<b>Navajo:</b> No	<b>Yavapai:</b> Yes
<b>Coconino:</b> Yes	<b>La Paz:</b> Yes	<b>Pima:</b> Yes	<b>Yuma:</b> Yes
<b>Gila:</b> Yes	<b>Maricopa:</b> Yes	<b>Pinal:</b> Yes	

Total Yes 12 Total No 3

**16. If you do not have a One-Day/One-Trial, for what period of time are summoned jurors asked to be available for jury service?**

**Apache:**

**Cochise:** We only call back jurors who were not selected on a panel at the end of the 6 month term if we run out of jurors

**Coconino:**

**Gila:** We just started first of September, 2003

**Graham:**

**Greenlee:**

**La Paz:**

**Maricopa:**

**Mohave:**

**Navajo:** three months

**Pima:**

**Pinal:**

**Santa Cruz:**

**Yavapai:**

**Yuma:**

**17a. Do you use any of the following techniques to orient jurors to their duties? (Check all that apply)**

**Apache:**

**Cochise:**

**Coconino:** Present jury handbook to jurors when they arrive at courthouse for jury service, Use some type of juror orientation video

**Gila:** Present jury handbook to jurors when they arrive at courthouse for jury service

**Graham:**

**Greenlee:** Provide a live presentation by the judge

**La Paz:** Provide a live presentation by the jury commissioner or other staff member, Use some type of juror orientation video

**Maricopa:** Present jury handbook to jurors when they arrive at courthouse for jury service, Provide a live presentation by the jury commissioner or other staff member

**Mohave:** Provide a live presentation by the jury commissioner or other staff member

**Navajo:**

**Pima:** Present jury handbook to jurors when they arrive at courthouse for jury service, Provide a live presentation by the jury commissioner or other staff member, Use some type of juror orientation video

**Pinal:** Present jury handbook to jurors when they arrive at courthouse for jury service, Provide a live presentation by the jury commissioner or other staff member

**Santa Cruz:** Provide a live presentation by the jury commissioner or other staff member, Use some type of juror orientation video, Other [Go to question 17b]

**Yavapai:** Provide a live presentation by the jury commissioner or other staff member, Use some type of juror orientation video

**Yuma:**

**17b. Please list any additional techniques.**

**Apache:**

**Cochise:**

**Coconino:**

**Gila :**

**Graham:**

**Greenlee:**

**La Paz:**

**Maricopa:**

**Mohave:**

**Navajo:**

**Pima:**

**Pinal:**

**Santa Cruz:** We provide jurors with information as to their duties by handing out lists of answers to frequently asked questions.

**Yavapai:**

**Yuma:**

**18b. Please check any of the following offered to jurors in your court: (check all that apply)**

**Apache:** Deliberation room, Vending machines, I.D. badges, Phones

**Cochise:** Deliberation room, Vending machines

**Coconino:** Jury assembly room, Deliberation room, Vending machines, I.D. badges, Reading rooms, Reading materials, Juror appreciation certificates, Cable

**Gila :** Deliberation room, Vending machines, I.D. badges

**Graham:** Deliberation room, Vending machines, I.D. badges, Phones, Juror appreciation certificates

**Greenlee:** Jury assembly room, Deliberation room, Vending machines, I.D. badges, Designated or reserved parking

**La Paz:** Deliberation room, Vending machines, Juror appreciation certificates

**Maricopa:** Jury assembly room, Deliberation room, Vending machines, I.D. badges, Reading rooms, Reading materials, Phones, Designated or reserved parking, Bus passes, Cable

**Mohave:** Vending machines, I.D. badges, Reading materials

**Navajo:** Deliberation room, Vending machines, I.D. badges, Juror appreciation certificates

**Pima:** Jury assembly room, Deliberation room, Vending machines, I.D. badges, Reading materials, Phones, computer terminals/web access, Cable

**Pinal:** Jury assembly room, Deliberation room, Vending machines, I.D. badges, Reading materials, Phones, Designated or reserved parking, Computer terminals/web access,

**Santa Cruz:** Jury assembly room, Deliberation room, I.D. badges, Designated or reserved parking, Cable

**Yavapai:** Jury assembly room, Deliberation room, Vending machines, I.D. badges, Reading materials, Phones, Designated or reserved parking, Cable

**Yuma:** Deliberation room, Vending machines, I.D. badges, Juror appreciation certificates

**19. Does your court ask jurors to complete a written juror exit survey?**

**Apache:** No

**Cochise:** No

**Coconino:** Yes

**Gila :** Yes

**Graham:** No

**Greenlee:** No

**La Paz:** No

**Maricopa:** Yes

**Mohave:** No

**Navajo:** No

**Pima:** No

**Pinal:** Yes

**Santa Cruz:** Yes

**Yavapai:** No

**Yuma:** Yes

Total Yes 6

Total No 9

Court: Maricopa Superior Court  
Date: September 18, 2003  
Name: Bob James

**JURY COMMISSIONER VISITS  
INTERVIEW QUESTIONS**

- 1. What particular aspects of your jury management system are you particularly proud of?**

Public survey ratings of court staff is very high.  
Ability to handle high volume of trials; seven grand juries; two state grand juries; 23 justice courts; and 11 municipal courts.

- 2. How often do you perform the merge/purge process?**

Twice per year.

- 3. Do you use the one-step or two-step method of juror qualification and summoning? Why?**

One step.  
They send qualification/summons letter out 6-8 weeks before trial.  
Juror profile information is completed by juror when they report. Copies are sent to the courtroom for attorney use.

- 4. What types of forms do you use for qualification and summoning? Can I get a copy of your forms and any cost estimates per form?**

Qualification/summons form legal size form.  
Return envelope is provided (no postage).  
Post card is sent back to juror if excused, disqualified, or postponed.  
Jury affidavit part of qualification/summons form is scan-troned for statistical purposes.  
Biographical form is a three part form (NCR).

- 5. What is your impression of your current juror excusal policy? Can I get a copy?**

Current policy is fair, ethical, and practical.

**6. How do you conduct juror orientation on the first day of service?**

Upon check-in a juror orientation video is shown.  
Supplemental script is given by court staff (i.e. basic info).  
Wants to provide wireless Internet access.  
Wants to provide free coffee/donuts or some sort of voucher system for the cafeteria.

**7. Do you currently use a one-day/one-trial system?**

Yes. Date certain system. If not sworn on the date certain they will not be summoned again for 18 months.  
If sworn, they will not be summoned again for two years.

**8. Do you currently use a juror exit survey? Can I get a copy?**

Yes. Did not get a copy.

**9. What other types of jury improvement techniques have you considered adopting?**

Food for jurors.  
Ethnicity questions on summons form.  
Jury challenge issues.

Court: Pima County Superior Court  
Date: October 10, 2003  
Name: Kathy Brauer, Jury Commissioner

**JURY COMMISSIONER VISITS  
INTERVIEW QUESTIONS**

**1. What particular aspects of your jury management system are you particularly proud of?**

Established guidelines for panel sizes.  
Established guidelines for best practices for jury management.  
Stagger jury trial starts to better utilize jurors.  
Good statistical management reports are given to the bench.  
Jury + report # R148 is used to summarize jury panel usage data for the judges.  
Jury badge is included in summons, and then once the juror reports they are given a plastic sleeve.  
Computers in jury assembly room have internet access.  
Excellent customer service  
Most popular video-Sandlot  
Jurors can only watch national news on tv's (no soaps or talk shows)

**2. How often do you perform the merge/purge process?**

Twice per year pursuant to statute.

**3. Do you use the one-step or two-step method of juror qualification and summoning? Why?**

One-step. Qualification/summons is sent four weeks before trial.  
Two-step process is used for grand jurors.  
Biographical information is completed on a form prior to being sent to court room. This info. is never input into system. Sees this as a waste of clerical time.  
Since they always are certain to have jury trials every week, the one-step method makes more sense for them.

**4. What types of forms do you use for qualification and summoning? Can I get a copy of your forms and any cost estimates per form?**

Qualification/summons form \$.25 per form (bar code on form)  
Biographical form \$.30 per form (multi-part form)  
Current policy is fair, ethical, and practical.

**5. How do you conduct juror orientation on the first day of service?**

Upon check-in a juror orientation video is shown.  
Supplemental script is given by court staff(i.e. basic info.)

**6. Do you currently use a one-day/one-trial system?**

Yes. Date certain system. If not sworn on the date certain they will not be summoned again for 18 months.  
If sworn, they will not be summoned again for two years.

**7. Do you currently use a juror exit survey? Can I get a copy?**

Yes. Did not get a copy.

**8. What other types of jury improvement techniques have you considered adopting?**

Food for jurors.  
Ethnicity questions on summons form(see attached summons for U.S. District Court.)  
Jury challenge issues.

Court: Pinal County Superior Court  
 Date: October 15, 2003  
 Name: Norma Cruz

### **JURY COMMISSIONER VISITS INTERVIEW QUESTIONS**

**1. What particular aspects of your jury management system are you particularly proud of?**

All jurors receive a check for mileage before they leave the courthouse. This takes about ten extra minutes to process for each panel. This also saves on postage.  
 Treat jurors very well even though they currently have facility limitations.  
 Manage jurors very well. Jurors are pooled each day, and then panels are sent to courtrooms on days when there are more than one trial.  
 Jury staff love their jobs.  
 Pinal County is recognized as a leader in effective jury management in AZ.  
 Other counties have copied their forms.  
 NCSC performed a court audit, and rated jury operations very high.  
 Judicial staff complete a trial panel sheet which provides the information to generate form R110.  
 Courtroom clerk completes form jury activity in courtroom.  
 Form R115 is completed by courtroom clerk.

**2. How often do you perform the merge/purge process?**

Two times per year.

**3. Do you use the one-step or two-step method of juror qualification and summoning? Why?**

Two step process. Norma does not think Pinal has enough trials to do one step.  
 She did state that she would be considering changing to the one-step process fairly soon.  
 They qualify jurors twice per year. 12k folks are sent qualification forms twice per year(24k annual total).  
 Breakdown of 12 qualification letters:  
     4k qualified  
     2k undeliverable  
     1.5 no response  
     4.5 unqualified  
 Takes approx. 30 seconds to process qualification form.  
 A second notice is sent to folks who do not return their qualification notice. About 50% response rate from this letter.  
 Postcard is sent to jurors if they are excused.  
 Biographical form is completed upon appearance at courthouse.  
 About 24% of folks fail to appear after being summoned.  
 FTA letter is sent to folks who fail to appear after being summoned. This letter is very effective (approx. 40% success rate).

**4. What types of forms do you use for qualification and summoning? Can I get a copy of your forms and any cost estimates per form?**

A Calif. vendor is used to print and send out jury qualification letters twice per year.  
Approx. cost is \$7k per year.  
Summonses are sent weekly by court staff.  
Pinal conducts about 30 trials per year.

**5. What is your impression of your current juror excusal policy? Can I get a copy?**

Very firm policy. Only excused for a medical reason, do not live in county, physician or professional in small remote area, non-citizen, felon, age. All of the above except non-citizen and felon need to submit written documentation to be excused.  
Jurors can be postponed one time, after that it is very difficult to be postponed.

**6. How do you conduct juror orientation on the first day of service?**

Jury staff conducts a thirty minute orientation speech.  
A juror handbook is provided at check-in.  
Developing a power point presentation for orientation which will be used when they move into their new facility.

**7. Do you currently use a one-day/one-trial system?**

Yes. Their current term is six months. If you report for jury duty (sworn or not), their term of jury duty is fulfilled.

**8. Do you currently use a juror exit survey? Can I get a copy?**

Yes. The survey is placed into the envelope with the mileage/per diem check.  
Approx. 33% of jurors return survey.

**9. What other types of jury improvement techniques have you considered adopting?**

Two-step to one-step qualification/summon process.  
Creating a power point presentation for jury orientation.  
Developing a jury challenge manual.  
Check jurors in using bar code technology.  
Implement Jury+ Next Generation in December, 2003.  
Increase recognition for jurors. Thank you letter in newspaper, donuts and coffee, etc.  
Obtain judicial approval to establish uniform panel sizes for jurors.

**COCONINO COUNTY  
CLERK OF SUPERIOR COURT**  
200 N. San Francisco St. • Flagstaff, AZ 86001-4629  
**JUROR QUESTIONNAIRE**

**PLEASE SHOW ANY CHANGE OF NAME OR ADDRESS BELOW:**

Last \_\_\_\_\_ First \_\_\_\_\_ Middle \_\_\_\_\_  
Street/PO Box \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

.....

Age \_\_\_\_\_ Home/Msg Phone \_\_\_\_\_ Work Phone \_\_\_\_\_  
Ext \_\_\_\_\_  
Marital Status \_\_\_\_\_ (M-Married, S-Single, D-Divorced, P-Separated, W-Widowed)  
Employment \_\_\_\_\_ (E-Employed, S-Self Employed, R-Retired, U- Unemployed)  
Occupation \_\_\_\_\_ Employer \_\_\_\_\_  
Previous Occupation \_\_\_\_\_  
Business Address \_\_\_\_\_ City \_\_\_\_\_ No of years \_\_\_\_\_  
Years in Arizona \_\_\_\_\_ County of Residence \_\_\_\_\_ No of years \_\_\_\_\_  
Own Property? \_\_\_\_\_ No of Children \_\_\_\_\_ Ages \_\_\_\_\_

Spouse's Name \_\_\_\_\_ Occupation \_\_\_\_\_  
Employer \_\_\_\_\_ Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Years of Education \_\_\_\_\_ Law Courses? \_\_\_\_\_ How Many \_\_\_\_\_  
Law Enforcement Experience? \_\_\_\_\_ Years \_\_\_\_\_  
Prior jury duty \_\_\_\_\_ Type of case \_\_\_\_\_ (1-Civil, 2-Criminal, 3-Both)

**PLEASE COMPLETE AND  
RETURN WITHIN 10 DAYS**

This questionnaire will be used to qualify jurors for future jury pool

**I REQUEST TO BE EXCUSED FROM JURY SERVICE BECAUSE:**

- I am a full time student (provide schedule)
- I am not a citizen of the United States
- I am not 18 years of age or older
- I am not a resident of Coconino County
- I have been convicted of a felony and my civil rights have not restored
- I have no transportation and cannot arrange for transportation
- I must care for children/dependents between 8 AM and 5 PM daily
- I am medically unable (doctor's statement must be enclosed)
- Other, Please explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I CERTIFY ( OR DECLARE) UNDER PENALTY OF LAW  
THAT THE FOREGOING IS TRUE AND CORRECT.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Prospective Juror

**PLEASE COMPLETE AND RETURN WITHIN 10 DAYS**  
Clerk of Superior Court/Jury Commissioner  
200 N. San Francisco St.  
Flagstaff, AZ 86001-4629  
928-779-6651 or 866-221-2717

**COCONINO COUNTY**  
**CLERK OF SUPERIOR COURT**  
200 N. SAN FRANCISCO ST.  
FLAGSTAFF ARIZONA 86001-4629  
DEBORAH YOUNG, CLERK OF SUPERIOR COURT  
JANIE O'NEAL, ASSOCIATE CLERK  
928-779-6535

OCTOBER 20, 2003

PO BOX 520  
GRAND CANYON AZ, 86023

ID. #230001755

Dear Juror,

We have received your request to be excused from Jury Service. This office has excused you for the reasons you have given.

Sincerely,  
DEBORAH YOUNG  
Clerk of Superior Court  
Jury Commissioner

by: \_\_\_\_\_  
Darla Rouse  
Deputy Clerk

**COCONINO COUNTY**  
**CLERK OF SUPERIOR COURT**  
200 N. SAN FRANCISCO ST.  
FLAGSTAFF ARIZONA 86001-4629  
DEBORAH YOUNG, CLERK OF SUPERIOR COURT  
JANIE O'NEAL, ASSOCIATE CLERK  
928-779-6535

OCTOBER 20, 2003

PO BOX 31410  
FLAGSTAFF AZ, 86003

ID #230002336

Dear Juror,

We have received your request and have deferred your Jury Service to the jury draw beginning on October 1, 2003. You will receive a notice at that time.

Sincerely,

DEBORAH YOUNG  
Clerk of Superior Court  
Jury Commissioner

by: \_\_\_\_\_  
Darla Rouse  
Deputy Clerk

**COCONINO COUNTY**  
**CLERK OF SUPERIOR COURT**  
200 N. SAN FRANCISCO ST.  
FLAGSTAFF, AZ 86001-4629  
DEBORAH YOUNG, CLERK OF SUPERIOR COUR  
JANIE O'NEAL, ASSOCIATE CLERK  
928-779-6535

**THE STATE OF ARIZONA TO:**

DEAR PROSPECTIVE JUROR:

YOUR NAME HAS BEEN DRAWN FOR SERVICE AS A TRIAL JUROR IN SUPERIOR COURT AND JUSTICE COURT. BEGINNING OCTOBER 1, 2003, YOU WILL BE SUBJECT TO SUMMONS BY MAIL AT THE ADDRESS PROVIDED ON YOUR QUESTIONNAIRE. DO NOT REPORT ON OCTOBER 1, 2003 - - PLEASE WAIT UNTIL YOU ARE SUMMONED BY LETTER.

**PRIOR TO RECIEVING A SUMMONS FOR JURY DUTY, PLEASE REPORT ANY PLANNED VACATIONS OR OUT OF TOWN TRIPS IMMEDIATELY UPON KNOWLEDGE OF YOUR PLANS BY CALLING 779-6651 AND LEAVING YOUR NAME, ID# AND A MESSAGE OR BY MAIL.** ALSO PLEASE REPORT ANY ADDRESS OR TELEPHONE NUMBER CHANGES.

YOUR TERM OF SERVICE EXTENDS OVER A PERIOD OF 90 DAYS. SINCE NAMES ARE DRAWN AT RANDOM, IT IS IMPOSSIBLE TO PREDICT EXACTLY WHEN OR WHEN OR HOW FREQUENTLY YOU WILL BE CALLED. LETTERS ARE USUALLY MAILED ONE WEEK BEFORE THE TRIAL.

WHEN SUMMONED TO APPEAR FOR A PARTICULAR TRIAL, JURORS RESIDING IN OUTLYING AREAS OF COCONINO COUNTY WHERE EXTENSIVE TRAVEL IS INVOLVED ARE ASKED TO COME PREPARED TO STAY OVERNIGHT IN FLAGSTAFF. SHOULD YOU BE SELECTED TO SERVE, LODGING WILL BE PAID FOR BY THE COUNTY.

WE HOPE THAT JURY SERVICE WILL NOT IMPOSE A HARDSHIP, BUT THE RIGHT TO TRIAL BY JURY IS ONE OF THE FUNDAMENTAL AMERICAN PRINCIPLES GUARANTEED BY OUR CONSTITUTION. I ASSURE YOU THAT THIS OFFICE WILL MAKE EVERY EFFORT TO MAKE YOUR SERVICE AS PLEASANT AS POSSIBLE.

SINCERELY,

---

DEBORAH YOUNG  
CLERK OF SUPERIOR COURT  
JURY COMMISSIONER

**COCONINO COUNTY  
CLERK OF SUPERIOR COURT**  
200 N. SAN FRANCISCO ST.  
FLAGSTAFF, AZ 86001-4629  
DEBORAH YOUNG, CLERK OF SUPERIOR COURT  
JANIE O'NEAL, ASSOCIATE CLERK  
928-779-6535

**August 26, 2003**

**THE STATE OF ARIZONA TO:**

SUMMONS TO TRIAL JURY SERVICE:

YOUR NAME HAS BEEN DRAWN FOR JURY SELECTION. YOU ARE HEREBY SUMMONED AND REQUIRED TO APPEAR FOR **SUPERIOR COURT IN DIVISION 3 ON TUESDAY, SEPTEMBER 02, 2003, AT THE HOUR OF 01:30 P.M.**

**LOCATION: COCONINO COUNTY COURTHOUSE  
200 N. SAN FRANCISCO ST.  
FLAGSTAFF, AZ 86001**

**PLEASE REPORT TO THE JURY ASSEMBLY ROOM ON THE LOWER LEVEL OF THE COURTHOUSE.**

**PLEASE CALL 779-6651 OR OUR TOLL FREE NUMBER (866) 221-2717 AFTER 5:00 P.M. THE NIGHT BEFORE YOUR REPORT DATE TO MAKE SURE THAT THE TRIAL HAS NOT BEEN CANCELED AND THAT YOU WILL NEED TO REPORT AS INDICATED ABOVE.**

TO ENSURE PROPER PAYMENT FOR YOUR SERVICE, PLEASE BRING THIS LETTER WITH YOU WHEN YOU REPORT.

THANK YOU FOR YOUR COOPERATION IN THIS MATTER.

---

DEBORAH YOUNG  
CLERK OF SUPERIOR COURT  
JURY COMMISSIONER

**WILLFUL FAILURE TO COMPLY WITH THIS SUMMONS MAY SUBJECT YOU TO CONTEMPT OF COURT.**

August 22, 2003

Name of Judge: Charles Adams

**JUDICIAL INTERVIEW QUESTIONS RE.  
JURY MANAGEMENT**

1. **How satisfied are you with the current jury management system? Any initial observations that could improve our jury system?**  
  
Satisfied.  
Increasing the willingness of citizens to serve.
2. **How satisfied were you with the number of jurors provided for voir dire during your trials?**  
  
Yes.  
Concerned about the number of no-shows and no consequences being taken.
3. **Are you satisfied with the current level of juror orientation given to jurors?**  
  
More information needs to be given on jury summons(i.e. dress code; may have to stay overnight if selected and county will pay.)
4. **Are you satisfied with the courts current juror excusal policy (copy attached) which was developed in 1992?**  
  
Just became aware of a short time ago.  
No problems so far.  
??Are clerks keeping a record of why excuses were given (any documentation)
5. **Overall, how satisfied are you with the Coconino County Superior Court jury selection process(i.e. length of voir dire permitted, method of voir dire employed, use of questionnaires, etc.)?**  
  
Satisfied.
6. **Do you use the “struck” or the “strike and replace” method of jury selection? Why?**  
  
Strike and replace.  
Quicker process.  
Easier for attorneys to keep track of answers from jurors.  
Quality of voir dire is better.  
Does ask if any jurors would be inconvenienced by serving to entire panel.
7. **Is basic information(e.g. age, gender, occupation) regarding the juror given to the attorneys prior to the commencement of voir dire?**  
  
Not sure.  
This should be given to attorneys a couple days before trial.  
Clerks willingness to provide?  
Lawyer friendly practice to give info. ahead of trial.
8. **Who conducts the voir dire in your court ( judge, attorneys, or both)?**  
  
Judge conducts basic voir dire first.  
Attorneys follow-up with questions.
9. **Do you think jurors would be more satisfied with the one-day/one trial term versus our current 90 day term?**  
  
No opinion.

**10. What do you think would be the advantages and disadvantages to a one-day/one trial system?**

No opinion.

**11. Do you think the court should follow-up on citizens who do not respond to the qualification letter or summons?**

Yes.

Follow-up letter.

Cannot envision an elected judge sending someone to jail for non-compliance.

**12. Do you use a lengthy juror questionnaire for complex trials? If so, do you have any ideas how this process can be streamlined?**

Yes.

Attorneys need to prepare questionnaire well in advance of trial.

Preparation ahead of time reduces jury waiting time later.

Bring back jurors in separate groups for individual voir dire.

Alphabetize questionnaire.

While conducting individual voir dire in chambers if you get enough jurors that can serve then you excuse the rest without even doing individual voir dire on them.

**13. What are the typical reasons jurors are challenged for cause?**

Cannot be fair and impartial

Victims.

Families

Law enforcement experience.

Hardships (mostly financial)

**14. It is my understanding that most attorneys use their maximum number of peremptory challenges. Why?**

Way it has always been done.

**15. I know some courts have coordinated division calendars to stagger jury trial start times to better utilize jurors. Do you think this idea is feasible for our court?**

Feasible yes, preferred no.

**16. Are you satisfied with our current jury exit survey (copy attached)? Any ideas for improvement?**

Yes.

**17. Is there anything the attorneys do that makes the jury trial process inefficient?**

Lack of being prepared.

**18. Is there any aspect of the jury trial process that we could do better?**

Communicate to citizens better on benefits of jury service (possibly PSA's)

Create a better environment so jurors appreciate the value of the jury system.

More information on summons form.

August 13, 2003

Name of Judge: H. Jeffrey Coker

**JUDICIAL INTERVIEW QUESTIONS RE.  
JURY MANAGEMENT**

1. **How satisfied are you with the current jury management system? Any initial observations that could improve our jury system?**  
  
Concern over how statistics are gathered. Not sure whether no-show rate is being calculated correctly.  
Concern over no-shows  
Juries need to be more reflective of our community  
Jurors who show up do a great job.
2. **How satisfied were you with the number of jurors provided for voir dire during your trials?**  
  
Very satisfied.  
Would like to have better statistics regarding panel sizes
3. **Are you satisfied with the current level of juror orientation given to jurors?**  
  
Presiding judge or another judge should conduct initial orientation in jury assembly room rather than a bailiff.  
New juror orientation video is good.
4. **Are you satisfied with the courts current juror excusal policy (copy attached) which was developed in 1992?**  
  
Satisfied with the excusal policy if term remains at 90 days.  
Should be reviewed and possible firmed up if term is decreased.
5. **Overall, how satisfied are you with the Coconino County Superior Court jury selection process(i.e. length of voir dire permitted, method of voir dire employed, use of questionnaires, etc.)?**  
  
Very satisfied with current process.
6. **Do you use the “struck” or the “strike and replace” method of jury selection? Why?**  
  
Struck and replace system.  
Believes the struck system would be too time consuming.
7. **Is basic information (e.g. age, gender, occupation) regarding the juror given to the attorneys prior to the commencement of voir dire?**  
  
Yes. Believes basic information is very important for the attorneys to have.  
Attorneys were concerned at one point that the clerks office refused to provide the basic juror information.
8. **Who conducts the voir dire in your court ( judge, attorneys, or both)?**  
  
Conducts voir dire himself for all the basic questions.  
Attorneys can ask any follow-up detailed questions of individual jurors.
9. **Do you think jurors would be more satisfied with the one-day/one trial term versus are current 90 day term?**  
  
Yes.  
Concerned about having enough jurors.

**10. What do you think would be the advantages and disadvantages to a one-day/one trial system?**

Better for jurors  
 May increase representativeness  
 Concerned about getting enough jurors.

**11. Do you think the court should follow-up on citizens who do not respond to the qualification letter or summons?**

Yes. Court should follow-up with a firm letter.

**12. Do you use a lengthy juror questionnaire for complex trials? If so, do you have any ideas how this process can be streamlined?**

Not anymore.  
 Used to use but will never use it anymore (disadvantages outweigh the advantages)  
 If judges did use questionnaire, it could possibly be mailed in advance to expedite the process.

**13. What are the typical reasons jurors are challenged for cause?**

Bias(for or against) based upon previous experiences.

**14. It is my understanding that most attorneys use their maximum number of peremptory challenges. Why?**

Concerned about complaints re. ineffective counsel.  
 Need to get the jurors who are being voir dired down to the trial size (typically 22 jurors are voir dired for a eight person panel (eight jurors, twelve peremptories, and two alternates.)  
 Panel must be passed for cause prior to attorneys using their peremptory challenges. If all peremptory challenges were not used, there would be too many jurors in the jury box.

**15. I know some courts have coordinated division calendars to stagger jury trial start times to better utilize jurors. Do you think this idea is feasible for our court?**

This would certainly utilize jurors better.  
 May increase juror costs since staggered trials which start on Tues. afternoon may not finish by Friday.  
 Would need great calendar coordination than currently exists.

**16. Are you satisfied with our current jury exit survey(copy attached)? Any ideas for improvement?**

Yes.

**17. What jury management system improvements would you like to see?**

Presiding judge or another judge should greet jurors at orientation.  
 Jury pay should be increased  
 Increase public education (PSA's)  
 Judges should not accept last minute pleading which make the jurors wait longer periods of time before the trial commences.  
 Maintain our effective caseload management system so cases do not plead on day of trial.

August 21, 2003

Name of Judge: Danna Hendrix

**JUDICIAL INTERVIEW QUESTIONS RE.  
JURY MANAGEMENT**

1. **How satisfied are you with the current jury management system? Any initial observations that could improve our jury system?**  
 Very pleased.  
 Selection process had a glitch for awhile. Sworn jurors were being called back to serve.
2. **How satisfied were you with the number of jurors provided for voir dire during your trials?**  
 Very satisfied.
3. **Are you satisfied with the current level of juror orientation given to jurors?**  
 Yes I am now since we have our new jury assembly room and jury video tape which orients jurors.  
 Showing jurors movies would be ok if they are of a general nature (should not show videos which depict violence, alcohol and drug abuse, etc).
4. **Are you satisfied with the courts current juror excusal policy (copy attached) which was developed in 1992?**  
 Yes.
5. **Overall, how satisfied are you with the Coconino County Superior Court jury selection process(i.e. length of voir dire permitted, method of voir dire employed, use of questionnaires, etc.)?**  
 I like the method we currently use.  
 If I use a lengthy questionnaire I would streamline the process.
6. **Do you use the “struck” or the “strike and replace” method of jury selection? Why?**  
 I use the strike and replace. The struck method would get more jurors involved but would be time consuming.  
 Psychologically it seems to give the jurors who are not chosen for voir dire more desire to want to serve.
7. **Is basic information (e.g. age, gender, occupation) regarding the juror given to the attorneys prior to the commencement of voir dire?**  
 Yes.
8. **Who conducts the voir dire in your court ( judge, attorneys, or both)?**  
 I conduct the initial voir dire, and the attorneys follow-up with questions. Seems to work very well.
9. **Do you think jurors would be more satisfied with the one-day/one trial term versus our current 90 day term?**  
 Don't know.  
 I would think under the one-day/one-trial you would want to make sure that adequate notice is given to the jurors that they are needed to serve.
10. **What do you think would be the advantages and disadvantages to a one-day/one trial system?**  
 Disadvantages- May not have enough jurors. Would need to provide longer notice period. Currently the court sends out summonses on the Thursday prior to the Tuesday jury start date.  
 Advantages- Juror attitudes would be better.

**11. Do you think the court should follow-up on citizens who do not respond to the qualification letter or summons?**

I don't think so because I don't believe we would do anything about it.  
 Also, do we really want jurors who do not want to serve?  
 Possibly a second written notice may help.

**12. Do you use a lengthy juror questionnaire for complex trials? If so, do you have any ideas how this process can be streamlined?**

Yes, but the process can be streamlined.  
 Would insure questionnaire included basic voir dire questions so they would not have to be repeated.  
 Would stagger report times for portions of the panel.  
 Questionnaire should be completed on Friday to allow the attorneys to review over the weekend.  
 Better questions and less questions should be asked.

**13. What are the typical reasons jurors are challenged for cause?**

Cannot be impartial.  
 Personal experience.  
 Jurors cannot understand questions.  
 Related to someone in cj system or case.

**14. It is my understanding that most attorneys use their maximum number of peremptory challenges. Why?**

No idea. Probably based on history of doing the same thing.

**15. I know some courts have coordinated division calendars to stagger jury trial start times to better utilize jurors. Do you think this idea is feasible for our court?**

Feasible.  
 Would need a lot of calendar coordination though.

**16. Are you satisfied with our current jury exit survey (copy attached)? Any ideas for improvement?**

Yes.

**17. Is there anything the attorneys do that makes the jury trial process inefficient?**

Attorneys are not prepared for trial.  
 Attorneys are not trying hard enough to settle the case before trial.

**18. Is there any aspect of the jury trial process that we could do better?**

Possibly do Public Service Announcements to encourage jurors to serve.  
 Training for judges on how to conduct jury trials.

**JUDICIAL INTERVIEW QUESTIONS RE.  
JURY MANAGEMENT**

- 1. How satisfied are you with the current jury management system? Any initial observations that could improve our jury system?**

Only done two jury trials so far.  
Satisfies with the number of jurors summoned.  
Jurors are given adequate orientation.  
70% summons appearance rate.  
Bailiffs do a great job.  
He makes sure the trial starts on time.
- 2. How satisfied were you with the number of jurors provided for voir dire during your trials?**

Yes
- 3. Are you satisfied with the current level of juror orientation given to jurors?**

Yes.
- 4. Are you satisfied with the courts current juror excusal policy (copy attached) which was developed in 1992?**

Did not know this policy existed.  
He is more flexible with general jurisdiction trials on excuses than when he was a limited jurisdiction judge.  
Tries to be fair in excusing jurors but firm.
- 5. Overall, how satisfied are you with the Coconino County Superior Court jury selection process (i.e. length of voir dire permitted, method of voir dire employed, use of questionnaires, etc.)?**

Satisfied.  
Have not used a questionnaire yet.  
He is pretty liberal in allowing attorneys to ask questions during voir dire.  
Voir dire questions are not submitted on time.
- 6. Do you use the “struck” or the “strike and replace” method of jury selection? Why?**

Struck method is used.  
He asks basic questions to all jurors.
- 7. Is basic information (e.g. age, gender, occupation) regarding the juror given to the attorneys prior to the commencement of voir dire?**

Yes.
- 8. Who conducts the voir dire in your court ( judge, attorneys, or both)?**

Judge does basic questions of panel.  
Attorneys ask follow-up questions.  
Judge follows-up with any additional questions of jurors.
- 9. Do you think jurors would be more satisfied with the one-day/one trial term versus our current 90 day term?**

Yes.  
Jurors more likely to show up.

**10. What do you think would be the advantages and disadvantages to a one-day/one trial system?**

Advantage- More motivated jurors.  
 More likely to show up for service.  
 Disadvantages- Maybe not enough potential jurors.

**11. Do you think the court should follow-up on citizens who do not respond to the qualification letter or summons?**

Absolutely.  
 Clerks office should call no-shows.  
 Hold OSC hearings.  
 Second letter may help as well.

**12. Do you use a lengthy juror questionnaire for complex trials? If so, do you have any ideas how this process can be streamlined?**

Have not had a complex trial yet.  
 Would probably use one since it would benefit attorneys and court.

**13. What are the typical reasons jurors are challenged for cause?**

Prejudiced against one side or the other.  
 Cannot follow instructions for various reasons.  
 Victims  
 Juror not attentive.  
 Family emergencies.

**14. It is my understanding that most attorneys use their maximum number of peremptory challenges. Why?**

History  
 Ineffective counsel appeals.

**15. I know some courts have coordinated division calendars to stagger jury trial start times to better utilize jurors. Do you think this idea is feasible for our court?**

Doesn't see why it would not work.  
 Not opposed to idea.  
 Would require calendar coordination.  
 Would help staff and jurors.

**16. Are you satisfied with our current jury exit survey (copy attached)? Any ideas for improvement?**

Yes.

**17. Is there anything the attorneys do that makes the jury trial process inefficient?**

Last minute motions.  
 Not being on time.  
 Lack of being prepared.

**18. Is there any aspect of the jury trial process that we could do better?**

Jury Instructions need to be improved.  
 Possibly use a jury instruction video.  
 Very little guidance and training given to judges on how to conduct jury trials, and how to approach jury questions.  
 Need to figure out a way to get feedback from jurors after jury trials are conducted(in addition to jury exit survey).

August 19, 2003

Name of Judge: Fred Newton

**JUDICIAL INTERVIEW QUESTIONS RE.  
JURY MANAGEMENT**

1. **How satisfied are you with the current jury management system? Any initial observations that could improve our jury system?**  
  
80% satisfied  
Has presided over 20-30 jury trials and has never had any problems.  
Believes we may be calling in too many jurors  
If jurors do not respond to the summons, contempt hearings should be conducted.
2. **How satisfied were you with the number of jurors provided for voir dire during your trials?**  
  
Never has had a problem of running out of jurors.
3. **Are you satisfied with the current level of juror orientation given to jurors?**  
  
Yes very much so.  
Video tape is being used and is helpful.  
Orientation is done well.  
Ok to showing movies to jurors that are waiting.
4. **Are you satisfied with the courts current juror excusal policy (copy attached) which was developed in 1992?**  
  
Yes. May want to review at a later time.  
Need to include law enforcement officers(as exempted by state law)
5. **Overall, how satisfied are you with the Coconino County Superior Court jury selection process (i.e. length of voir dire permitted, method of voir dire employed, use of questionnaires, etc.)?**  
  
No cases reversed on these issues.
6. **Do you use the "struck" or the "strike and replace" method of jury selection? Why?**  
  
Currently uses the strike and replace method whereby the number of jurors questioned equals the jury size, alternates, and total number of peremptory challenges.  
  
It appears that AZ definitions differ from National definitions re. these terms. National research refers to the model used by Judge Newton as the struck method. **NOTE: Pursuant to AZ rules of criminal procedure section 18.5 either requires conducting voir dire of the number of jurors equaling the jury size, alternates, and total number of peremptory challenges, or the entire panel.**
7. **Is basic information(e.g. age, gender, occupation) regarding the juror given to the attorneys prior to the commencement of voir dire?**  
  
Yes.  
Attorneys need this information.
8. **Who conducts the voir dire in your court ( judge, attorneys, or both)?**  
  
Pursuant to AZ criminal court rules attorneys have a right to conduct the voir dire as well as the judge.
9. **Do you think jurors would be more satisfied with the one-day/one trial term versus our current 90 day term?**  
  
Don't know.

**10. What do you think would be the advantages and disadvantages to a one-day/one trial system?**

Juror morale may improve.

**11. Do you think the court should follow-up on citizens who do not respond to the qualification letter or summons?**

Yes.

Follow-up with a letter if a person fails to send back the qualification letter.

Follow-up with a contempt of court hearing if person fails to respond to a summons.

**12. Do you use a lengthy juror questionnaire for complex trials? If so, do you have any ideas how this process can be streamlined?**

No.

**13. What are the typical reasons jurors are challenged for cause?**

Jurors are pre-disposed to a certain verdict for various reasons.

Cannot follow the law do to various reasons.

Inability to decide case on its merits.

**14. It is my understanding that most attorneys use their maximum number of peremptory challenges. Why?**

Ineffective counsel appeals may be the cause of this.

**15. I know some courts have coordinated division calendars to stagger jury trial start times to better utilize jurors. Do you think this idea is feasible for our court?**

Not needed.

**16. Are you satisfied with our current jury exit survey (copy attached)? Any ideas for improvement?**

Yes.

May want to add a question whether they think the current jury term (90 days) is too long.

**17. Is there anything the attorneys do that makes the jury trial process inefficient?**

During voir dire, attorneys ask questions to try to get jurors pre-disposed to their side.

**18. Is there any aspect of the jury trial process that we could do better?**

Formulate jury instructions better.

Lack of standardized jury instructions.

Failure to update jury instructions when new case law comes out.

Too much time expended on jury instructions while jury is waiting.

August 26, 2003

Name of Clerk: Debbie Young, Clerk of Superior Court

**CLERK OF COURT STAFF INTERVIEW QUESTIONS RE.  
JURY MANAGEMENT**

**1. How satisfied are you with the current jury management system? Any initial observations that could improve our jury system?**

Satisfied with the clerks end re. jury management.  
Not satisfied with the last minute pleas that are taken.

**2. Please explain the current jury qualification and selection process. (Get sample of forms)**

See the attached flow chart.

**3. Have you explored the feasibility of the one-step qualification and summoning (qualification and summons sent at the same time) process versus the current two-step process?**

No

**4. Are you satisfied with the courts current juror excusal policy which was developed in 1992? What changes would you recommend?**

Works well for us.  
Not to lenient.

**5. How satisfied are you with the number of jurors each division is requesting for voir dire? What changes would you recommend?**

Would like to have a standardized panel size for jury trials.

**6. Are you satisfied with the current level of juror orientation given to jurors?**

Wonderful.  
Lot better than it used to be.

**7. What basic juror information is given to the attorney? When is the information given to the attorneys.**

Civil case info. is provided to attorneys at a cost.  
Information is given to attorneys at 3:00 p.m. the day before trial.

**8. Overall, how satisfied are you with the Coconino County Superior Court jury selection process (i.e. length of voir dire permitted, method of voir dire employed, use of questionnaires, etc.)?**

Satisfied.

**9. What do you think would be the advantages and disadvantages to a one-day/one trial system?**

Better use of jurors time.

**10. How do you think the court should follow-up on citizens who do not respond to the qualification letter or summons?**

Judges should send letter.  
Postage costs would increase.

11. **What do you think about the idea of coordinating division calendars so jurors may be utilized more efficiently when there are multiple trials on a given day? Where do you see obstacles implementing this kind of trial coordination?**

Would be a good idea.  
Calendar coordination would be required.

12. **Are you satisfied with our current jury exit survey? Any ideas for improvement?**

Have not seen it. (Sent Ms. Young a copy of survey right after meeting.)

13. **If you could make changes what would the ideal automated jury system do that your current automated system does not?**

No.

14. **Are you currently using Bar Code technology for jury operations? If so, in what areas?**

Yes by scanning bar code that is the jurors identifier.

15. **What jury management system improvements would you like to see?**

Standard panel sizes.  
Communication between divisions and clerks office.

16. **What changes would you suggest to reduce funding in the area of jury operations?**

Standard panel sizes.  
One-Day/One-Trial

August 27, 2003

Name of Clerk: Janie O'Neal

CLERK OF COURT STAFF INTERVIEW QUESTIONS RE.  
JURY MANAGEMENT

1. **How satisfied are you with the current jury management system? Any initial observations that could improve our jury system?**  
 Very good software support.  
 Pretty good overall system.  
 Old Jury+ automated system was not user friendly.  
 New Jury+ system is great.
2. **Please explain the current jury qualification and selection process. (Get sample of forms)**  
 Currently a two step process.
3. **Have you explored the feasibility of the one-step qualification and summoning (qualification and summons sent at the same time) process versus the current two-step process?**  
 Explored, but would like to really see what the benefits are to the one-step process.
4. **Are you satisfied with the courts current juror excusal policy which was developed in 1992? What changes would you recommend?**  
 Fairly satisfied.  
 Would like to modify our current policy to be similar to other counties. Thinks our policy needs to be re-worded.
5. **How satisfied are you with the number of jurors each division is requesting for voir dire? What changes would you recommend?**  
 Divisions summon too many jurors.
6. **Are you satisfied with the current level of juror orientation given to jurors?**  
 Pretty satisfied.
7. **What basic juror information is given to the attorney? When is the information given to the attorneys.**  
 Basic profile information is given at 3:00 p.m. on the day before trial.
8. **Overall, how satisfied are you with the Coconino County Superior Court jury selection process (i.e. length of voir dire permitted, method of voir dire employed, use of questionnaires, etc.)?**  
 Qualifying questionnaire needs to be amended (shortened)  
 Spouse information should be deleted.
9. **What do you think would be the advantages and disadvantages to a one-day/one trial system?**  
 We try to do this now. We do not try to send summons to folks that have already served (either sworn or reported.)
10. **How do you think the court should follow-up on citizens who do not respond to the qualification letter or summons?**  
 Yes to failure to respond to the summons for sure.  
 Possibly a second notice to folks who fail to respond to both.

- 11. What do you think about the idea of coordinating division calendars so jurors may be utilized more efficiently when there are multiple trials on a given day? Where do you see obstacles implementing this kind of trial coordination?**

Makes a lot of sense.  
Would require calendar coordination.

- 12. Are you satisfied with our current jury exit survey? Any ideas for improvement?**

Likes form. Had input on the creation.

- 13. If you could make changes what would the ideal automated jury system do that your current automated system does not?**

Too early to tell since they just got Jury+ upgraded to Next Generation.  
Thinks that their prayers for an improved system have been answered.

- 14. Are you currently using Bar Code technology for jury operations? If so, in what areas?**

Yes during the whole process. Bar code is the juror's identifier.

- 15. What jury management system improvements would you like to see?**

Reduced panel sizes.  
Do more follow-up on folks who fail to respond.  
Better public education.

- 16. What changes would you suggest to reduce funding in the area of jury operations?**

Reduce panel sizes.

**JURY COST DATA FOR FISCAL YEARS 2002 AND 2003**FIRST DAY UNSWORN JUROR COSTS

1,631 total unsworn jurors			
1,305 (Flagstaff-80%)	X \$3.45 (ten miles @ 34.5 cents)	= \$	4,502
326 (Outside Flagstaff-20%)	X \$89.70 (260 miles @ 34.5 cents)	=	<u>29,242</u>
<b>TOTAL FIRST DAY UNSWORN JURY COSTS</b>			<b>\$ 33,744</b>

DAILY SWORN JUROR COSTS

315 total sworn			
252 (Flagstaff-80%)	X \$15.45 (\$12 per diem+mil.)	= \$	3,893
63 (Outside Flagstaff-20%)	X \$101.70 (\$12 per diem+mil.)	=	<u>6,407</u>
<b>TOTAL DAILY SWORN COSTS</b>			<b>\$ 10,300</b>

FIRST DAY UNSWORN COSTS PER TRIAL

\$33,744/32 Jury trials	= \$	<b>1,055</b>
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DAILY SWORN COSTS PER TRIAL

\$10,300/32 Jury trials	= \$	<b>322</b>
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TOTAL JUROR COSTS PER TRIAL

First day unsworn juror mileage costs	\$	1,055
Daily sworn costs X 4.34 days (ave. length of trial)		<u>1,397</u>
(\$322 X 4.34)		
<b>TOTAL JUROR COSTS PER TRIAL</b>	<b>\$</b>	<b>2,452</b>

TOTAL COSTS FOR ALL TRIALS IN FY 02 & 03

\$2,452 x 32 Jury trials	= \$	<b>78,464</b>
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ZERO PANEL DAY COSTS

\$1,055 (first day unsworn costs) X 4 zero days	= \$	<b>4,220</b>
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<u>GRAND JURY COSTS PER YEAR</u>	<b>\$</b>	<b>17,688</b>
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