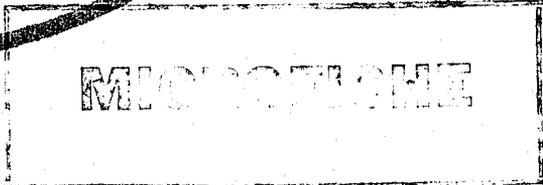


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EDWARD A. LUDWIG, III
Project Director

UIT COURT OF THE 18TH JUDICIAL CIRCUIT

JURY MANAGEMENT STUDY AND DEMONSTRATION PROJECT

Circuit Court
18th Judicial Circuit
DuPage County Courthouse
201 So. Reber St.
Wheaton, Illinois 60187

- FINAL REPORT -

NCJRS

MAR 22 1978

ACQUISITIONS

EDWARD A. LUDWIG, III
Project Director

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October, 1978

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Mr. Matthew C. Lockwood, Chairman
DuPage County Jury Commission

Mr. Robert H. Jarrell, Vice Chairman
DuPage County Jury Commission

Mr. Edwin S. Burtis, Secretary
DuPage County Jury Commission

and the members of the Jury Management Project's special advisory task force committee:

Henry Burt, Jr., Esq., Chairman
Hon. Bruce R. Fawell, Judicial Adviser
Mr. Roger Ulseth
Dr. Victor E. Flango
Mr. William Madden
Mr. R. Jerry Klebe
Hon. Frank Houck
Mr. Fred Porter
Hon. Gene L. Hoffman
Mr. Ronald Smith

The Jury Management Project also wishes to extend a special thanks to the Honorable George W. Unverzagt, Chief Judge of the 18th Judicial Circuit, for the enlightened support and guidance which he has given throughout the duration of the project.

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FOREWORD

In November, 1976, the Circuit Court of DuPage County received a federal grant from the Law Enforcement Assistance Administration for the purpose of studying and improving its jury system. The grant was for an 18-month period of time, and had a budget of \$100,000.00.

On June 1, 1977, nearly seven months into the Jury Management Study, the project staff, having devoted full-time to this effort, made preliminary recommendations based upon the collection and analyses of a considerable body of information and data affecting jury selection and utilization. Specifically, these recommendations were concerned with the improvement of juror attitudes, as well as substantially reducing the high cost of operations in the jury system. Subsequently, certain of these recommendations were implemented. Automation was introduced to the Jury Commission Office, thereby eliminating seventeen of twenty-one manual operations and paving the way for a reorganization of the personnel within that department. Pertinent statutes were revised, enabling DuPage County to comply with Illinois law, without the unnecessary expenditure of \$52,000.00 per year. Further, DuPage County's improved management practices and the application of monitoring and controlling techniques in the area of juror utilization allowed the court to realize an annual savings of \$38,000.00, without adversely affecting the administration of justice in the court system. Approximately \$12,000.00 of the project's

funds were expended on the enlarging and remodeling of the Jury Lounge to relieve congestion.

Many other aspects of the jury system were observed and analyzed and, revisions were made in existing practices and procedures. Documentation of the impact that these changes have had on the DuPage County jury system is the focus of this final report. The status of each of the elements of the jury system prior to the study, the nature of recommendations for change, the extent to which the recommendations were adopted, the means and methods for implementing the desired changes, the effect of these changes on the performance of the jury system, and recommendations for future implementation are subjects which this final report will seek to address.

INTRODUCTION AND BACKGROUND

In recent years, the jury system in the United States has been the target of considerable criticism. Some critics have characterized juries as anachronisms in new streamlined, modern systems of justice. They question whether the jury is a necessary part of the system.

Undeniably, juries are expensive, time consuming, and difficult to manage. Many people are reluctant to serve as jurors with good reason. Jury duty can be boring, unrewarding, and a financial hardship to many. Some persons called for service never have the opportunity to serve on a panel. Many trials last only one or two days, but there are rare cases which last for weeks or months and may require sequestration during the course of the trial and deliberations.

As a result of criticism and several important Supreme Court decisions, the jury has undergone some marked changes. Supreme Court decisions as to the scope of the right to jury trial, especially as to how it relates to petty crimes, the size of juries, and unanimous versus non-unanimous decisions, have brought some changes in the system. In addition to these new constitutional interpretations, there have been changes in the jury process as developed and managed by the trial courts themselves. These changes have occurred in the following areas:

1. The development of a general source list of prospective jurors;
2. The selection of an active list of prospective jurors;
3. The selection of a panel of prospective jurors;
4. The procedures during the trial; and,
5. The role of the court in administering the system.

Involved in these changes is the use of computers, the development of information profiles, the length and term of service and others.

Aware of these trends, the Circuit Court of DuPage County, in the fall of 1976, applied for a special grant and was successful in obtaining funding from the Law Enforcement Assistance Administration of the United States Department of Justice in the amount of \$100,000 to conduct an eighteen month study project of its jury selection and utilization systems.

As a condition of the grant, an Advisory Task Force Committee, consisting of nine members, was appointed by the Circuit Court for the purpose of developing policy for the Jury Management Project. This committee included a member of the local Court Watcher team, a Court Administrator from another circuit, a former juror, a local mayor, a former Jury Commissioner, a member of the General Assembly, a member of the DuPage County Bar, a representative of the Administrative Office of the Illinois Courts, and

a technologist for project evaluations. The Project's progress was reviewed and evaluated by the Task Force Committee at regular monthly meetings.

The Jury Management Project hosted four demonstration conferences, which were held at each of the downstate Appellate Court Districts: Mt. Vernon, Princeton, Rockford and Springfield. The purpose of these conferences was to "spread the news" concerning DuPage County's jury system, as well as to transfer technology, where possible, to the 102 counties in Illinois.

From all indications, the Jury Management Study Project in the 18th Judicial Circuit has been very successful. Progress has been made in the more efficient use of both human and financial resources in DuPage County. In addition, study techniques and implementation of changes to bring about a more effective and efficient jury system have been shared with other County and Circuit Court personnel throughout the State.

The Jury Management Project in DuPage County had been ambitious in its activities and frugal in the use of grant monies. Consequently, a six month extension was requested and approved, without provision for additional grant monies. This period of time was necessary in order to complete the study, to monitor changes, to share information and forms, to assist other courts in bringing about changes, and, finally, to document an applicable and useful final report for other jurisdictions.

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I. COURT GOALS AND SCOPE OF STUDY

Because the ability of the Circuit Court of DuPage County to administer justice is largely dependent upon the quality of the jury system which serves it, the Chief Judge of the 18th Judicial Circuit concluded that existing jury management practices and procedures should be evaluated to determine how well they met the needs of the court and the community. It had been determined that a jury system should provide for qualified jurors to be identified by random selection from sources furnishing a representative cross-section of the community. Similarly, the judges were convinced that good management of the jury system, under the central authority of the court, was essential since good management of the jury system would require that all of its interrelated parts be considered as one entity and coordinated to achieve the following objectives:

1. Maximum responsiveness of the jury system to court needs;
2. A positive attitude of citizens toward the jury system;
3. Minimum economic burden on the individual juror; and,
4. Minimum community costs.¹

It was with these objectives and considerations in mind that the Chief Judge of the 18th Judicial Circuit sought to obtain a federal grant to

¹G. Thomas Munsterman and William R. Pabst, Jr., A Guide to Jury System Management, December, 1975.

fund a project designed to study and improve the jury system.

A. Purpose and Goals of the LEAA-Funded Study

As stated in the project narrative, the broad purpose of the Jury Management Study and Demonstration Project was to enhance the justice system in DuPage County by providing the resources necessary to examine and recommend improvements in the juror selection and utilization techniques presently employed. Secondly, the creation of the project was to establish this Circuit Court as a "demonstration model," providing an experimental environment from which observations were drawn in qualitative and quantitative terms for the edification of those actively involved in judicial systems throughout Illinois and the nation.

Specifically, the Jury Management Study and Demonstration Project was designed in such a manner as to enable the court to examine current juror selection and utilization practices in its court, recommend improvements for the overall jury system within this circuit, and relate the nature of and types of successes and improvements made to other jurisdictions.

B. Scope of the LEAA-Funded Study

In the project narrative, the Circuit Court of DuPage County was

described as a multi-faceted organization, and it was suggested that its smooth operation was dependent upon the application of sound, effective management principles and practices. It was stated that the Circuit Court responsible for serving DuPage County was composed of 25 judges, ten Circuit Judges and fifteen Associate Judges. The narrative explained that ten of these judges were responsible for operating the jury trial courts in the 18th Judicial Circuit. It was observed that over a one year period, approximately 42 jury weeks had been divided into two-week jury terms. Although the juror selection and jury management system fell under the direction and supervision of the Circuit Court judges, it was noted that the juror selection process was the specific responsibility of the three Jury Commissioners and their staff.

As the result of the grant awarded by the Law Enforcement Assistance Administration, the Jury Management Project was activated on November 10, 1976, at which time the project staff began to study the Circuit Court's present jury system operations to ascertain whether better methods of juror management and utilization could be realized. In so doing, the project was to address nine different elements of a typical jury system, all within an 18-month period of time.

C. Methodology

As mentioned above, for the purpose of studying the operation of the DuPage County jury system, nine elements were considered. These nine jury

system elements included the following topics for consideration;

1. Selection Methods: Defined as source lists, qualification methods and costs, and summoning methods and costs.
2. Responsiveness to Court Needs: Defined as number of jurors needed, judge waits, and voir dire information.
3. Jury Service Methods: Defined as enrollment procedures, voir dire/courtroom information, and juror utilization costs.
4. Randomness: Defined as the number of draws, size of lists, and the order of lists.
5. Cost and Conditions: Defined as terms of service, fees, loss of income, repetition of service, and costs.
6. Citizen Awareness: Defined as citizen information, juror problems, and juror comfort.
7. Paper Work: Defined as the amounts, repetition, necessity, and cost.
8. Statutes: Defined as organization, evaluation, and examination of identified impediments.
9. Jury System Plan: Defined as the jury system operation and responsibilities.

Methods of study for the nine element areas were employed by the

Jury Management Project through the use of two publications, A Guide to Juror Usage,² and A Guide to Jury System Management.³ These methods were based on the classic scientific approach: 1) definition of study and study methods; 2) collection of data; 3) analysis and generalization of data based on recognized distributions; 4) formulation of hypotheses concerning the problems; and 5) corrective action toward some determined goal based on the indicated hypotheses. The methods presented in the Guides pertained to every aspect of DuPage County's jury system. Forms were provided or developed for the collection of data, and methods for data analysis were given, along with national norms or standards against which the indices or court statistics could be compared, as well as suggestions for normative or corrective action.

Timetables for completion of each aspect of the demonstration project were set. As an end result, the Jury Management Project distributed equal portions of emphasis on the following areas:

- Study phase
- Analysis phase
- Implementation phase
- Demonstration phase
- Evaluation phase

²G. Thomas Munsterman and William R. Pabst, Jr., A Guide to Juror Usage, December, 1974.

³G. Thomas Munsterman and William R. Pabst, Jr., A Guide to Jury System Management, December, 1975.

In order to properly address each of these areas, the original eighteen month period of study was extended to a total of twenty-four months, thereby increasing the project's ability to continue monitoring and evaluating the performance of the new jury system, by six months.

D. Initial Findings and the Need
For Assistance

The ultimate objective of DuPage County's jury system was to insure that, as specified by the 6th Amendment, the right to trial by a fair and impartial jury be forever available for those citizens who may require it. Although the existence of this right was realized by most citizens, prior to this study the comprehension of the many management related tasks necessary for supplying the representative impartial jury was lacking.

As seen by the 18th Judicial Circuit, the specific charge of the Jury Management Project was to develop a defensible, improved jury system providing maximum responsibility to the court and criminal justice system, with a minimum cost and burden upon the community. The Jury Management Project realized this goal and today, under an improved jury system, the quality and total number of potential jurors available for call consistently conforms with the needs of the court. This result has been accomplished by the application of modern jury system management technology, as presented

in the Guides. Furthermore, while these Guides, in particular, present technology which may be universally applied and are for use by all courts, they and other studies recognize, after examining the area of jury system management in many specific courts, that while similarities exist, there are great variations in the courts and jury systems in our country. DuPage County's jury system was no exception and, because of the specific problems and structure of this court, it was learned that no individual system known could have been transplanted into DuPage County with any expected success. As a consequence, the practices and procedures adopted by the DuPage County Court represented a customized product, which was neither a standard package nor a new and untried creation.

Through this experience, DuPage County has gained considerable benefit from the success of the Jury Management Project, and it is now in a position to offer many lessons for forthcoming installations in similar jurisdictions in Illinois and the United States, at large.

In the pages which follow, an attempt is made to explain how the Jury Management Project applied all of the existing technology to improve the operations of the jury system in the 18th Judicial Circuit, and, at the same time, to study the means by which the existing technology could be extended to serve the purposes of the court and of the community. For each of the nine elements studied, a description of findings, recommendations and results is presented.

II. ELEMENT 1 - SELECTION METHODS

One of the nine elements of the jury system addressed by the Jury Management Project was "Selection Methods." This element of the study encompasses: 1) the development and maintenance of source lists; 2) the methods for qualifying prospective jurors; 3) the adequacy of yields; and, 4) the costs associated with the selection processes.

A. Source Lists

Findings:

The Illinois Revised Statutes, Chapter 78, Section 25, provides as follows:

"The said [jury] commissioners upon entering upon the duties of their office, and every four years thereafter, shall prepare a list of all legal voters of the county possessing the necessary legal qualifications for jury duty, to be known as a jury list."⁴

Legal opinions concerning the interpretation of the phrase "all

⁴The methods to be used in the selection of jurors in the various Circuit Courts throughout the State of Illinois are identified in Chapter 78 of the Illinois Revised Statutes, with an additional, supplemental direction generally found in the local Rules of Court for each Circuit. The 18th Judicial Circuit Court of DuPage County functions under the regulations of the statutes as they pertain to single-county circuits, with the Jury Commission and the local Rules of Court.

legal voters of the county" have not been consistent as to whether this includes only the registered voters of the county, or those who are eligible to register. DuPage County, historically, had used the voter's registration list as the only source list. The estimated County population of persons 18 years old and older for 1975 was 352,300. Voter registration statistics indicated that 90.8% of these persons were registered to vote. The Rules of Court for the 18th Judicial Circuit, DuPage County, Illinois, were revised on September 1, 1977. These revisions contained no regulations concerning the source list from where the active juror list is drawn. This does not appear to be a problem in DuPage County, since there are no areas where the percentage of registered voters is very low.

Recommendations and Results:

Because the project goal was to have 85% of the population 18 years and above on the source list, and the voter's registration list appeared to be a cross-section of DuPage County residents legally qualified to serve as jurors, it was recommended that the source list continue to be the voter's registration list. It was further recommended that the draw from this list shall be under the supervision of the Jury Commission, the Chief Judge, and the Clerk of the Circuit Court, as prescribed by law, supplemented by Administrative Court Orders. These recommendations were adopted for implementation.

Further, the staff of the Jury Management Project reviewed the processes used by the Jury Commissioners and made the following recommended changes to conform with the statutes:

1. The names of prospective jurors should be selected by the Jury Commission at random from the general list in the following manner:
 - a. The total number of names on the general list should be divided by the number of names to be placed on the active list;
 - b. The names taken from the general list for the active list must not be less than 5% of the aggregate thereof;
 - c. The whole number nearest the quotient shall be the high number of the range to be used in selecting the key number which shall be determined by random method of drawing the numbers one to the high number, both inclusive;
 - d. The required number of names shall then be selected from the general list by taking, in order, the first name on this list corresponding to the starting or key number, and then, successively, the names appearing on the general list at intervals equal to the key number;

- e. After the general list has been arranged by towns and precincts, the count shall run continuously, rather than starting over with each town or precinct.

These recommendations were approved and implemented by the Jury Commissioners on March 31, 1978.

B. Qualification Methods and Yields

Findings:

Prior to the study, an active list of jurors was developed by random draw from the voter's registration list, as required by law and the Rules of the Circuit Court of the 18th Judicial Circuit. From this active list of jurors, the Jury Commissioners, by random draw, mailed qualification questionnaires to prospective jurors. The number to be drawn and the date of mailings were determined by Administrative Order of the Chief Judge. Accompanying the questionnaires which were mailed to prospective jurors was a request for each to appear on a Saturday morning for a personal interview. Upon the requested appearance date, a prospective juror would be interviewed by a Jury Commissioner and either qualified or disqualified.

The qualifying yield for 1975 was 35.9%; for 1976, 33.7% and 33.1% for the first six months of 1977. Approximately two-thirds of those drawn

were disqualified and only one-third were qualified.

Recommendations and Results:

It was recommended that the practice of conducting the personal interviews be discontinued. The Jury Commissioners accepted this recommendation, on a trial basis. It was also recommended that excusals due to hardships and inconveniences should be decreased by reducing the term of service from two weeks to one week and by developing a deferral procedure which would allow prospective jurors to select a week to serve anytime within the next twelve months, (with the privilege to request two deferrals if the first selection was not satisfactory). It was suggested that this additional recordkeeping should require little clerk time, if properly computer programmed.

The project goal for the qualification yield was to exceed 40%. After computerizing the jury selection process, amending the statutes to provide for a shorter term of service, eliminating the personal interview and adopting new policies regarding excusals, deferrals, etc., the qualification yield for the period November 7, 1977 through July 31, 1977 was 49%.

C. Summoning Yields

Findings:

The summoning yield under the old jury system provided the courts

in 1975, with 63.1% of those prospective jurors summoned from the qualified list. In 1976, the summoning yield was 61.7% and for the period January 1, 1977 to August 15, 1977, the summoning yield was 66.4%.

Recommendations and Results:

The changes as identified in the above section on jury qualifying methods and yields also affected the summoning yield. It was recommended that another dimension be added at this time; that is, the process of excusal and deferral requests by prospective jurors after having received a summons being centralized under the responsibility of the Court Administrator.

As a result of the new jury system, the summoning yield for the period November 7, 1977 through July 31, 1978 was 67%. The combined yield resulting from changes in the qualifying process and summoning of jurors increased from 22.4% in 1976 and 20% in 1977, to 33% in 1978.

D. Costs

Findings:

The costs involved in the selection, enrollment and orientation of prospective jurors was very difficult to ascertain, due to the fact that several departments were involved and budgets did not clearly reflect juror selection costs. However, the project staff estimated, from available

sources, a cost of \$24.65^a for each juror who was made available to the court in 1976. This figure did not include management costs and juror fees after reporting for service.

Recommendations and Results:

It was recommended that the statute be changed to eliminate the need for personal service of juror summons and allow for the use of certified mail. It was recommended that automation of the jury system be expanded and that the Jury Commission Office staff be reorganized. It should also be noted that a reduction in the jury term of service from two weeks to one week had resulted in a need to double the number of jurors enrolled to serve; consequently, total dollar cost to the government has experienced little change. However, the shorter term of service brought about a higher yield (a better cross-section of the citizens eligible to serve in the county) and an improved attitude of those selected because hardship and inconvenience have been reduced and modified.

The cost of making a juror available in 1978 did not exceed \$14.00, and the preliminary budget for 1979 indicates a cost of approximately \$12.00 per juror.^b

^aBased on costs of mailing questionnaires, personal service of summons by the Sheriff (\$14.55 ea.), and mailing of summons by certified mail (\$.11 ea.)

^bBased on new costs due to change in statute which provided service of summons via first class mail (\$.13 ea.).

III. ELEMENT 2 -- RESPONSIVENESS TO COURT NEEDS

Element 2 of the study confronted the degrees of "Responsiveness to Court Needs." Specifically, areas discussed in this section deal with: 1) court records containing the number of jurors needed; 2) trial data for panel requests and panel size; and, 3) trial problems such as time of panel starts, judge waits, and voir dire information.

Additionally, juror productivity in the 18th Judicial Circuit is reported in the form of a diagram in this section, along with a chart depicting the times of panel starts in the Circuit Court.

A. Number of Jurors Needed

Findings:

The 18th Judicial Circuit utilized the jury pool technique. This method allowed for a "sharing" of jurors by all trial judges in the Circuit Court. and originally operated in the following manner.

On the first Monday morning of the two-week term of jury service, prospective jurors were enrolled, greeted by the Chief Judge, given instructions by the Jury Supervisor and left to await calls for jury demands. There was virtually no way of determining the number of jurors who would report for service on any given jury date. Furthermore, those prospective jurors who were expected to report for service according to the Jury

Commission Office records, but did not report for one reason or another were not treated or considered in any special manner, such as a follow up telephone call. Simply, prospective jurors not reporting for service were lost to the system.

In this regard, perhaps the state of the old jury system as previously employed by DuPage County becomes clear. Not only could the Circuit Court expect to enroll anywhere from 80 to 120 prospective jurors on a particular Monday morning, but more importantly, those persons, once enrolled, could expect to report for service on each day of their two-week term, whether or not there were any jury trials either in progress or anticipated to begin.

The Jury Management Project conducted a study of juror productivity in relation to the respective needs of the Circuit Court. During the jury weeks in December, 1976 through March, 1977, juror productivity was seen as ranging anywhere from 10% productive to 84% productive. The average juror utilization for this period, however, was 46%.

Recommendations and Results:

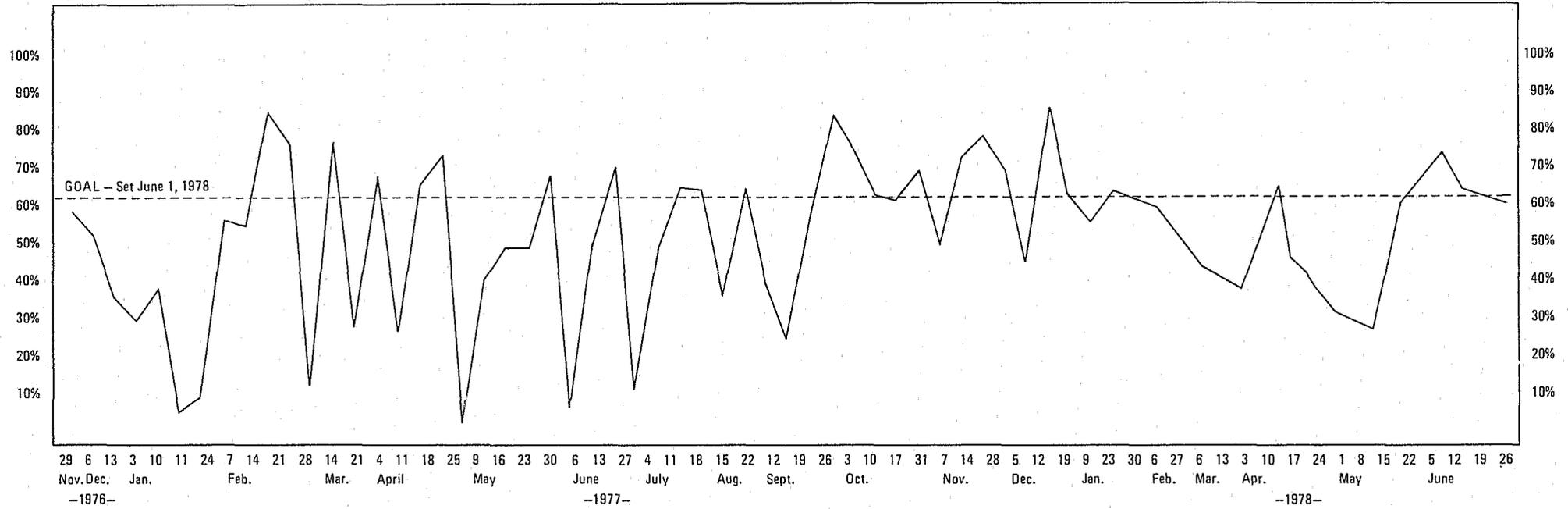
Recognizing the immediate need to increase juror productivity, the project staff recommended a goal which was to have an average of more than 60% of the jurors' time classified as "productive" and less than 40% of the jurors' time classified as "waiting."

In order to achieve the goal of greater than 60% juror utilization, recommendations were made in the following areas.

1. Elimination of the jury pool on Fridays;
2. The development of a system by the trial judges that would help to equalize the need for jurors as to the days of the week;
3. The implementation of a juror telephone call-in system for extra jurors when needed;
4. A systematic method for judges to request a tentative number of jurors for the following day;
5. Determination of the time of jury starts;
6. Determination of the size of panels requested; and,
7. Determination of and monitoring the times that prospective jurors report to the jury pool.

A graphic representation of DuPage County's juror productivity for the year 1977 and the period of January through June, 1978, appears on the following page and shows an improvement in productivity after changes had been implemented.

JUROR PRODUCTIVITY



B. Panel RequestsFindings:

Throughout the life of the Jury Management Project, monthly activity reports were maintained in order to alert the project staff and the Circuit Court of any unusual happenings which could adversely affect juror productivity. In so doing, the Jury Management Project confirmed that the jury pool could, in all likelihood, be eliminated on Fridays, since, during the period of November 29, 1976 through June 17, 1977, of the 132 panels requested, only four were requested on a Friday. To date, Mondays, Tuesdays and Wednesdays continue to contain the majority of jury beginnings.

Recommendations and Results:

To further improve upon juror productivity, the Chief Judge issued Administrative Order 77-23, in conjunction with the recommendation of the Jury Management Project concerning the above-mentioned areas of study. Administrative Order 77-23 provided for all trial judges to continue to notify the Chief Judge of an anticipated lengthy trial, or one which required an unusually large panel of jurors. Further, through this order, all judges were to provide the Jury Supervisor with a list of anticipated needs for the following week. A copy of this order appears on page 20.

As expected, the results achieved from the implementation of Administrative Order 77-23 were positive. The information provided by

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS

ADMINISTRATIVE ORDER NO. 77 - 23

The COURT, having been duly advised in the premises and recognizing the need to increase juror productivity, prevent judges from waiting for jurors, minimize the cost of juries and establish an adequate ratio between the number of jurors in the pool to the number of jurors needed by the court, GEORGE W. UNVERZAGT, as Chief Judge, does HEREBY ORDER:

FIRST: All trial judges continue to notify the Chief Judge of an anticipated lengthy trial and/or a trial requiring an unusually large panel.

SECONDLY: All trial judges provide the Jury Director (Margarette Handbury) each Friday with a list of anticipated needs for the following week on the form set out below which is made a part hereof:

ANTICIPATED JURY PANEL NEEDS

Jury panel size will be 24 unless otherwise specified

WEEK OF _____, 19____ by JUDGE _____.

No jury trials anticipated this week (check box if applicable).

Number of jury trials scheduled to start this week (circle applicable number).

	A.M.	P.M.
Monday	1 2 3 4	1 2 3
Tuesday	1 2 3 4	1 2 3
Wednesday	1 2 3 4	1 2 3
Thursday	1 2 3 4	1 2 3
Friday	1 2 3 4	1 2 3

This information to be filed with Margarette Handbury each Friday preceding a jury week.

THIRDLY: All trial judges make a preliminary panel request for the next day by phone or memorandum to the Jury Director (Margarette Handbury) before 4:00 P.M.

ENTER:

DATED:
Wheaton, Illinois

GEORGE W. UNVERZAGT, Chief Judge

the judges as to their projected needs was necessary in order to realize an improvement in juror utilization. Furthermore, as a result of the information provided to the Jury Supervisor by the judges regarding their anticipated need for jurors, early dismissal of jurors on a daily basis had been experienced. (See Section XIV for specific forms used.)

C. Panel Size

Findings:

While the average size of the panel furnished by specific request of the individual trial judges for all trials held in the 18th Judicial Circuit Court had been determined by the Jury Management Project to be 28, the actual number of jurors needed for voir dire averaged 20. These figures were representative for the months of January, 1977 through July, 1978, and included those panels which were called, but not used.

Recommendations and Results:

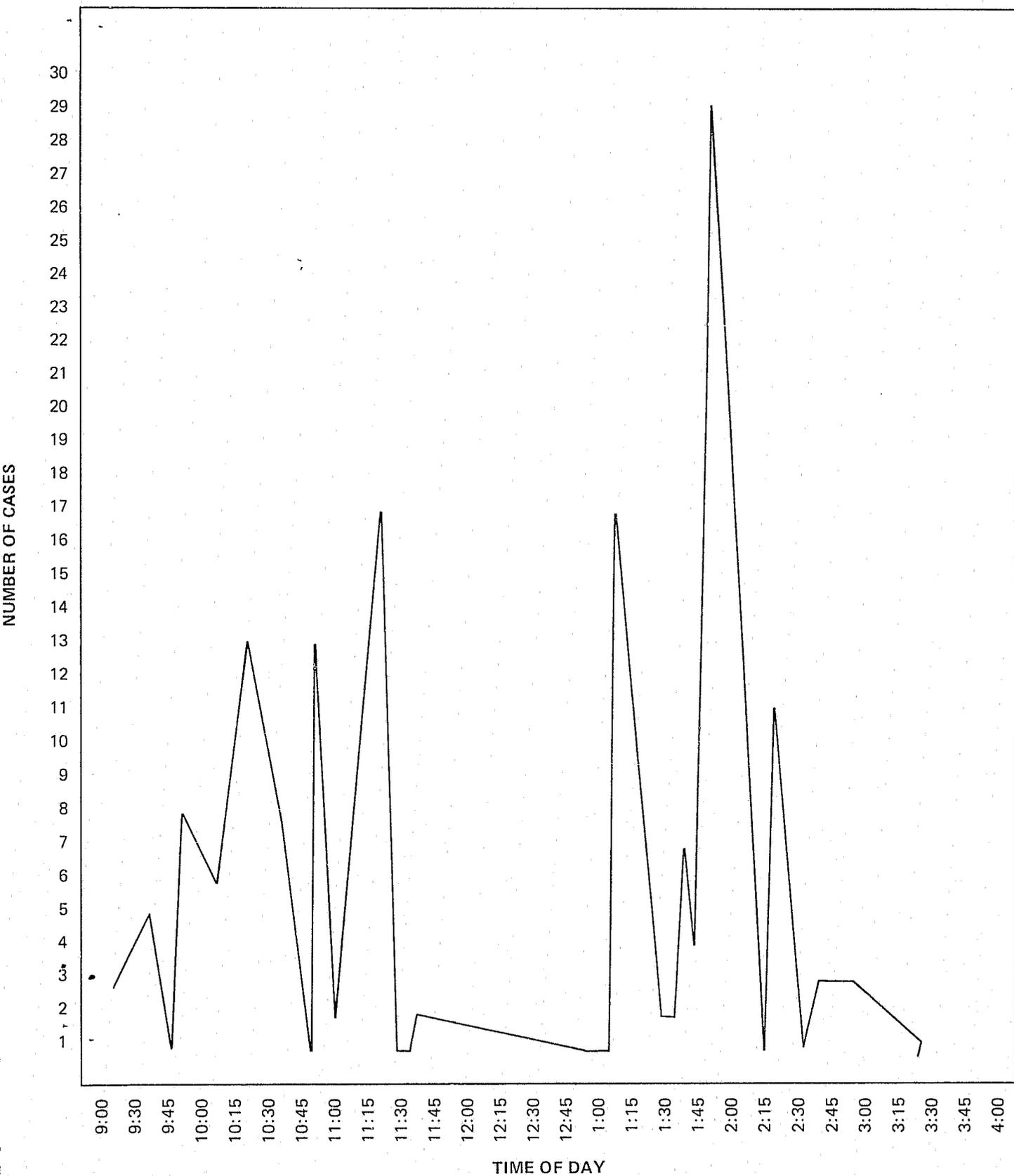
Generally, panels of prospective jurors were delivered to a courtroom in groups of 24, in accordance with Administrative Order 77-23, unless otherwise requested by a judge, at which time smaller or larger panels were delivered to the courtroom, as requested.

D. Time of Panel Starts and Judge WaitsFindings:

For several months, it had been the general impression of the project staff that the most frequent time of day for a panel start was in the vicinity of 10:30 A.M. A brief examination of this area by the Jury Management Project, however, in early 1978, revealed that the time of most panel starts was at approximately 2:00 P.M. An illustration of this discovery is recognized on page 23 and was attributed to the judges who operated the misdemeanor courts. These "back" courts were known for their voluminous caseloads. Furthermore, as the number of prospective jurors available for voir dire began to decrease with the increasing number of jury demands, the misdemeanor courts placed second to any Judge who requested a panel of jurors in order to begin a felony or civil trial.

As previously stated, until the establishment of the Jury Management Project, administrative procedures with regard to juror productivity and utilization were poor. Therefore, with a means for determining the number of jurors reporting for service on any given jury date being non-existent, judge waits resulted.

TIME OF PANEL STARTS



Recommendations and Results:

The goal set by the Jury Management Project concerning judge waits was not to exceed an average of one per year per judge. Having ten courtrooms, the Circuit Court of DuPage County should not exceed ten judge waits per year. In achieving this goal while maintaining the necessary amount of control over possible judge waits, attention was given to the following areas:

1. The time of jury starts, considering both the day of week and the time of day;
2. The size of panels called;
3. Preparation for anticipated lengthy and/or large trials;
4. A pool size which was more responsive to court needs; and,
5. A more efficient system of recording attendance and preparation of pellets for panel draws.

Regular intervals of monitoring juror utilization in DuPage County, via data collection forms,⁵ served to correct the problem of judge waits. For example, unlike the first two quarters of the Jury Management Project (January, 1977 through June, 1977) which produced a total of eight judge waits (three of which lasted one-half day each), in the year which

⁵Specific forms used by the Jury Management Project in the collection of data can be found in Section XIV of this report.

followed (July, 1977 through July, 1978) only four judge waits were noted. Two of these waits were so insignificant that times were not recorded.

E. Voir Dire Information

Findings:

DuPage County considered the length of voir dire time to be a determinant in jury usage, insofar as obtaining proper pool size. Therefore, it had been an issue of special concern to the Jury Management Project. The longer the voir dire time, the more likely the chance that other voir direes would overlap. This, in turn, placed a large demand on the jury pool as jurors who were challenged or not reached returned to the pool at a slower rate.

In general, the voir dire process practiced in the 18th Judicial Circuit Court was classified as the State⁶ method. Under this method, jurors were questioned, beginning with basic questioning by the judge, as well as a brief statement of the case particulars. Attorneys were then permitted to question the jurors, four at a time, under the judge's supervision. A problem with this method was discovered as the project staff noted that identical questioning of jurors by the judge, plaintiff attorney and defense attorney was taking place.

⁶G. Thomas Munsterman and William R. Pabst, Jr., A Guide to Jury System Management, December, 1975.

Recommendations and Results:

During the first quarter of the Jury Management Project, reporting jurors were asked to complete an updated questionnaire which contained the most current information available about each person. The completed "juror profile" was then provided for voir dire use, on an experimental basis, in one of the ten jury trial courtrooms in DuPage County. This confidential information was given to the presiding judge, and to the defense and prosecuting attorneys in the case. The purpose of this "juror profile" process was to determine its usefulness in reducing the time spent in selecting a trial jury. Opinions solicited from both attorneys and judges indicated this process as being useful in speeding up the voir dire. For example, the duplication of questions asked by attorneys and judges was eliminated. Since the voir dire is a very costly process for both the taxpayers and the litigants, the time thus conserved becomes very important.

As a result of this experiment, information sheets were mailed to each prospective juror, along with the jury summons. Prospective jurors were instructed to complete this form and return it at the time of their reporting for jury service. At that time, the Jury Commission Office xeroxed and assembled the packages for courtroom use. Three sets of the juror profile package were delivered to the courtroom with each panel, consisting only of the profile sheets of those jurors on the panel. A copy of the confidential juror profile sheet appears on the following page.

NAME _____		RES. PHONE _____		JUROR NO. _____		DATE _____																
ADDRESS _____		TOWN _____		DO YOU OWN REAL ESTATE? <input type="checkbox"/> YES <input type="checkbox"/> NO																		
PLACE OF BIRTH _____		DATE OF BIRTH _____		MARITAL STATUS _____		YEARS OF RESIDENCE IN ILLINOIS _____ IN DU PAGE CTY. _____																
YOUR OCCUPATION _____		YOUR PRESENT EMPLOYER AND BUSINESS ADDRESS _____			YRS. _____	NAME OF SPOUSE _____																
SPOUSE'S OCCUPATION _____					MEMBERS OF YOUR FAMILY RESIDING AT HOME: <table style="width:100%; border:none;"> <thead> <tr> <th style="width:5%;"></th> <th style="width:70%;">NAME</th> <th style="width:25%;">AGE</th> </tr> </thead> <tbody> <tr><td>1.</td><td>_____</td><td>_____</td></tr> <tr><td>2.</td><td>_____</td><td>_____</td></tr> <tr><td>3.</td><td>_____</td><td>_____</td></tr> <tr><td>4.</td><td>_____</td><td>_____</td></tr> </tbody> </table>				NAME	AGE	1.	_____	_____	2.	_____	_____	3.	_____	_____	4.	_____	_____
	NAME							AGE														
1.	_____							_____														
2.	_____	_____																				
3.	_____	_____																				
4.	_____	_____																				
SPOUSE'S PRESENT EMPLOYER _____																						
HAVE YOU EVER SERVED ON A JURY? NO <input type="checkbox"/> YES <input type="checkbox"/> WHEN _____ WHERE _____																						
HAVE YOU OR ANY MEMBER OF YOUR IMMEDIATE FAMILY BEEN A PARTY TO ANY LAW SUIT? NO <input type="checkbox"/> YES <input type="checkbox"/> WHEN _____ WHERE _____		HAS A CLAIM FOR PERSONAL INJURY EVER BEEN MADE AGAINST YOU OR HAVE YOU EVER MADE ANY CLAIM FOR PERSONAL INJURY? YES <input type="checkbox"/> NO <input type="checkbox"/> IF SO, WHEN AND IN WHAT COURT? _____																				
ARE YOU RELATED TO OR CLOSE FRIENDS WITH ANY LAW ENFORCEMENT OFFICER? YES <input type="checkbox"/> NO <input type="checkbox"/>				DO YOU DRIVE AN AUTOMOBILE? YES <input type="checkbox"/> NO <input type="checkbox"/>																		
<p>THE FOREGOING INFORMATION MADE BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.</p> <p>_____</p> <p>CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT Du Page County, Illinois</p> <p>PLEASE BRING THIS COMPLETED FORM WITH YOU WHEN YOU REPORT FOR JURY SERVICE.</p>																						

IV. ELEMENT 3 - JURY SERVICE METHODS

Element 3, "Jury Service Methods," entails a review of specific court operations which include: 1) enrollment procedures for jurors; and, 2) orientation process for jurors. Other concerns discussed in this section are trial and jury pool data including: 1) utilization of jurors' time; 2) the number of trials anticipated and trials held by days of the week; 3) a graph of the juror usage index as calculated for the 18th Judicial Circuit; and, 4) a graph of the monthly average of people brought in for trial in DuPage County. Furthermore, a juror utilization summary for the year 1977 and the period January through July, 1978 appears in this section.

A. Enrollment Procedures

Findings:

Initially, the enrollment of jurors in the 18th Judicial Circuit, took place at one end of a crowded hallway on the second floor of the Courthouse. The jurors were then individually expected to find the courtroom where the Chief Judge delivered an orientation message. From this point, approximately fifteen minutes later, the entire group was escorted to the Jury Lounge where they were greeted and further instructed by the Jury Supervisor.

The daily recording of attendance for jurors' fees was observed by the project staff as requiring approximately 20 hours of Jury Commission clerk time per week. Originally, jurors carried cards which were given to the Jury Commission clerk on a daily basis and placed over an office copy of the same card, which was then punched.

Recommendations and Results:

The establishment of a new juror enrollment procedure eliminated the confusion and cramped style previously experienced under the old system. Jurors were taken out of a main corridor of the Courthouse and instructed, instead, to report to courtroom 203 on the first day of service. This process resulted in added proficiency and efficiency by the staff while "signing-in" jurors. In addition, the time of reporting on the first day of service was changed from 9:30 A.M. to 9:00 A.M., thus allowing adequate time for an orientation message from the judge, prior to the convention of court for the day.

A new method for recording juror attendance was developed by the Jury Management Project, and was referred to as a juror "sign-in" system. (See Exhibit 3-A.) Specifically, the new juror attendance card required that individual jurors report to the Jury Lounge each morning and sign-in. In some cases, such as those instances where a juror was ordered to report directly to a courtroom while serving on a trial, the attendance card was taken by the Jury Supervisor to that courtroom where individual

signatures were obtained.

From this card, the attendance and mileage information was fed directly into the computer which tallied the per diem and mileage, produced a juror pay register for the County Auditor and Treasurer, and printed each juror's pay check (see Exhibit 3-B for a sample of the juror pay check). The sign-in attendance cards were monitored by the Jury Supervisor, thereby reducing the amount of recording time by Jury Commission clerks from twenty to five hours per week.

B. Orientation Process

Findings:

A cursory review of the Jury Exit Questionnaire⁷ results indicated that the judge's orientation message and the Jury Supervisor's instructions were adequate and well received by prospective jurors. However, questionnaire results also indicated that jurors had some difficulty in recalling the information provided to them. A Juror Handbook was distributed to each prospective juror for this reason, although the information contained within this booklet eventually became outdated.

While researching this matter, however, the Jury Management Project was advised that the Administrative Office of the Illinois Courts had

⁷See Exit Questionnaire results, Exhibit 3-C.

revised its juror handbook. A sample copy of this booklet was provided (see Exhibit 3-D) and, subsequent to approval by the Chief Judge, an order was placed for additional copies of the handbook, which was thereafter adopted for use in DuPage County.

Recommendations and Results:

During the first quarter of the Jury Management Project, project staff recommended that consideration be given to the purchase of audio-visual equipment in order to augment jury orientation and other court activities within the 18th Judicial Circuit. Pursuant to this recommendation, video tape equipment was loaned to DuPage County by the Administrative Office of the Illinois Courts. Shortly thereafter, project staff wrote a narrative for this film, and assisting in its production were students from the DuPage Area Vocational Education Authority (DAVEA). (See Exhibit 3-E for a sample of the film narrative.)

Therefore, in addition to the information provided by the judge, the Jury Supervisor and the Juror Handbook, the video taped jury orientation film was presented each Monday morning of a new jury week. This film served as a reinforcement of the information previously supplied to the jurors. Its content depicted an actual trial court setting, beginning with the enrollment of jurors on the first day of service and ending with the jury verdict.

It was the opinion of the Jury Management Project that the juror orientation film had been successful in its attempt to deliver extended information concerning the operation of a trial court to prospective jurors. Furthermore, it was the intent of the 18th Judicial Circuit to make this film available to libraries and schools throughout DuPage County, with the hope that supplemental benefits would be gained by the public in this regard.

C. Utilization of Jurors' Time

Findings:

Prior to the establishment of the Jury Management Project, several methods which could be used to measure juror utilization efficiency were not known to the 18th Judicial Circuit. However, in order to assess juror utilization in a reliable fashion, the Jury Management Project prepared monthly reports by collecting and analyzing data supplied through the use of forms and analysis methods.

The following formulas were used by the 18th Judicial Circuit as indices to measure juror utilization efficiency.

1. Juror Usage Index - The JUI was calculated by dividing the number of juror days available by the total number of trial days. The recommended index was 20 to 25.

2. Juror Days Per Trial - The JDPT was calculated by dividing the juror days served by the total number of panels requested. Longer trials result in a higher JDPT.
3. People Brought In - The PBI was calculated by dividing the number of jurors in the jury pool at the start of the day by the total number of panels requested. The recommended index was not to exceed 65.
4. Percent of Time Not Used - The % Not Used was calculated by dividing the juror time not in trial or voir dire by the juror time spent in the courthouse. The recommended goal was not to exceed 40%. Although difficult to calculate, the % Not Used provided the best measure of juror utilization when panels were not excessive.

Recommendations and Results:

The JUI was a good, overall administrative measure of juror utilization efficiency, but it did not reveal the finer details of the jury system.⁸ However, efficient use of jurors' time was also measured by computing the responsiveness of the jury pool system in delivering panels to courtrooms after they were requested, and by the degrees of efficiency in which jurors were used after they reported to the courtroom. (Specific data

⁸G. Thomas Munsterman and William R. Pabst, Jr., A Guide to Juror Usage, December, 1974.

collection forms used by the Jury Management Project for gathering this information appear in Section XIV of this report.)

The JUI and the JDPT were biased by the length of jury trials, while the PBI was not.⁹ The existence of an extremely long trial in any one month had too much effect upon comparison; therefore, unusually lengthy trials were not included in the Jury Management Project reports.¹⁰

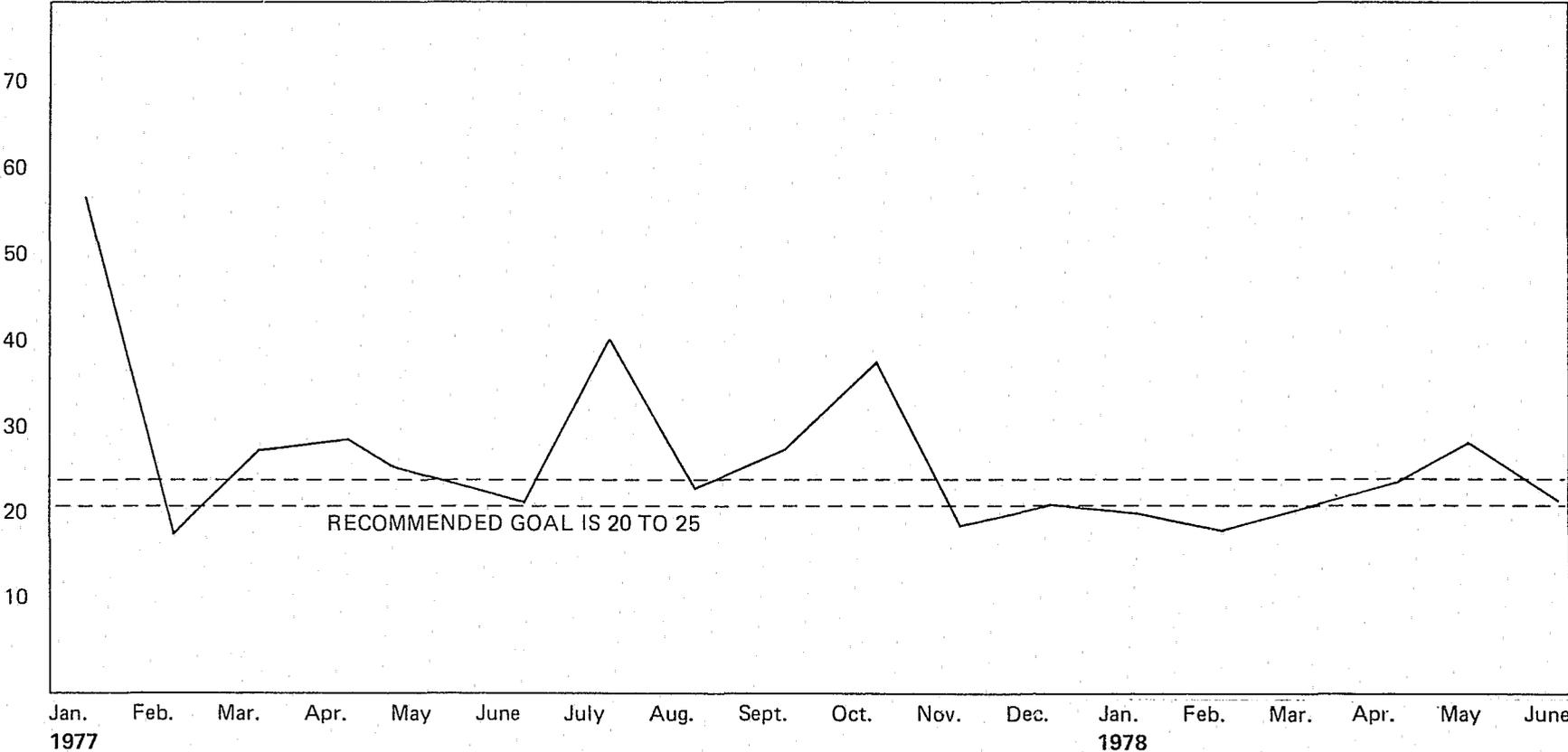
In its endeavor to reduce juror waiting time as much as practicable and supply the courts with the number of jurors needed, while saving money for the court by reducing the amount of jury fees paid, the Jury Management Project plotted the JUI for the year 1977 and the period January through June, 1978.

As it appears on page 35, the juror usage index, as calculated for DuPage County, shows a pattern of gradual control by project staff over the utilization of jurors. As indicated on this diagram, management efficiency was achieved, particularly after the passing of October, 1977, at which time the recommended index of 20 to 25 was reached for each month thereafter. Decreases in this index were a result of a growth in the number of six-member juries, as well as other methods which shortened voir dire or trial time. On the other hand, increases in this index were attributed to a heavier criminal caseload, or a rise in the number of highly publicized trials.

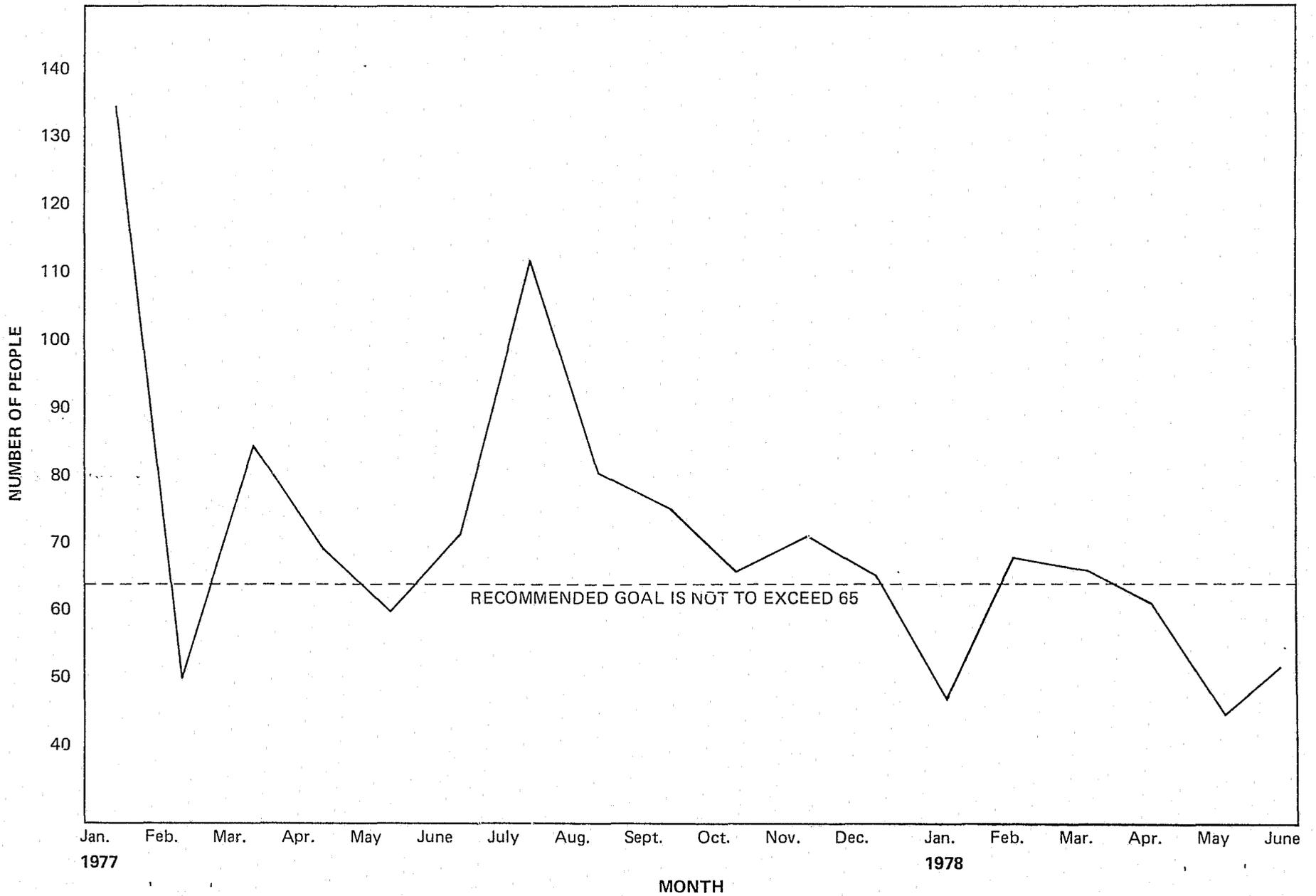
⁹Long trials result in a lower JUI, but a higher JDPT.

¹⁰Unusually lengthy trials were defined as those trials lasting three weeks or more.

JUROR USAGE INDEX



MONTHLY AVERAGE OF PEOPLE BROUGHT IN FOR TRIAL



The juror usage index was used in the 18th Judicial Circuit on a continuing basis and was monitored for changes. This measure of juror utilization was most useful when court system characteristics remained stable. A juror utilization summary for the twelve months of 1977 and January through July, 1978, appears on pages 38 and 39 of this report.

D. Trials Anticipated and Trials Held by Days of Week

Findings:

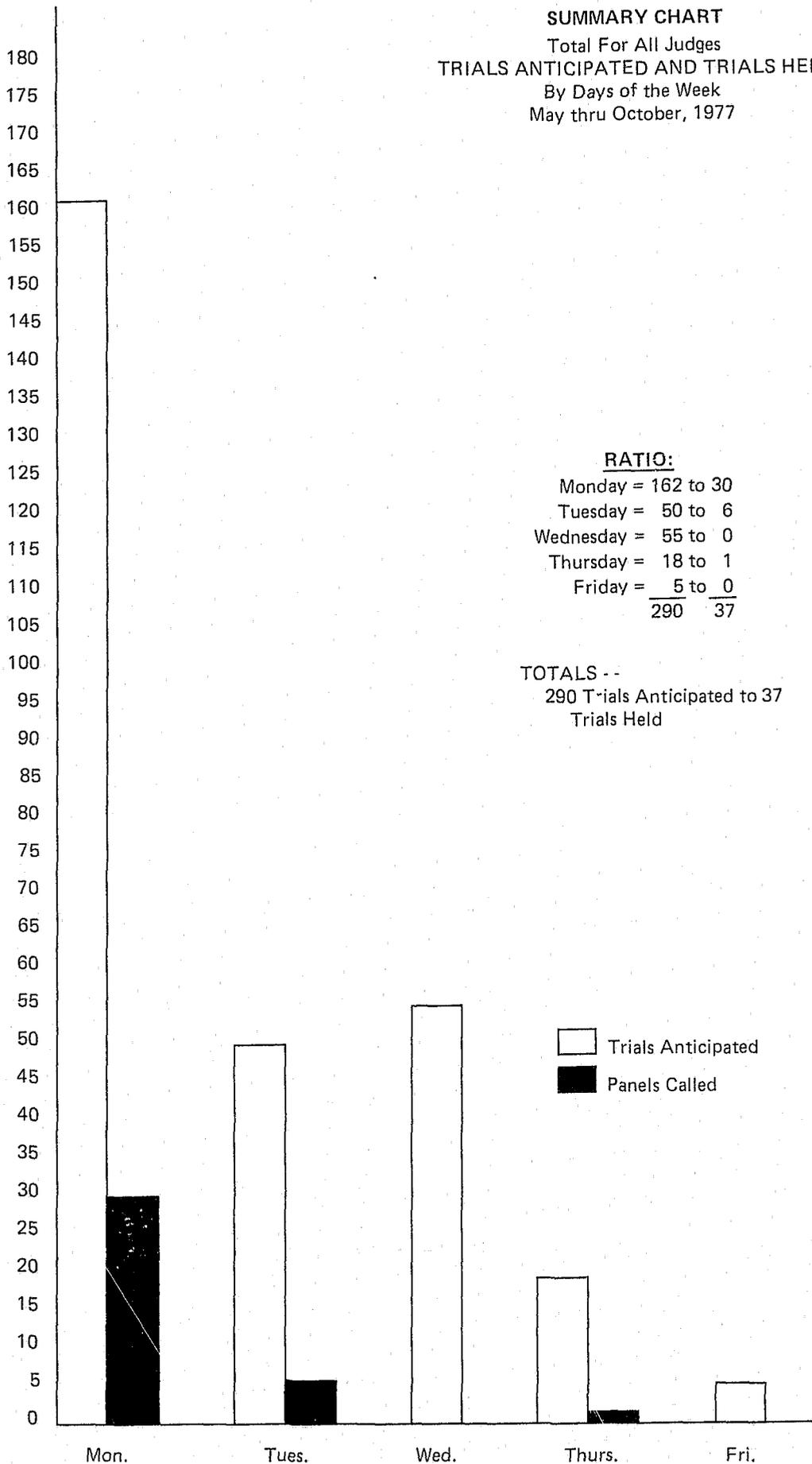
Prior to the establishment of the Jury Management Project, the 18th Judicial Circuit had no means for determining the number of trials actually held in contrast to those which were anticipated to begin on a certain date. Therefore, in May, 1977, a system was implemented whereby all trial judges notified the Jury Supervisor of the number of anticipated trials for the following week. A summary of trials anticipated to trials actually held from May to October, 1977, appears on page 40. A total of 290 trials were anticipated during this period of time, while only 37 of those were actually held; or, a ratio of 1:7. Since that period of time, however, considerable progress was made in the court's ability to predict trials. For example, during the period of January through June, 1978, the total number of trials anticipated was 358, while the number of trials actually held was 88; or, a ratio of 1:4. These findings appear in a diagram on page 41.

JUROR UTILIZATION SUMMARY

- 1977 -

	<u>JANUARY</u>	<u>FEBRUARY</u>	<u>MARCH</u>	<u>APRIL</u>	<u>MAY</u>	<u>JUNE</u>	<u>JULY</u>	<u>AUGUST</u>	<u>SEPTEMBER</u>	<u>OCTOBER</u>	<u>NOVEMBER</u>	<u>DECEMBER</u>
	(2 two- week sessions)	(2 two- week sessions)	(1 two- week session)	(2 two- week sessions)	(2 two- week sessions)	(1 two- week session)	(2 two- week sessions)	(1 two- week session)	(2 two- week sessions)	(3 one- week sessions)	(4 one- week sessions)	(3 one- week sessions)
No. of jurors available- Average per day	74.3	80.4	85	94.8	77.5	73.6	65.7	72.8	82.0	62.4	85	74.9
Panels requested- average per day	.85	1.7	1.0	2	1.2	1	.50	.75	1	.87	2.2	1
No. of trials-average in session per day	1.6	4.2	2.9	3.3	2.7	3.1	1.5	3.0	2.8	1.5	4.65	3
Jurors' time productive- Average per session	24.25%	65.25%	45%	47.25%	42%	57%	35.37%	55.5%	54.0%	40%	68.25%	62%
Length of trials- Average number of days	2 1/2 da.	2 1/4 da.	2 2/3 da.	2 1/2 da.	2 1/4 da.	2 3/4 da.	3 days	3 days	2 days	1 1/2 da.	3.3 da.	3 days
No. of trials per session- panel used	5	12	7	21	20	10	10	8	15	13	23	13
Juror usage index	57.1	19.1	27.78	28.7	26.3	23.7	40.26	24.3	27.55	38.04	19.7	22.1

SUMMARY CHART
 Total For All Judges
TRIALS ANTICIPATED AND TRIALS HELD
 By Days of the Week
 May thru October, 1977



RATIO:

Monday = 162 to 30
 Tuesday = 50 to 6
 Wednesday = 55 to 0
 Thursday = 18 to 1
 Friday = $\frac{5}{290}$ to $\frac{0}{37}$

TOTALS --
 290 Trials Anticipated to 37
 Trials Held

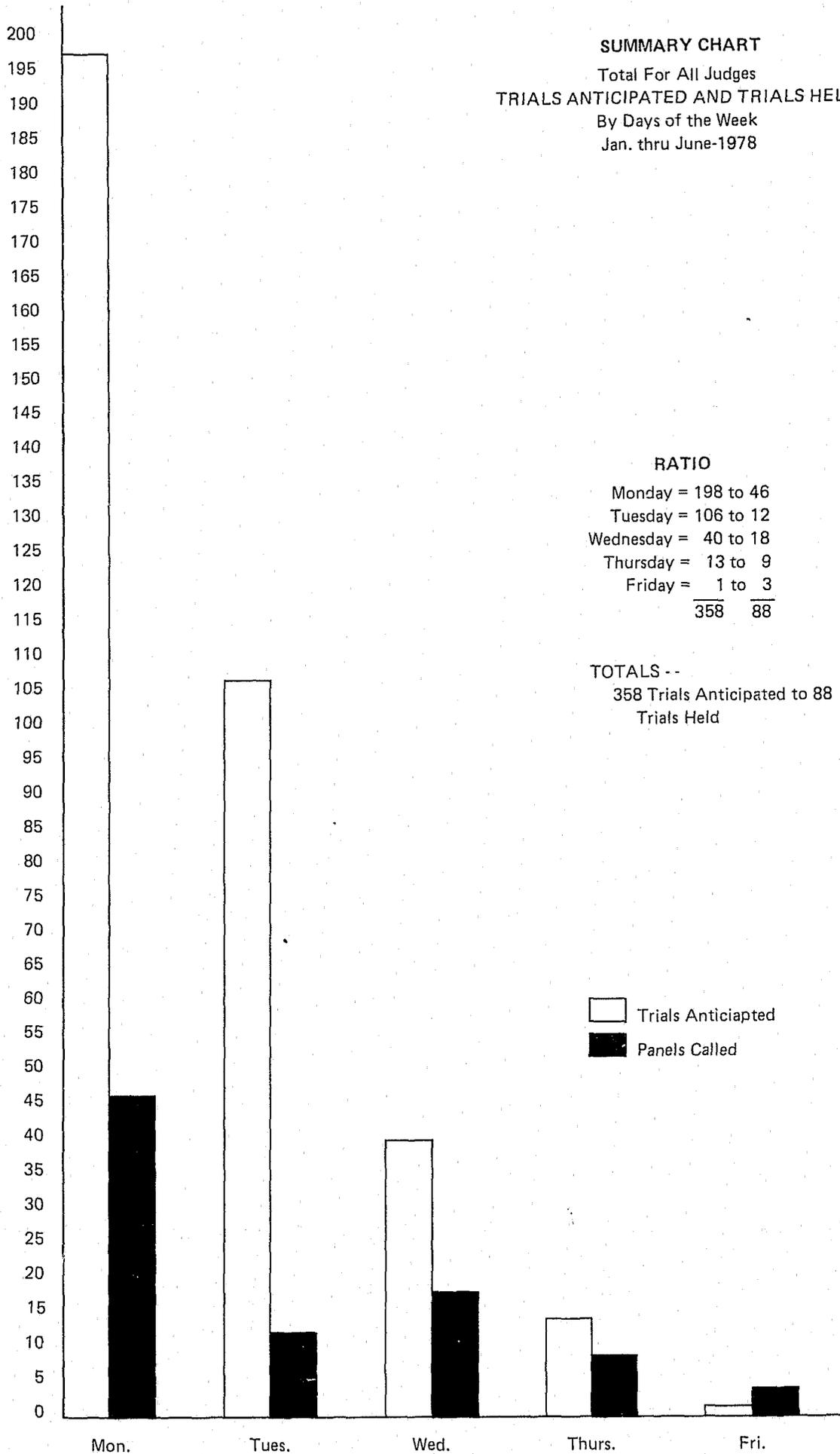
□ Trials Anticipated
 ■ Panels Called

JUROR UTILIZATION SUMMARY

JANUARY - JULY, 1978

	<u>JANUARY</u> (2 one week sessions)	<u>FEBRUARY</u> (2 one week sessions)	<u>MARCH</u> (3 one week sessions)	<u>APRIL</u> (4 one week sessions)	<u>MAY</u> (4 one week sessions)	<u>JUNE</u> (4 one week sessions)	<u>JULY</u> (4 one week sessions)
No. of jurors available - average per day	84.5	89.4	76.5	85.4	74.9	78.85	60.46
Panels requested - average per day	1.7	1.3	1.1	1.4	3.8	3.6	4.0
No. of trials - average in session per day	4.2	4.9	3.5	3.4	9.0	14.4	8.6
Jurors' time productive - average per session	71%	63.25%	59%	53.5%	40.3%	60.8%	56.7%
Length of trials - average	2 2/3 days	3 1/3 days	2 3/4 days	2 days	2 days	3 1/4 days	1 1/2 days
No. of trials per session - panels used	8	13	17	16	8	15	12
Juror Usage Index	20.4	19.1	21.86	25.8	34	21	21.85

SUMMARY CHART
 Total For All Judges
TRIALS ANTICIPATED AND TRIALS HELD
 By Days of the Week
 Jan. thru June-1978



RATIO

Monday = 198 to 46
 Tuesday = 106 to 12
 Wednesday = 40 to 18
 Thursday = 13 to 9
 Friday = 1 to 3
 358 88

TOTALS --
 358 Trials Anticipated to 88
 Trials Held

□ Trials Anticipated
 ■ Panels Called

Recommendations and Results:

The method for predicting the number of jurors needed for trial on any given day in the 18th Judicial Circuit was reasonably simple to apply. Initially, the basis for this system was to increase the amount of communication with trial court judges concerning the number of scheduled trials for any given day. However, a continual study of this data provided the court with an adequate means for predicting juror demands, as well. In conclusion, the number of jurors summoned to court was maintained by giving consideration to fluctuations in demand caused by such factors as variations in the judicial manpower present, or the number of scheduled trials,¹¹ and when possible, the probability of pre-trial settlements. (The specific data collection forms used by the Jury Management Project for gathering this information appear in Section XIV of this report.)

¹¹Maureen Solomon, American Bar Association Commission on Standards of Judicial Administration, Supporting Studies-3, Management of the Jury System, 1975.

V. ELEMENT 4 - RANDOMNESS

This section of the Final Report outlines the "Randomness" of DuPage County's jury system. Included in Element 4 is a review of procedures dealing with factors to be measured such as: 1) randomness of draws; 2) number of draws; and, 3) statutory provisions.

The result of this study on randomness has provided the court with a better cross-section of the population serving it, and improved juror utilization.

A. Randomness Draws

Findings:

The general jury list was automatically generated from the source list which, in DuPage County, consisted solely of the list of registered voters. Subsequently, the active list was established as a result of the qualification process, and jurors were selected, at random, to be summoned. Responsibility for overseeing the process rested within the Jury Commission Office.

During the initial months of the Jury Management Project, it was observed that, upon reporting to the jury pool, a panel of jurors was drawn at random by the Jury Supervisor and taken to the courtroom as

specified by the judge of that courtroom. Once in the courtroom, the Court Clerk would draw twelve numbers, again at random, representing the number of prospective jurors needed to begin the voir dire process. Drawing would continue in this manner until twelve jurors were selected for that case.

Every juror who served on a jury in the 18th Judicial Circuit had his number drawn three times in a random drawing, as indicated above. In order to serve on another trial, a prospective juror's number must have been drawn at least twice again at random.

The Jury Management Project believed excessive drawings to bring about inequalities in serving and affect juror attitudes. For example, it was not unusual for a prospective juror's number to be selected three times for placement on a panel, while many others were never called to serve. During the week of December 13, 1976, one prospective juror's number was called three times for placement on a panel. Eight were called twice. Fifty-four were called once, and 26 were never called.

Recommendations and Results:

To more equally distribute the number of jurors in the pool who were available for placement on panels, the Jury Management Project recommended the implementation of a system of pre-assigned panels. As a result of this recommendation, jurors were assigned to panels as soon as they

arrived on the first morning for jury duty. The first 24 prospective jurors to arrive were placed in Panel 1; the next 24 to arrive were placed in Panel 2, etc. Additional panels of prospective jurors were created by the Jury Supervisor as challenges were sent back to the Jury Lounge. This procedure allowed for all jurors to be used on a venire at least once, and eliminated the problem of some jurors' numbers being drawn several times, while others were not called at all.

B. Statutory Provisions

Findings:

The single-county circuit of DuPage County was largely governed by those statutes pertaining to Jury Commissioners. Those sections of the law generally did not specify particular randomizing procedures, but left such matters to the discretion of the Circuit Judges, via their rule-making authority.

Recommendations and Results:

With respect to randomness, it had been determined through the various undertakings of the Jury Management Project, that the 18th Judicial Circuit Court of DuPage County was in substantial compliance with the sections of the law referenced on the pages which follow.

- 78 Ill. Rev. Stat. 8 - Drawing Jurors -

Upon a day designated by the judge of the court. . .the clerk of the court shall repair to the office of the county clerk, and in the presence of a judge and of such county clerk, after the box containing the names has been well shaken by the county clerk, and being blindfolded shall, without partiality, draw from such box the names of a sufficient number of persons. . .to constitute petit jurors. . .

- Ill. Rev. Stat. 20 - Impaneling Petit Jurors -
- Drawing by Lot -

It shall be the duty of the clerk of the court. . .to write the name of each petit juror summoned. . .on a separate ticket,. . .and put the whole into a box or other place for safe keeping; and as often as it shall be necessary to impanel a jury, the clerk, sheriff or coroner shall, in the presence of the court, draw by chance 12 names (or 14 where alternates are required) out of such box or other place. . .

- 78 Ill. Rev. Stat. 31 - Active Jury List -
- Method of Selection -

(a). . .The active jury list. . .shall be prepared by selecting every twentieth name, or other whole number rate necessary to obtain the number required. . .

- 78 Ill. Rev. Stat. 32 -
- Drawing of Grand and Petit Jurors -

In other than single county circuits. . .The clerk shall repair to the office of the jury commissions and there. . .proceed to draw by lot the necessary number of names from those made available.

NOTE: This section applies to single-county circuits, as well.

VI. ELEMENT 5 - COSTS AND CONDITIONS

The data and findings contained within Element 5 of the Final Report are limited to the subject of "Costs and Conditions." Specifically, areas of discussion include: 1) the court's fiscal data, such as length and term of jury service; 2) a review of operations with respect to juror fees and mileage; and, 3) costs per juror.

In addition, diagrams are supplied in this section, and deal with total juror expenses for the years 1976, 1977, and 1978, and the cost savings attained during 1977 and 1978 by an early dismissal of jurors.

A. Term of Service

Findings:

Prior to the establishment of the Jury Management Project, the 18th Judicial Circuit Court employed a two week term of jury service. This was required under the Illinois Revised Statutes, Chapter 78. However, immediately following the legislative process instituted by the Jury Management Project to bring about a change in this statute, effective October 1, 1977, the Chief Judge ordered a reduction in the term of jury service from two weeks to one week.

Recommendations and Results:

Originally, the reasons for reducing the length of jury service were as follows:

1. Comments made by jurors through the Jury Exit Questionnaire¹² indicated the two week term to be a hardship;
2. A greater number of citizens would have an opportunity to serve as jurors;
3. A shorter term of jury service was preferable because it reduced the need for excusals and distributed jury service more broadly among the population; and,
4. Judges preferred "fresh" jurors.

In addition to the one-week term of service, the reduced jury term in DuPage County has realized further benefits as a result of the subsequent initiation of a four day jury term (Monday through Thursday).

The 18th Judicial Circuit exercises the four day jury term whenever it can be applied. In other words, by experimenting with the one week system, the project staff discovered that, by making the appropriate jury pool adjustments according to the needs of the individual trial courts for each day of the week, the jury pool could be eliminated on Fridays.

¹²See Jury Exit Questionnaire results, Exhibit 3-C.

However, by advanced and/or special request of a judge to the Jury Commission Office, jurors could be provided and available to serve.

The way in which the Monday through Thursday jury system currently operates is two-fold:

1. The Jury Supervisor obtains pertinent information from each judge concerning his jury needs for the day, as well as those for the following day. The size of the jury pool is then regulated to conform with the number of trials expected to begin.
2. A telephone call-in system, or code-a-phone, has been installed and operates on those occasions when the Circuit Court's jury needs cannot readily be determined. This system allows jurors the freedom to call in and receive instructions regarding the next day in which they are needed to report for service.

B. Fees and Mileage

Findings:

A per diem rate of \$10.00 and mileage reimbursement rate of \$.10 per mile was observed.

Recommendations and Results:

With regard to the per diem rate, it was the opinion of the Jury

Management Project that, in terms of juror comfort and attitude, improvements in other areas such as the quality and amount of information provided to jurors, the remodeling of the Jury Lounge and better use of jurors' time were equally, if not more important in maintaining an atmosphere of "happy" jurors. Therefore, it was recommended that the per diem rate not be increased, but rather that juror comforts be improved and free coffee, to minimize out-of-pocket expenses, be provided.

The mileage fee for jurors, however, was determined to be insufficient at \$.10 per mile, particularly in light of recently increased gasoline prices.

Pursuant to the recommendation made by the Jury Management Project, the mileage fee for jurors, on July 1, 1977, was increased from \$.10 to \$.20 per mile. This increase more nearly conformed with the mileage reimbursement regulations for DuPage County employees, and has been favorably looked upon by jurors serving the 18th Judicial Circuit.

C. Juror Costs

Findings:

During the life of the Jury Management Project, daily requirements for jurors were forecast. Since the number of jurors who were actually needed to serve the courts repeatedly varied from day to day,

adjustments in the pool size took place on a daily basis under the guidance of the Jury Supervisor. This short-range method of forecasting was highly dependent on the daily communication from court staff, and was a primary factor in controlling and reducing juror costs.¹³

The juror per diem and mileage expenditure diagrams which appear on the following pages reflect the total cost of juror fees and mileage for the years 1976, 1977 and 1978. It should be noted here that, although juror costs had experienced a continual increase over these periods of time, DuPage County's jury system had been drastically revamped, particularly in two areas: 1) on October 1, 1977, the jury term of service was reduced from two weeks to one week, resulting in a near doubling in the number of prospective jurors qualified and summoned for jury service; and, 2) in July, 1977, the amount of mileage reimbursement was increased from \$.10 to \$.20 per mile.

Discontinuing the jury pool on Fridays, except by special request, and dismissing jurors on those days of the week when the anticipated needs of the court permitted, had allowed the 18th Judicial Circuit to realize an annual savings in 1977 of \$21,780.00. This sum can be compared to a total savings of \$15,410.00 for the twelve months of 1976, prior to the institution of the Jury Management Project. During the period

¹³ Maureen Solomon, American Bar Association Commission on Standards of Judicial Administration, Supporting Studies-3, Management of the Jury System, 1975.

January through July, 1978, at which time the one-week jury term was in operation, the dollar savings recognized as the result of early dismissal of jurors was \$20,250.00.

Recommendations and Results:

The dollar savings indicated above is representative only of the \$10.00 per diem which was paid to each juror who reported for jury service during the aforementioned periods of time. Therefore, in addition to juror per diem, real savings may be accounted for by giving consideration to the mileage costs for those jurors dismissed early, as well as the varying circumstances under which each trial court operated. Nonetheless, for purposes of comparison, the Jury Management Project examined the period of January through July for the years 1977 and 1978. As indicated on the diagram below, the difference in the cost of juror fees paid during this period decreased by \$3,484.00. Mileage fees paid, however, increased

January-July	Fees Paid	Mileage Paid	Panels Delivered
1977 (13 two-week periods)	\$93,448	\$17,772.20	122
1978 (23 one-week periods)	89,600	34,322.00	135
Difference	-3,484	+16,549.80	+13

during this period by \$16,549.80. Certainly, this drastic rise in mileage fees can be attributed to the change in the amount of mileage reimbursement

from \$.10 per mile to \$.20 per mile in July, 1977. On the other hand, with the descent in juror fees paid during this one year period, an additional 13 jury panels were delivered to courtrooms. Therefore, although the 18th Judicial Circuit had experienced more jury trial activity during 1978, the overall juror per diem costs declined. Furthermore, the Jury Management Project believed that the total dollar savings in juror fees to be realized for the twelve months in 1978 would not only surpass the 1977 savings, but would nearly double the 1976 savings of \$15,410.00.

JUROR PER DIEM AND MILEAGE EXPENDITURES
-1976-

<u>Date</u>	<u>Fees Paid</u>	<u>Mileage Paid</u>	<u>Total</u>
1-5-76	\$6760.00	\$1235.60	\$ 7995.60
1-19-76	8700.00	1646.40	10346.40
2-9-76	4890.00	937.00	5827.00
2-23-76	8190.00	1565.00	9755.00
3-15-76	6690.00	1147.20	7837.20
4-5-76	8530.00	1698.60	10228.60
4-19-76	9550.00	1795.80	11345.80
5-3-76	8580.00	1595.40	10175.40
5-24-76	8340.00	1543.60	9883.60
6-7-76	7700.00	1475.40	9175.40
6-28-76	6400.00	1230.40	7630.40
7-26-76	3660.00	664.80	4324.80
8-23-76	4700.00	943.00	5643.00
8-26-76	2160.00	379.00	2539.00
9-13-76	7400.00	1333.40	8733.40
9-27-76	7920.00	1382.60	9302.60
10-18-76	9500.00	1805.40	11305.40
11-1-76	6610.00	1203.20	7813.20
11-15-76	4340.00	820.80	5160.80
11-29-76	7990.00	1364.60	9354.60
12-13-76	4910.00	885.80	5795.80
TOTAL: 21	<u>\$143,520.00</u>	<u>\$26,653.00</u>	<u>\$170,173.00</u>

JUROR PER DIEM AND MILEAGE EXPENDITURES

-1977-

<u>Date</u>	<u>Fees Paid</u>	<u>Mileage Paid</u>	<u>Total</u>
1-3-77	\$7,590.00	\$1,300.60	\$ 8,890.60
1-17-77	7,430.00	1,327.80	8,757.80
2-7-77	7,090.00	1,204.80	8,294.80
2-22-77	7,790.00	1,346.60	9,136.60
3-7-77	4,340.00	751.20	5,091.20
3-14-77	** 7,578.00	** 1,300.60	8,878.60
4-4-77	8,420.00	1,482.00	9,902.00
4-18-77	8,540.00	1,584.80	10,124.80
5-9-77	6,240.00	1,135.60	7,375.60
5-23-77	8,380.00	1,457.20	9,837.20
6-6-77	7,230.00	1,355.60	8,585.60
6-27-77	6,300.00	1,160.60	7,460.60
*7-11-77	6,520.00	2,364.80	8,884.80
8-15-77	7,530.00	2,894.00	10,424.00
9-12-77	8,390.00	3,192.20	11,582.20
***9-26-77	3,550.00	1,349.20	4,899.20
10-3-77	3,000.00	1,092.80	4,092.80
10-11-77	2,740.00	1,132.60	3,872.60
10-17-77	3,170.00	1,237.80	4,407.80
10-31-77	4,080.00	1,515.00	5,595.00
11-7-77	4,160.00	1,661.00	5,821.00
11-14-77	5,710.00	2,195.80	7,905.80
11-21-77	440.00	150.60	590.00
11-28-77	4,030.00	1,636.00	5,666.00
12-5-77	3,890.00	1,442.40	5,332.40
12-12-77	3,500.00	1,298.40	4,798.40
12-19-77	2,590.00	1,020.00	3,610.80
TOTAL: 27	\$150,228.00	\$39,590.00	\$189,818.20

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*Reflects mileage increase to 20¢/mile.
 **Estimate due to incomplete data.
 ***Term reduced from 2 weeks to 1 week.

JUROR PER DIEM AND MILEAGE EXPENDITURES
- 1978 -

<u>Date</u>	<u>Fees Paid</u>	<u>Mileage Paid</u>	<u>Total</u>	
1-9-78	\$4,560.00	\$1,580.00	\$6,140.00	
1-23-78	4,650.00	1,586.20	6,236.20	
1-30-78	2,890.00	1,066.60	3,956.60	
2-6-78	6,280.00	2,210.00	8,490.20	
2-27-78	3,950.00	1,518.80	5,468.80	
3-6-78	3,620.00	1,498.40	5,118.40	
3-13-78	4,190.00	1,622.80	5,812.80	
4-3-78	4,760.00	1,830.20	6,590.20	
4-10-78	4,200.00	1,652.20	5,912.20	
4-17-78	3,670.00	1,406.60	5,076.60	
4-24-78	4,620.00	1,717.80	6,337.80	
5-1-78	4,690.00	1,881.40	6,571.40	
5-8-78	3,960.00	1,499.20	5,459.20	
5-15-78	3,290.00	1,391.60	4,681.60	
5-22-78	2,720.00	1,050.60	3,770.60	
6-5-78	3,610.00	1,444.60	5,054.60	
6-12-78	4,210.00	1,748.40	5,958.40	
6-19-78	4,150.00	1,567.40	5,717.40	
6-26-78	3,050.00	1,254.40	4,304.40	
7-10-78	2,710.00	1,177.00	3,887.00	
7-17-78	3,320.00	1,291.80	4,611.80	
7-24-78	3,140.00	1,159.80	4,299.80	
7-31-78	3,360.00	1,166.00	4,526.00	
<hr/>				
TOTAL:	23	\$89,600.00	\$34,322.00	\$123,922.00

VII. ELEMENT 6 - CITIZENS' AWARENESS

Element 6 is a compilation of those items which cause an increase in "Citizens' Awareness" of those circumstances surrounding, and responsible for Circuit Court operations. In this section, for example, the Jury Management Project discusses its progress in the following areas: 1) the establishment of an information booth and an information booth receptionist; 2) juror comforts and concerns through the use of Jury Exit Questionnaires; and, 3) juror attitudes.

The Jury Exit Questionnaire is discussed at great length. Its importance is explained in the form of survey results in this section.

A. The Information Booth Receptionist

Findings:

Until the establishment of the Jury Management Project, in November, 1976, DuPage County had virtually no means of providing adequate methods for informing the general public as to the structure of the various County buildings, in relationship to the location of each County office. It was observed that a significant amount of questions were asked by the public relating to where a juror reported for duty; where a traffic fine could be paid; where a marriage license or birth certificate could be

obtained; where a field court was located; or, where the DuPage County Center was located. All of these inquiries were responded to in an unorganized manner by various county employees who happened to be passing through the corridors, often times causing an interruption of their work routine. On the first Monday of each two-week jury service period, prospective jurors arrived at the Courthouse bewildered and confused, with only a jury summons to guide and direct them.

Recommendations and Results:

On December 1, 1976, the part-time member of the Jury Management Project staff was assigned to man the information booth during the hours of 8:30 A.M. to 11:30 A.M., on Mondays through Fridays, when the flow of traffic through the Courthouse was deemed to be at its peak. A notebook consisting of materials pertinent to the Courthouse design and court-related activities, as well as the location of the County Complex and various other County governmental agencies was developed by the Information Receptionist. Additionally, on February 1, 1977, the Information Receptionist was assigned the task of presenting information about the Courthouse structure to visiting groups. Also, as Educational Director, tours were conducted, instruction was given on court organization and its functions, and appropriate courtroom visits were arranged.

It was foreseeable that, as the caseload of the 18th Judicial Circuit Court increased, so would the traffic flow and, therefore, it was

recommended that the position of Information Receptionist be funded by DuPage County's General Fund, initially as a part-time position with the possibility of forming a full-time position in the years ahead.

In order to provide a maximum amount of information to citizens concerning DuPage County's jury system, while conforming to specific grant guidelines, the staff of the Jury Management Project, in addition to its four Demonstration Conferences held in April, 1978, have made presentations to college classes and service clubs, and have received various court employees as visitors from out-of-state and neighboring county courts. Furthermore, newspaper articles regarding the Jury Management Project's findings and jury service have appeared in several County newspapers, as well as the Chicago Magazine, the Chicago Daily News and the Suburban Trib of the Chicago Tribune.

B. Juror Comfort

Findings:

The Jury Lounge was originally erected in 1969 and provided adequate accommodations for 65 jurors. Today's jury pool, however, numbers 90 to 115, thereby overtaxing the facility, particularly on Thursday or Friday afternoons when it was not uncommon to find a jury pool consisting of 90 jurors expecting to be called for placement on a panel, but rather, waiting patiently for the time to arrive when they would be allowed to

exit the Jury Lounge for the day. Comfortable seating was not available; tables for writing were not provided; ventilation was poor; restroom space was inadequate; and, good safety regulations were ignored.

Recommendations and Results:

Giving full consideration to the importance of this matter, the Jury Management Project obtained approval from its funding agency to remodel the Jury Lounge, at an approximate cost of \$12,000.00. The remodeling of the Jury Lounge, in order to provide for juror safety and comfort while providing better facilities for the Jury Supervisor, derived the following benefits:

1. Increased floor space by approximately one-third;
2. Provision for additional restroom facilities;
3. An increased number of exits from the area;
4. Provision for better ventilation;
5. Better availability of the Jury Supervisor's office; and,
6. Provision for a quiet reading and work area.

C. Juror AttitudesFindings:

The Jury Exit Questionnaire was a device designed to solicit jurors' suggestions and criticisms regarding their term of service. This proved to be an important indicator of juror attitudes in the 18th Judicial Circuit, since it was thought that departing jurors could be expected to openly express any negative feelings they might have concerning jury service to other persons, indirectly influencing the rate of non-response to qualification questionnaires and summonses by future prospective jurors.

In January, 1977, the Jury Management Project conducted a three month survey on juror attitudes through the use of this questionnaire. An analysis of the data collected exposed two areas of great concern: 1) approximately 55% of the jurors' 5½ hour day was spent in the Jury Lounge waiting to be called to a courtroom; and, 2) 63% of the jurors' responding to the Exit Questionnaire felt that too much of their time was being wasted in the trial courts. More comments were written by jurors regarding the court's use of their personal resources than about any other area of court operation, and, although the jurors felt too much time was being wasted, this impression did not appear to be affected by their loss of income. However, those who suffered personal inconvenience and considerable professional interference were found to be more critical of the court's use of their time. (See Exhibit 3-C.)

Recommendations and Results:

In January, 1978, after several suggested changes concerning juror comfort and attitude had been implemented, (as indicated by the responses to the Jury Exit Questionnaire) another survey was conducted. Once again, the Jury Management Project distributed Exit Questionnaires to jurors on the last day of the jury term.

The results of this survey demonstrated that the percentage of time spent waiting in the Jury Lounge had been reduced by more than one-half and that the number of times jurors were sent to voir dire had been more equally distributed among all jurors. Overall, less than 10% of the jurors responding reported a negative reaction to jury duty, in contrast to 25% one year ago.

The Jury Management Project believed that this surge of favorable responses to the comparing months of Exit Questionnaires was a direct result of the genuine concern over total juror welfare by the Circuit Court. As a solution to those problems and criticisms expressed by prospective jurors, not only was the Jury Lounge enlarged, but free coffee and tea was provided for jurors and the mileage rate of \$.10 per mile was increased to \$.20 per mile.

VIII. ELEMENT 7 - PAPER WORK

The section pertaining to "Paper Work" supplies a breakdown of jury system operations in the Jury Commission Office before and after the institution of automation. For example, under Element 7, a discussion of the following areas is outlined: 1) past Jury Commission Office procedures, reviewing operations; 2) automated jury system objectives; and, 3) automated jury system functions creating reduced paper work with a computerized system.

A. Jury Commission Office Procedures

Findings:

A new dimension was added to the Jury Management Project as its progress rapidly dispersed. The laborious task of identifying and recording by sequence all functions requiring "paper work" in the selection, management and compensation of jurors was undertaken by project staff during its first quarter. By request of the Project Director, DuPage County's Data Processing Department assigned a staff member to counsel the Jury Commission Office and assist in the development of acceptable and efficient office procedures. The jury system once employed by the 18th Judicial Circuit was an extremely redundant, manual, mechanical system which operated in the following manner.

The existing card file in the Jury Commission Office represented the names of selected, potential jurors which were obtained from the latest Election Commission file. There was one data card for each selected potential juror, arranged in township and precinct order, conforming to the entire voter list which resided in the office. In order to begin the questionnaire cycle, the Jury Commission Clerk would hand pull approximately 1,000 cards from this file, submitting those cards to the Data Processing Department for a questionnaire listing and mailing labels. Data Processing produced the listing and labels from those cards which were sequentially numbered by a computer program. They were then returned to the Jury Commission Office for manual stuffing of envelopes and affixing of labels to the questionnaires. After the personal interview process, Jury Commission clerks would hand write the results of the interview or note questionnaires returned by Post Office in the computer listing of the voter file. The entire voter file listings were separated by township into nine books, always hand carried or manipulated, some of which were quite cumbersome. End to end, the entire listing approximated three feet or more.

Subsequent to the personal interview, a distinction was made by the Jury Commission Office as to the qualification of each potential juror; that is, "yes" or "no," with no exceptions. The same cards used to produce the questionnaires were returned to the Jury Commission Office and on the cards themselves, was punched either yes or no with the date.

Also, along with each yes was the "period" an individual checked for jury service. This "period" was the 1st quarter, 2nd, 3rd or 4th of each year. All qualified juror questionnaire forms were manually separated and a hand-typed juror card was made for inclusion in the General Box.

Approximately eight or nine times per year, the Chief Judge would inform the Jury Commission Office of the court's projected juror needs for each session. The Jury Commissioners and the Circuit Clerk, together, physically drew from the General Box, "X" number of juror cards corresponding to the "X" number specified by the Chief Judge. Additionally, the Jury Commission Clerk manually controlled the four period boxes, inserting that quarter's juror cards to the original, after having read each juror card drawn for period preference, then sorting and placing those so marked in the various piles.

The selected juror cards were hand sorted by the Jury Commission Clerk on a table by township, town and name; each was separated by session and a juror number was hand written on each card, beginning with "1" for each session. The session cards were then distributed to the office clerks for typing of jury lists and jury certification lists for the Circuit Clerk. The Circuit Clerk, after receiving the list, produced and mailed the jury summons.

CONTINUED

1 OF 2

3. To store pertinent historical information concerning each juror using a medium which allowed for quick and easy accessibility.
4. To select jurors to serve on a given date with consideration given to deferrments and preferences.
5. To pay the jurors after completion of service.
6. To provide statistical reports for efficient jury management.

Through the efforts of the project staff and the aid of a computer, the Jury Commission Office operations have been simplified. In November, 1977, the Jury Commission Office became totally automated, relieving some seventeen of the twenty-one manual steps originally needed to process each prospective juror through the system. Furthermore, all office functions were handled by two clerks and the Jury Administrator, rather than the previous staff of three clerks and an office supervisor. A description of the way in which the automated jury system employed by the 18th Judicial Circuit operated appears below.

Prospective jurors are selected from the voter registration disk file according to a starting number and key number designation. The starting number represented the record displacement from the beginning of the file, at which selection is to begin. The key number represents the selection gap between records, i.e., from the starting number, every Nth active voter was selected as a prospective juror. The starting number and key

For attendance purposes, jurors were individually asked to carry juror cards which were given to the Jury Commission Clerk daily and placed over an office copy of the same card and punched. This card was manually typed in duplicate for each session of jurors. The Jury Commission Clerk then counted the "holes" in the attendance cards, post session, and wrote the number of days served and the mileage rate to be used.

It was the opinion of the Jury Management Project that, without computer assistance, the volume of work in the Jury Commission Office would become too burdensome and costly to manage in the same fashion as it had for the past several years.

Recommendations and Results:

The desire of the Jury Management Project was to develop an efficient system for the selection and management of jurors that was either manually administered or supported by automation. In this way, other counties would easily adapt this system for use in their courts. The objectives of such a system were as follows:

1. To select prospective jurors with greater speed and with improved randomness than previously realized when manually processed.
2. To automatically prepare questionnaires and summons with greater speed, cost savings and accuracy.

number are designated by the Jury Commissioners. The selected juror's name, address, township and precinct, extracted from the voters registration file, composes a list which is put into a random sort algorithm. Upon completion of the sort, each prospective juror, now on the juror master file, is assigned a unique number (hereinafter referred to as the questionnaire number) which is carried throughout the entire system.

After the development of the juror master file, the Jury Commission Office requests a specified number of prospective jurors to be mailed qualifying questionnaires. Upon completion of computer addressing, questionnaires are delivered to the Jury Commission Office for mailing to the prospective jurors. Along with those questionnaires, the Jury Commissioners receive a listing of computer-prepared jurors, by questionnaire number sequence and by alphabetical name sequence. When the questionnaire is completed by the prospective juror and returned, the Jury Commissioners analyze the answer given by the prospective jurors, and either qualify, exempt, or excuse them from jury service. For every returned questionnaire, a key punched card is prepared containing the juror's qualification status, choice of months to serve, if summoned, and miscellaneous information for the purpose of updating the juror's history. A sample of the qualifying questionnaire appears on the following page.

When it is determined that a specified number of jurors are needed for court service, the juror master file is scanned using the requested service date, and a summoned juror file is developed. Those jurors who

OFFICE OF THE JURY COMMISSIONERS OF DU PAGE COUNTY

(312) 682-7330



If name or address is incorrect, please correct below.

Name _____

Address _____

City _____ Zip _____

(See reverse side for instructions.)

THE COMPLETED QUESTIONNAIRE MUST BE RETURNED BY MAIL WITHIN 10 DAYS.

1. Date of birth _____ Sex: Male Female Telephone: Home _____
(month) (day) (year)

2. Name of employer _____ Telephone: Bus. _____

3. Address of employer _____

4. What is the nature of your work? _____

5. Do you have any minor children whose care would interfere with your serving as a juror? yes no

If so, what are their ages? _____

6. Do you understand the English language? yes no Is your hearing good? yes no Is your eyesight good? yes no

7. Do you have any physical or mental impairment which would interfere with your serving as a juror? _____

8. Have you ever been convicted of a felony? yes no

9. Is there any reason why you should not serve as a juror if summoned? _____

10. Have you ever served as a juror? yes no - If so, state when and in what Court? _____

11. Please indicate below when you prefer to serve. Mark (1) for your first choice; (2) for your second choice; and (3) for your third choice in the appropriate boxes. Petit jurors serve for approximately one week. Grand jurors serve on an irregular schedule for a longer period.

Jan. Feb. Mar. Apr. May June July Aug. Sept. Oct. Nov. Dec.

12. Was this filled out and signed by yourself? yes no Signature _____

FOR OFFICIAL USE ONLY

Qualified Exempt _____ Excused _____ Commissioner _____

were determined to be "no-show" from a previous summons are selected first, followed by those who were previously summoned and deferred to this particular service date, followed by those qualified jurors who preferred this service month first, second or third, respectively. A random sort is performed on the latter group of jurors to satisfy the specified number of jurors requested. Summons are automatically addressed to those who have been drawn and, after mailing, there remains the possibility of some summons being returned due to address change, late exemption, excusal or deferral. The updating of jurors' cards also occurs at this time, through the use of key punched cards.

When jurors report on their scheduled date of service, their names are matched against an attendance card which is produced at the time of summoning. These cards are numbered consecutively, beginning with "1" and the number then becomes the juror's juror service number. The juror's attendance is recorded on this card. If a juror is impaneled on a trial case, the number of days the juror spends on the trial is manually recorded.

Payments are made for service by punching a card with information pertaining to per diem fee and mileage reimbursement. A payroll check is calculated and printed by the computer; the juror master file is updated, and a check registered listing is produced.

In addition, the following statistical reports were programmed for

jury system operations in the 18th Judicial Circuit, and can be obtained upon authorized request:

1. Geographical distribution of prospective jurors drawn from source list for master file;
2. Geographical distribution of questionnaire recipients;
3. Jury Commissioners' classification results by age grouping;
4. Listing of no returns from prospective jurors who were mailed questionnaires; and,
5. Distribution of preferred months of service.

These computer-generated reports continue to provide statistical information to the courts, lending assistance, where needed, to jury selection and management decisions. It was the belief of the Jury Management Project that the automated jury system has accomplished its previously stated objectives. In accordance with the findings produced through continued system monitoring, necessary changes and modifications to the system are being made.

IX. ELEMENT 8 - STATUTES

Element 8 of the Jury Management Project's Final Report is devoted to the study of "Statutes." In contrast to the complexity of jury system functions under the old statutes, this section presents data and findings as they pertain to the proposed and subsequently adopted reform of the Illinois Revised Statutes. The introduction of new legislation to jury system functions in the 18th Judicial Circuit is also discussed herein.

A. General Information and Proposed Reform

Findings:

At the time of the Jury Management Project's study, there were 102 counties in the State of Illinois, only two, DuPage County and Cook County, were single-county circuits. Separate statutory requirements governed counties other than DuPage and Cook, with respect to drawing jurors.

At the onset of the Jury Management Project, the project staff undertook a study which determined the degrees of sensitivity and public accountability contained in the Illinois Revised Statutes, Chapter 78, with regard to human and financial resources. Also, project staff wished to establish the suitability of the statutes for conducting and processing

jury system functions.

Project findings determined the Illinois Revised Statutes to be restrictive, as well as preventing modern, useful techniques necessary for the efficient processing of the undertakings of the Jury Commission Office. The major hinderences as defined by the staff of the Jury Management Project included:

1. Delivery of the jury summons by personal service of the Sheriff;
2. A 10:00 A.M. reporting hour for petit jurors; and,
3. A two-week term of jury service.

Furthermore, the result of this study revealed that DuPage County was not in conformity with the State statutes; and that the Circuit Court Rules did not always comport with the statutory mandates.

Recommendations and Results:

Discrepancies were brought to the attention of the Court Administrator, Administrator, the Jury Commissioners and the Committee appointed by the Chief Judge to revise the Circuit Court Rules.

During the first quarter of 1978, with the cooperation of Hon. Gene Hoffman and Hon. Lee Daniels, members of the House of Representatives, from the 40th District, the Jury Management Project drafted a proposal for legislative changes. Specifically, House Bill #2032

made it permissible for single-county circuits to summon jurors by first class mail, delegating this responsibility to the Clerk of the Circuit Court. In addition, House Bill #2032 allowed the Chief Judge of a single-county circuit to determine individual lengths of jury service. (See Exhibit 8-A).

The Rules of the Circuit Court for the 18th Judicial Circuit were revised on September 1, 1977, thereby modifying all jury system procedures to conform with the statutory changes.

To further improve the administration of the Jury Commission Office, House Bill #0339, (effective August 4, 1977) provided for the disposition of Jury Commission office records, more than four years of age. (See Exhibit 8-B).

X. ELEMENT 9 - JURY SYSTEM PLAN

The final element for study by the Jury Management Project consisted of the "Jury System Plan." This section categorizes its discussion in the following manner:

1. Jury system operations and responsibilities including procedures necessary for the alleviation of problems with office procedures; and,
2. Reorganization of the Jury Commission Office, including a consolidation of jury system functions under a newly created position of Jury Administrator.

A. Jury System Operations and Responsibilities

Findings:

In accomplishing the aforementioned objectives in DuPage County, a major area of study was undertaken by the Jury Management Project; that being the way in which office procedures were practiced in the Jury Commission Office. Long before November, 1977, at which time the Assistant Project Director was appointed as an interim Jury Administrator by the Chief Judge, the project staff identified and recorded in sequence, all office functions required in the selection, management and compensation

of jurors. The result of this study indicated that the Jury Commission Office methods and management techniques were in desperate need of attention. The selection procedures, as well as recordskeeping methods were antiquated, repetitive and inefficient.

Recommendations and Results:

As a result of its findings, the Jury Management Project, shortly thereafter, began implementation of the following procedures in order to alleviate the problem of outdated and useless office procedures:

1. Automation of all recordskeeping processes;
2. Use of the services of DuPage County's Data Processing Department;
3. Microfilming of records where necessary and destruction of others;
4. Rental of a key punch machine for batch processing of computer information; and,
5. Centralization of the jury system functions under the direction and supervision of a Jury Administrator.

It was the desire of the Jury Management Project to provide for continued monitoring of the new jury system, even after the termination of the grant. As previously mentioned, the existing staff of the Jury Commission Office was not equipped to cope with the types of jury

management methods and techniques which project staff had introduced to the 18th Judicial Circuit through its study, nor were they in a position of maintaining the same standards of jury administration in the years ahead.

Recognizing the need to provide the Circuit Court with an upgrading of its managerial capabilities within the Jury Commission Office, the Jury Management Project drafted a proposal which would consolidate all jury system functions under a central authority while reorganizing the Jury Commission Office.

A final proposal for reorganizing and consolidating jury system functions was issued by the staff of the Jury Management Project, in November, 1977. (See Exhibit 9-A.) Upon submission to the Chief Judge and the Jury Commissioners, this proposal was presented, in joint session, to the County Board's Buildings Committee and Finance Committee, where it was subsequently approved; final authorization was granted by the County Board. The new position of Jury Administrator is now classified under the County's Pay Plan¹⁴ as Executive I.

As a result of this proposal, as well as the modern jury system methods now employed by the Jury Commission Office, the Assistant Project Director served as an interim Jury Administrator from November, 1977 to March, 1978. During this period of time, he became directly involved

¹⁴DuPage County Position Classification and Pay Plan, 1978.

in managing and monitoring the automated jury selection and tracking system. Documentation concerning this system is available through the Office of Court Administration, upon request.

A permanent Jury Administrator was selected by the Jury Commissioners and the Chief Judge in March, 1978. Expectedly, all of the jury management activities now under the auspices of the Jury Management Project were transferred to the Jury Administrator, so that the Circuit Court of the 18th Judicial Circuit might continue to benefit from progress in jury system techniques.

XI. SUMMARY OF RECOMMENDATIONS AND CONSIDERATIONS FOR IMPLEMENTATION

The following recommendations were supported and substantiated by suggestions and statistical information included in previous quarterly reports of the Jury Management Project. The Project Director and Assistant Project Director met with the Circuit Judges, Jury Commissioners and other appropriate County officials to discuss the implementation of these changes. In this regard, the final recommendations which follow were managed by the Office of Court Administration, the Jury Commission Office and the Sheriff's Office, in accordance with established office procedures and guidelines. Additional consideration was given to Statute changes, Rules of Court revisions and Jury service methods. A summary of the final recommendations made by the Jury Management Project follows:

A. Recommendations Re: General Court Administration

1. The term of jury service should be for a one week period, unless a trial extends into a second week.
2. Trial starts (panel requests) should be limited to Mondays, Tuesdays and Wednesdays. There should be no jury pool on Thursdays or Fridays.
3. The number of jury sessions per year should be increased to 46.
4. The supervision and/or administration of the postponing and excusing

process of qualified jurors should be transferred from the Court Administrator and delegated to the Jury Administrator.

5. The court should continue to follow a policy of allowing postponement of a jury summons on the basis of personal and business consideration. These considerations include immediate business pressures, a planned vacation, seasonal business and a variety of family, health and financial problems.
6. The court should establish a policy which will allow the prospective juror the right to two postponements of the jury service term. The combination of both should not exceed twelve months.
7. The court should continue to use the juror telephone "call-in" system, permitting daily adjustments to pool size.
8. The court should redesign the confidential juror information instrument for voir dire use and ensure a system of restricted use in order to keep as much confidentiality as possible.
9. The court should maintain the Jury Lounge which was completed and designed to provide for 30% more space, increase in the size of the restroom facilities, and relocation of the Jury Director's office to a more convenient and accessible area.
10. The court should continue provision for free coffee and tea in the Jury Lounge from 10:00 A.M. to 3:00 P.M. on Mondays, Tuesdays and

Wednesdays as initiated under the Jury Management Project.

11. The court should issue a free lunch ticket to the cafeteria in the County Complex for each juror.
12. An increase in the amount of travel allowance for jurors from \$.10 to \$.20 should be maintained.
13. The County Board should create the position of "Information Booth Specialist" on a permanent basis.
14. The court should continue to increase juror productivity by establishment of a more adequate ratio between the number of jurors in the pool to the number of jurors needed by the court, in the following manner.
 - (a) Trial judges shall notify the Chief Judge of an anticipated lengthy trial and/or a trial requiring an unusually large panel in time to allow for the summoning of extra jurors;
 - (b) All trial judges shall provide the Jury Director each Friday with the anticipated juror needs for the following week (an appropriate form should be made available).
 - (c) All trial judges shall indicate on the same form, any days they will not be available for court calls;
 - (d) All trial judges shall make a preliminary panel request for

Tuesday and Wednesday by telephone or memorandum to the Jury Supervisor before 4:00 P.M.;

- (e) If and when predictable, trial judges shall make a preliminary request to the Jury Supervisor, indicating the approximate time a jury panel might be needed;
- (f) Panels of 24 prospective jurors should be provided for all cases requiring a twelve man jury, and panels of 15 for a six man jury, unless a judge requests a different number to meet the needs of the court case.

B. Recommendations Re: Jury Commission Office

1. The Jury Commission should continue to create the "Active Juror List" by drawing from the voter's registration (source) list each October of odd numbered years, in the following manner:
 - (a) The names taken from the general list for the active list must not be less than 5% of the aggregate thereof;
 - (b) If the desired number of names for the active list is to exceed 5%, the total number of names on the general list should be divided by the number of names to be placed on the active list; the whole number nearest the quotient shall be the high number of the range;

- (c) The "key number" for making the selection shall then be determined by a random method from the numbers one to the high number, both inclusive;
 - (d) The required number of names shall then be selected from the general list by taking, in order, the first name on this list corresponding to the starting number and then, successively, the names appearing on the general list at intervals equal to the "key number";
 - (e) It is further recommended that, after the general list has been arranged by towns and precincts, the count shall run continuously.
2. The Jury Commission should endeavor to automate all recordskeeping processes, where possible, by:
- (a) Using the services of the DuPage County Data Processing Department;
 - (b) Purchasing necessary equipment;
 - (c) Microfilming records as required and destroying others; and,
 - (d) Authorizing the Jury Administrator, upon the date of implementing automated office procedures, to remove all names from the active list and notify prospective jurors of this act.

3. The Jury Commission should acquire the future services of an on-line computer, (same as that used for judicial functions).

C. Recommendations Re: Sheriff's Office

1. The Sheriff should authorize the Jury Administrator to execute summons as his designate. The Jury Administrator should provide a certified list of jurors summoned for each jury session to the Sheriff.

D. Recommendations Re: Rules of Court

1. The information obtained from the qualification questionnaires should be used by the Jury Commissioners to determine the status of people on the active list.
2. The qualification questionnaire should be continuously reviewed and revised in order to increase the qualification yield via the reduction of the number of people excused, particularly if the length of the term of jury service is further reduced.
3. In the future, a combination of the separate steps of qualifying and summoning into one step, also known as self qualification, is recommended.

E. Recommendations Re: Statute Changes

1. A proposal for legislative changes in Chapter 78 of the Illinois Revised Statutes has been undertaken to amend acts concerning:

- (a) The summoning of jurors by changing the requirements of delivery of the summons by certified mail to delivery by first class mail.
- (b) To change the hour petit jurors are to report from 10:00 A.M. to such other hour as the judge shall direct.
- (c) To eliminate the requirement of petit jurors reporting for two week terms, (leave to the direction of the Chief Judge).
- (d) The court and Jury Commission should endeavor to review said statutes and introduce legislative changes as necessary.

F. Recommendations Re: Jury Service and Orientation Methods

1. Prospective jurors should continue to be instructed to report directly to a courtroom for the enrollment procedures and the orientation process.
2. For the first day of service, prospective jurors should continue to be summoned to appear at 9:00 A.M.
3. The Juror Handbook should be continuously reviewed and revised, and it should be distributed to prospective jurors immediately after the orientation process.
4. A Juror Information pamphlet should be developed for inclusion with the jury summons.

5. Audio-visual equipment should be maintained and the materials and programs for juror use, community information and miscellaneous court activities should be revised, if appropriate.
6. Inclusion of the jury service certificate in the Juror Handbook should occur.
7. On the first day of jury service, the jury pool should continue to be divisions of 24. Each sub-set shall be a panel of 24, and all sub-sets should be used before new panels are created.

XII. TOPICS FOR FURTHER STUDY

From all indications, the Jury Management Study Project in the 18th Judicial Circuit has been very successful. During the past 1½ years, considerable progress was made in the improvement in the utilization of both human and financial resources, resulting in a more effective and efficient jury system for DuPage County. Additionally, the creation of the Jury Administrator position has allowed this circuit court to upgrade its managerial capabilities within the jury system, thereby insuring continued community responsiveness and cost effectiveness.

During the life of the grant, the Jury Management Project has become aware of a strong commitment by the judges of the 18th Judicial Circuit to the continuing development of an effective and proficient jury system. Therefore, the Circuit Court of DuPage County has indicated its intention to continue the activities of the Jury Management Project after the termination of the grant by transferring those responsibilities to the Jury Administrator.

Admittedly, the subject of juror utilization and juror management is everchanging as information and findings are shared among other courts, and management improvements in the selection and use of jurors are pursued. Bearing this in mind, the Jury Management Project now introduces the following points of interest for future study.

A. Element 1 - Selection Methods

1. Combination Driver's License/Voter's Registration list to obtain a new source list.

2. Combination of qualifying and summoning as a one-step process.
3. Continued monitoring of automated jury selection process.

B. Element 2 - Responsiveness to Court Needs

1. Assist the Court's Case Coordinator in the study and analysis of Case Coordination Unit.
2. In response to information available from caseflow study, implement any new procedures necessary to improve juror utilization.

C. Element 3 - Jury Service Methods

1. Continued development of a predictable ratio between trials anticipated to trials actually held.

D. Element 6 - Citizens' Awareness

1. Continuation of public presentations to citizens' groups.
2. Continued distribution of Jury Exit Questionnaire for comparison of results with previous findings.

E. Element 7 - Paperwork

1. Continued monitoring of office procedures involving automatic.

F. Element 8 - Statutes

1. Propose and assist in bringing about necessary legislative changes for other than single county circuits.

G. Element 9 - Jury System Plan

1. Finalize necessary plans for the court's adoption of the one day/one trial jury system.

XIII. EXHIBITS

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Exhibit 3-A

WEEK OF _____

MON. _____

TUES. _____

WEDS. _____

THURS. _____

FRI. _____

WEEK OF _____

MON. _____

TUES. _____

WEDS. _____

THURS. _____

FRI, _____

ONE-WAY MILEAGE _____
(Home - Courthouse)

DU PAGE COUNTY JUROR'S CERTIFICATE

DATE

NBR.

DU PAGE WARRANT ADVISE
Juror's Certificate

DATE

NBR.

EXHIBIT 3-B

John W. Cockrell
Clerk of the
Eighteenth Judicial Court

93

STATE OF ILLINOIS
DU PAGE COUNTY
Eighteenth Judicial Circuit

NBR.

23
710

PAY EXACTLY

DOLLARS AND

CENTS \$

[Empty box for amount]

TO THE
ORDER OF

VOID

VOID

VOID

CONTINENTAL ILLINOIS NATIONAL BANK
& TRUST COMPANY OF CHICAGO

JOHN LOTUS NOVAK - DU PAGE COUNTY TREASURER

STATE OF ILLINOIS
DU PAGE COUNTY
Eighteenth Judicial Circuit

NBR.

VOID

PAY EXACTLY

DOLLARS AND

CENTS \$

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TO:

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John W. Cockrell
CLERK OF THE EIGHTEENTH JUDICIAL CIRCUIT

NON NEGOTIABLE

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Exhibit 3-C

JUROR EXIT QUESTIONNAIRE RESULTS

Jan., Feb. and March, 1977 - (2 week jury term)
 Jan., Feb. and March, 1978a - (1 week jury term)
 June, July and Aug., 1978b - (1 week jury term)

1. Approximately how many hours did you spend in the courthouse?
 a) 20-29 hrs. b) 30-39 hrs. c) 40-49 hrs. d) 50-59 hrs. e) more than 60 hrs.

1977	8%	24%	31%	20%	17%
1978a	63%	24%	10%	2%	1%
1978b	60%	29%	2%	0%	3%

2. Of these hours, how many did you spend in the Jury Lounge?
 a) less than 10 b) 10-19 c) 20-29 d) 30-39 e) 40-49 f) more than 50

1977	12%	22%	29%	27%	5%	2%
1978a	32.6%	42%	22.6%	2.4%	0%	.3%
1978b	24%	38%	26%	6%	0%	0%

3. How many times was your number drawn and you reported to a courtroom?
 a) none b) once c) twice d) three times e) four times f) 5 or more

1977	7%	14%	17%	29%	15%	18%
1978a	5.3%	40.5%	38%	11.6%	3.5%	1%

4. How many times did you report to a courtroom and were not chosen to hear the case?
 a) none b) once c) twice d) three times e) four or more times

1978b	30%	32%	25%	7%	1%
-------	-----	-----	-----	----	----

5. How many times were you actually selected to be a juror on a case?

a) none b) once c) twice d) three times e) four or more times

1977	20%	39%	27%	7%	2%
1978a	48.4%	43.8%	7.4%	.4%	0%
1978b	36%	49%	7%	0%	0%

6. How would you rate the following factors?

a) judge's welcome and information:

	<u>GOOD</u>	<u>ADEQUATE</u>	<u>POOR</u>
1977	84%	13%	3%
1978a	79.7%	18.3%	1%
1978b	87%	10%	1%

b) Jury Director's information and directions:

1977	82%	13%	1%
1978a	88%	10%	1%
1978b	88%	9%	0%

c) Juror orientation film:

	<u>GOOD</u>	<u>ADEQUATE</u>	<u>POOR</u>
1978b -	77%	17%	2%

d) Pin-on JUROR badge, with certificate of service:

1978b -	72%	21%	1%
---------	-----	-----	----

e) Juror Lounge:

1977 -	62%	37%	1%
1978a -	68%	31%	1%
1978b -	71%	25%	0%

f) Personal concerns (emergencies, etc.):

1977 -	71%	27%	1%
1978a -	76.5%	22%	1%
1978b -	74%	16%	1%

g) General treatment by court personnel:

1977 -	70%	29%	.03%
1978a -	85.5%	13.5%	.89%
1978b -	84%	9%	0%

7. Did you lose income as a result of jury service?

	<u>Yes</u>	<u>Why?</u>	<u>Self employed</u>	<u>Employer will withhold wages</u>
1977 -	14%		6%	5%
1978a -	16%		4.3%	6.4%
1978b -	24%		8%	9%

	<u>NO</u>	<u>Why?</u>	<u>Not employed</u>	<u>Employer will not deduct wages</u>
1977 -	86%		11%	48%
1978a -	84%		16%	47%
1978b -	72%		22%	33%

8. Did your service cause you considerable personal inconvenience?

	<u>Yes</u>	<u>No</u>
1977 -	12%	87%
1978a -	6.5%	93.5%

9. Please indicate sex. a) Female b) Male

1977 -	39%	61%
1978a -	42.2%	57.8%
1978b -	54%	44%

10. Did your service cause you considerable professional interference?

	<u>Yes</u>	<u>No</u>
1977 -	25%	70%
1978a -	15%	85%

11. After having served, what is your impression of jury service?

a) favorable b) unfavorable c) more favorable d) less favorable

1977 -	46%	7%	35%	14%
1978a -	45%	3%	36%	6%
1978b -	69%	6%	10%	9%

12. In what ways do you think jury service can be improved?

a) Jury Lounge could be supplied with more reading material:

1977 -	11%
1978a -	10%

b) Jury selection process should be changed or improved:

1977 -	
1978a -	11%
	21%

c) Felt uninformed:

1977 -	3%
1978a -	5%

d) Felt too much time was wasted:

1977 -	63%
1978a -	52%

No Response

1977 -	11%
1978a -	19%

13. How long a term of jury service would you prefer?

	<u>One Week</u>	<u>Two Week</u>	<u>No Response</u>
1977 -	37%	58%	5%
1978a -	77%	14%	7%

14. Please check age bracket.

a) 18-20 yrs. b) 21-30 yrs. c) 31-65 yrs. d) over 65 yrs.

19				
1977 -	2%	16%	76%	6%
1978a -	2.1%	17.1%	72.5%	8.2%
	7%	20%	64%	7%

HANDBOOK FOR ILLINOIS JURORS



*Prepared by
the Illinois Judicial Conference
for jurors serving in civil
and criminal cases*

Exhibit 3-7

"YOU ARE A JUROR"

Script for TV tape to be shown at
Jury Orientation sessions.

TV presentation to be followed by
welcome, appreciation, thanks, etc.
by judge in person.

Adjourn to Jury Lounge for further
instructions from Juror Supervisor.

JURY MANAGEMENT STUDY PROJECT
Assisted by DAVEA

Script: Antone Hottle, Assistant Project Director
Filming: Bruce Taylor, Department Chairman, DAVEA
Technical
Assistance: DAVEA Students

NARRATOR:

While court buildings, procedures, fashions, technology and laws have undergone dramatic changes in America's two hundred year history, the basic concept of dispensing justice in the United States has not changed.

The right of trial by jury is guaranteed by Section 13 of Article I of the Illinois Constitution of 1970 and by similar provisions of the United States Constitution. Under these guarantees, this right has been held to be the right of trial by jury as it existed under the common law and as enjoyed at the time of the adoption of the several Illinois Constitutions. It is the right to have the facts in controversy determined, under the direction and superintendence of a judge, by a unanimous verdict of 12 impartial jurors who possess the qualifications and are selected in the manner prescribed by law.

The Jury Commission, in accordance with law, prepares a list of legal voters. This is known as the jury list. Names of jurors are drawn by lot from this prepared jury list. You were selected in this manner.

You have been summoned to become an officer of the Circuit Court of the 18th Judicial Circuit, DuPage County, Illinois. Your instructions read for a term of service of approximately one week. Of course, if you are serving on trial and it is not completed by Friday evening, you are required to complete that trial. Approximately 10% of our trials extend into the second week. Personal inconvenience may be caused by jury service, but if we are to preserve trial by jury as part of our democratic way of life, it is necessary that citizens of all walks of life serve on juries.

To serve as a juror is one of the highest responsibilities of citizenship, just as it is to vote or to serve in the defense of your country. Once you have served on a jury, you will find this experience worthwhile and important and you will always remember the part you played in the court system. Faithful performance of your duties as a juror is vital to the administration of justice.

Yes, the concept of trial by jury has remained the same in America. The reason is simple: it works. It works because you, the American juror, have always served honestly, conscientiously, and with plain good old common sense.

This year, over 120,000 trials will be judged by close to a million citizens across our country; accounting for more than ninety percent of all the jury trials in the world.

You are now a group of people we call a "Jury Pool." A Jury Pool includes all jurors selected for a specific term of service. From this jury pool a jury panel is randomly selected for each trial. This panel will be 24 or more jurors. If your name is drawn, you

will be escorted along with the other panel members, to the courtroom by a court employee. You are now available to be involved in the selection process and to be seated in the Jury Box as a juror for a specific case. Out of each panel, a jury of 12 will be selected.

If this is the first time you've been called for jury service, you may be unfamiliar with the jobs of the various people who work every day in a courtroom. Centered at the end of the courtroom is, of course, the judge. The role of the judge is to secure a fair and orderly trial, to determine what evidence is legally admissible for the jury's consideration and to instruct the jury as to the rules of law applicable to the case.

In criminal cases, the law requires the judge to fix the punishment if the defendant is found guilty. Each judge is an attorney, and is responsible for the conduct of the trial according to law. In jury trials, the judge instructs the jury on the law as it applies to each particular case.

The DuPage County Sheriff's deputies act as the court's bailiff and matron. It is their responsibility to maintain order in the court.

Seated to the side of the judge is the court clerk, a DuPage County employee who is responsible for any documents or physical evidence which is admitted in the trial.

Also seated near the judge is a court reporter. The court reporter produces a certified word for word, written record of the trial.

Seated in the front part of the courtroom are the attorneys and the litigants they represent. In a criminal trial, the prosecuting attorney is sitting nearest the jury. In a civil trial, the plaintiff is the party who has filed the lawsuit which is to be tried and sits closest to the jury.

Opposite is the defense attorney, who represents the defendant. In a criminal case, the defendant is being tried to determine whether or not he or she has violated a law. In a civil case, the defendant and the plaintiff are parties who have come to the court to have the court settle a disagreement between them.

Persons who may have some knowledge of the facts pertaining to either a civil or criminal case may be called upon by either of the attorneys to testify under oath as witnesses.

And then there is you, the juror. Your responsibility is the protection of our rights and liberties in handing down the verdict of the court.

A fair and impartial and a just verdict depends upon the joint efforts of the jury as finders of the facts, the judge as presiding officer and authority on the law, and the lawyers as examiners and advocates.

The "Court Clerk" is ready to draw 12 numbers. If you are selected, you will be seated in the "Jury Box."

You will be questioned by the judge and he may also permit the lawyers to supplement that questioning. If you cannot be fair and impartial after you learn the nature of the case, you may be excused from serving. The lawyers have a duty to ask proper questions to assist them in deciding which jurors to select. You should be patient and cooperative. It may seem to you that some of the questions are personal, but it is not intended that any question should embarrass or reflect upon a juror in any way. No person should be offended if he is excused from sitting as a juror. The law permits each attorney to excuse a certain number of jurors without giving reasons.

Clerk: Number 46. . . Rhoda Alexander.

Mrs. Alexander: Here, sir. (Mrs. Alexander takes a seat in the jury box.)

Clerk: Number 97. . . Charles McGill.

Mr. McGill: Yes, sir. (Mr. McGill also takes a seat.)

NARRATOR: This process continues until 12 prospective jurors have been seated in the jury box. At this point, you and the other jurors probably do not know the kind of law suit being considered.

You may serve as a juror in either civil or criminal cases. In civil cases, the plaintiff brings his suit against the defendant by filing his complaint for damages or other relief and the plaintiff has the burden of proving his case.

In criminal cases, the defendant is charged by indictment or information and the State has the burden of proving the defendant guilty beyond a reasonable doubt.

It is the duty of the State's Attorney to prosecute.

A Jury trial begins with the selection of jurors, a process called voir dire.

Judge: Ladies and gentlemen, this is a criminal case in which the defendant has been accused of violating the law of the State of Illinois. In selecting a jury for this case, this court and the litigants in this court and the litigants in this case have a right to select the most impartial jury possible to hear the case. In order to do this, I must ask you some questions concerning any possible relationship you may have to the parties involved or any prior knowledge you may have concerning the facts of this case. Now the charge that has been brought against the defendant accuses him of violating the criminal code of the State of Illinois.

NARRATOR: The judge is now explaining in detail the exact nature of the charge brought against the defendant and will then ask the jurors some questions; the judge is entirely dependent on the candidness of the juror's responses.

Judge: Do any of you know the defendant in this case? If so, please raise your hand.

(Jurors shake heads)

NARRATOR: The law authorizes the judge to excuse individual jurors from service in a particular case for various reasons. To establish these reasons, the judge will ask you specific questions. This process "challenges" the juror's impartiality. Many of the questions asked will be based upon the questionnaire you recently filled out and presented to the Clerk when you registered this morning.

Each attorney is allowed a certain number of peremptory challenges and an unlimited number of challenges for cause.

A peremptory challenge is one for which no reason for a juror's excusal must be given to the judge. On the other hand, if an attorney wishes to excuse you for cause, he must state his cause to the judge who will then rule on whether the attorney's challenge is proper.

Judge: Mrs. Alexander, I see that you work for the Juvenile Services Commission.

Mrs. Alexander: Yes, that is correct.

Judge: In your capacity there, do you ever have contact with the Juvenile Division of the police department?

Mrs. Alexander: Yes, as a caseworker, I often have occasion to speak with the officers.

Judge: Detective Daniel Williams is the officer in charge of the case before us today. Do you know him?

Mrs. Alexander: Yes, I have worked on a number of cases with him.

Defense Atty.: Your Honor, I move to have Mrs. Alexander excused for cause. In addition, Your Honor, I would like to exercise one of my peremptory challenges and ask that Mr. McGill be excused.

Judge: Mrs. Alexander, Mr. McGill, you may be excused. Clerk, will you call two more jurors please?

NARRATOR: The defense attorney has successfully exercised a challenge for cause because he feels that Mrs. Alexander's working relationship with the officer may make her sympathetic to the prosecutor's case. The peremptory challenge of Mr. McGill was unexplained as are all peremptory challenges. When a juror is excused, it is in no way a reflection upon him nor does it question his competence in any way. The process of questioning and challenging continues until twelve persons are accepted as jurors. When the selection of the jury is completed, the judge orders the clerk to swear the jury to try the case.

Clerk: Do you and each of you solemnly swear or affirm that you will well and truly try the issues joined in the case now here pending, and unless discharged by the court, a true verdict render; and that you will do so solely on the evidence introduced and in accordance with the instructions of the court, so help you God?

Jury: I do.

NARRATOR: The Judge also dismisses the remaining members of the panel to return to the Juror's Lounge. They are again members of the Jury Pool and are available to be drawn for another panel to be sent to another court.

Many trials are settled at the last minute. Your availability as jurors causes many litigants to agree to disposition without a jury trial.

As the trial begins, the prosecutor or the lawyer for the plaintiff usually makes an opening statement, telling you what he or she claims and outlining the evidence that he or she expects to present to prove that case. The defendant's lawyer then may present the other side of the case in a similar statement. These statements are merely to organize the case in your minds and are not to be regarded as evidence by you.

Evidence is that body of statements and objects used to establish the facts of a case. Evidence may be an article such as a document, a gun, a tool, a photograph or some other tangible thing supported by sworn witness testimony. Testimony itself may be evidence. In fact, most of the evidence in most cases is in the form of witness testimony.

Pay close attention to each witness as he or she testifies, not only to hear what is said, but also to watch his or her manner and expressions. It is your sole responsibility to determine the facts of the case from all of the evidence presented.

During the course of the trial, especially prior to a recess, the judge will advise you that it is your duty not to speak with anyone about anything that has gone on in the courtroom. Even speaking to your husband or wife about the case can be an act of contempt punishable by fine or imprisonment. A wise policy for you to follow is to avoid even the appearance of an improper discussion.

As a matter of fact, if you believe that someone has purposely tried to talk to you concerning the case, it would be your duty to relate the incident to the judge immediately. Make sure that while you are in the courtroom, elevators, corridors, restaurants, or anywhere else that you do not talk with lawyers, their clients, or any other person interested in any way in the trial of the case.

You should also know that it would be a violation of your duty as a juror to conduct your own investigation of the case. For

instance, you should not visit the scene of an accident or crime or make any attempt to question witnesses on your own.

The lawyers in the trial bear the complete responsibility for presenting their client's case.

There will be times during the course of the trial, when the lawyers will step up close to the judge's bench to hold a private conversation. Such conversations are not for the jury to hear. They concern technical points of law and courtroom procedures. You are not to concern yourselves with these matters.

After all the evidence has been introduced, the lawyers will sum up their cases for you. This final or closing argument is not evidence. However, you should still listen to these arguments carefully because each lawyer will attempt to describe what he or she thinks has been proved by the evidence he or she presented. Each lawyer will also ask you to reach a verdict in favor of his or her client.

At the conclusion of the final arguments, the judge will instruct you on the law that applies to the case you have just heard. Pay close attention to the instructions because you, in turn, will have to apply the law to the facts that you have determined to be true. You must accept the law exactly as given to you by the judge. For the purposes of the case which you are hearing, the judge is the final authority on the law.

After the judge has instructed you on the law, the deputy will then take you to the jury room for your deliberation. Your first duty in deliberation will be to elect a foreman. The foreman acts as the chairman of the jury. It is that person's duty to see that discussion is carried on in a free but orderly manner, and will provide every juror an opportunity to express himself or herself. The foreman will also manage the balloting.

In weighing evidence, there is a difference between the degree of proof required to establish a criminal case and that required to establish a civil case.

The judge will explain to you, in the instructions, the issues in the case and the burden of proof on the issues you are hearing. You are to decide the facts solely upon the testimony given under oath in court and the exhibits admitted in evidence. This is the most important part of your duty.

The lawyers' arguments naturally are conflicting. If they were not in conflict with each other, there would have been no need for a trial in the first place.

To his client, a lawyer owes individual allegiance, the utmost application of his learning, skill and industry, and the employment of all appropriate legal means within the law to protect and enforce legitimate interests.

Your job is to listen to the lawyers' opinions in their opening and closing arguments, listen to all the testimony, look at the exhibits, and then decide the facts.

In your deliberations, there will be differences of opinion and arguments. Listen to the opinions, form your own opinions, state them, and then vote the way your intellect and your conscience tell you to. By all means, keep your minds open to the arguments and opinions of others.

When a verdict has been reached, the foreman will instruct the Bailiff that you have arrived at a decision. Do not tell him or anyone else what the verdict is until the judge requests it.

Unless you are a witness in a trial, jury duty is about the only place that a citizen may take part in the administration of justice. And jury duty is the most important citizen duty of all. America is one of just a handful of countries left in the world that respects its citizens so highly that it calls upon them to sit in judgment of other citizens. This is one of the major differences between our government and the many other forms of governments the world has known.

If you should feel for a moment that jury duty is inconvenient, stop to picture yourself as a litigant in a trial. And be secure in the knowledge that in this country, at least your case may be heard not by a soldier or policeman in a barracks or stationhouse, but in open court, on the record, by someone just like you, a citizen, an honorable man or woman, a juror.

This film covers some general information regarding Jury Service in DuPage County. The judge is responsible for the conduct of the trial according to law and instructions given to you by the presiding judge shall supersede any information stated or implied in the film.

Exhibit 8-A

HB 2032

80th GENERAL ASSEMBLY
State of Illinois

S

1977 and 1978

INTRODUCED _____, BY HOFFMAN.

AMENDED

SYNOPSIS: (Ch. 78, pars. 9, 9.1, 10, 10.1 and 32)

Amends Acts concerning the summoning of jurors by changing the requirement of delivery of the summons by certified mail to delivery by first class mail and the time judges in single county circuits may summon the jury panel to appear before the court.

LRB80-5844-JEV/js



A BILL FOR

1 AN ACT in relation to jurors. 11

2 Be it enacted by the People of the State of Illinois, 13
 3 represented in the General Assembly: 14

4 Section A. Sections 9, 9.1, 10 and 10.1 of "An Act 16
 5 concerning jurors, and to repeal certain Acts therein named", 17
 6 approved February 11, 1874, as amended, are amended to read 18
 7 as follows:

(Ch. 78, par. 9) 20

8 Sec. 9. In other than single county circuits, if a grand 22
 9 jury is required by law or by the order of the judge for any 23
 10 court, the county board in each of the counties in this State 24
 11 wherein such court is directed to be held, at least 20 days 25
 12 before the time of appearance specified in the summons
 13 hereinafter mentioned shall select 23 persons possessing the 26
 14 qualifications provided in Section 2 of this Act, by lot from 27
 15 the jury list, to serve as grand jurors; the panel of the 23 28
 16 persons so selected to be known as the regular panel; and 29
 17 shall at the same time, in like manner, select 20 additional 30
 18 persons possessing such qualifications, the panel of the 20 31
 19 additional persons so selected to be known as the
 20 supplemental panel; and cause their clerk within 5 days 32
 21 thereafter to certify the 2 panels properly identified as the 33
 22 regular panel and supplemental panel, respectively, to the 34
 23 clerk of the court for which they are selected, who shall 35
 24 issue a summons to each of the 23 persons so selected for the 36
 25 regular panel, at least 10 days before the time hereinafter 37
 26 mentioned, commanding him to appear before such court at or
 27 before 11:00 a. m. upon the date of appearance of the grand 38
 28 jurors established pursuant to Section 112-3 of the "Code of 39
 29 Criminal Procedure of 1963", approved August 14, 1963, as now 40
 30 and hereafter amended, to constitute a grand jury. The clerk 41
 31 of the court issuing such summons shall on the date of its 42
 32 issuance send an original thereof to the sheriff of the 43

1 county in which the court is located. The sheriff shall send 44
2 an original summons to each of such 23 persons by first class
3 ~~certified~~ mail, return receipt requested, addressed to each 46
4 such person at his usual place of abode and marked for 47
5 delivery to addressee only. The certificate of the issuing 48
6 clerk of court that he has sent the summons in pursuance of 49
7 this Section is evidence that he has done so. The certificate 50
8 of the sheriff that he has mailed the summons pursuant to
9 this section is evidence that he has done so. 51

10 If service of summons cannot be made by first class 53
11 ~~certified~~ mail, the clerk of court issuing such summons 55
12 shall, as soon as such fact is determined by return of such 56
13 first class certified mail ~~without service~~, re-issue such 57
14 summons and deliver it to the sheriff of the county wherein 58
15 the court is to be held, at least 10 days before the time of 59
16 appearance hereinafter mentioned a summons commanding him to 60
17 summon the person named therein so selected for the regular 61
18 panel to appear before such court at or before the hour of 62
19 11:00 a. m. upon the date of appearance of the grand jurors
20 established pursuant to Section 112-3 of the "Code of 63
21 Criminal Procedure of 1963", approved August 14, 1963, as now 64
22 and hereafter amended, to constitute a grand jury or at such 65
23 time and date as the court may order for such re-issued 66
24 summons. The sheriff shall serve such summons in the manner 67
25 provided in Section 11 of this Act, for service of summons by
26 the sheriff on petit jurors, and for any refusal or neglect 68
27 so to do, shall be deemed guilty of contempt of court and may 69
28 be fined therefor as provided in Section 11 of this Act, for 70
29 default in summoning petit jurors. If for any reason the 71
30 panel is not full at the opening of such court, the judge 72
31 shall direct the sheriff to summon, at random, such number of 73
32 persons named in the supplemental panel as the judge may
33 determine to make available to fill the panel of grand 74
34 jurors, and if the supplemental panel be exhausted without 75
35 filling the grand jury panel, the judge shall select by lot 76

1 from the jury list and direct the sheriff to summon a 77
 2 sufficient number of persons having the qualifications of 78
 3 jurors, as provided by this Act, to fill the panel; however, 79
 4 the court or judge may direct the clerk, at any time prior to
 5 the issuance of the summons for the regular panel, to include 80
 6 in the summons any specified number of the names listed on 81
 7 the supplemental panel, in the order in which they appear, 82
 8 starting with the first and counting consecutively, so that 83
 9 the persons so designated may be available in court for the 84
 10 filling of the grand jury panel, in which case the clerk 85
 11 shall also summon such supplemental panelist by first class
 12 ~~certified~~ mail as in this Section provided for service on 87
 13 regular panel selections. In counties having jury 88
 14 commissioners, the names of the persons to constitute the 89
 15 regular and supplemental panels shall be drawn in the manner 90
 16 provided for the drawing of names of persons to serve as
 17 petit jurors in such counties; the 23 names to provide the 91
 18 regular panel shall be first drawn, and thereupon 20 names 92
 19 for the supplemental panel shall be drawn and listed on that 93
 20 panel in the order in which they are drawn. 94

(Ch. 78, par. 9.1) 96

21 Sec. 9.1. In single county circuits, if a grand jury is 98
 22 required by law or by the order of the judge for any court, 99
 23 the county board in each of the counties in this State 100
 24 wherein such court is directed to be held, at least 20 days 101
 25 before the time of appearance specified in the summons
 26 hereinafter mentioned shall select 23 persons possessing the 102
 27 qualifications provided in Section 2 of this Act, by lot from 103
 28 the jury list, to serve as grand jurors; the panel of the 23 104
 29 persons so selected to be known as the regular panel; and 105
 30 shall at the same time, in like manner, select 20 additional 106
 31 persons possessing such qualifications, the panel of the 20 107
 32 additional persons so selected to be known as the
 33 supplemental panel; and cause their clerk within 5 days 108
 34 thereafter to certify the 2 panels properly identified as the 109

1 regular panel and supplemental panel, respectively, to the 110
2 clerk of the court for which they are selected, who shall 111
3 issue and deliver to the sheriff of the county wherein the 112
4 court is to be held, at least 10 days before the time of 113
5 appearance hereinafter mentioned a summons commanding him to
6 summon the 23 persons so selected for the regular panel to 114
7 appear before such court at an ~~or before the~~ hour directed by 115
8 the judge of 11:00 a. m. upon the date of appearance of the 117
9 grand jurors established pursuant to Section 112-3 of the
10 "Code of Criminal Procedure of 1963", approved August 14, 118
11 1963, as now and hereafter amended, to constitute a grand 119
12 jury. The sheriff shall serve such summons in the manner 120
13 provided in Section 11 of this Act, for service of summons on 121
14 petit jurors, and for any refusal or neglect so to do, shall 122
15 be deemed guilty of contempt of court and may be fined
16 therefor as provided in Section 11 of this Act, for default 123
17 in summoning petit jurors. If for any reason the panel is not 124
18 full at the opening of such court, the judge shall direct the 125
19 sheriff to summon, at random, such number of persons named in 126
20 the supplemental panel as the judge may determine to make 127
21 available to fill the panel of grand jurors, and if the 128
22 supplemental panel be exhausted without filling the grand
23 jury panel, the judge shall select by lot from the jury list 129
24 and direct the sheriff to summon a sufficient number of 130
25 persons having the qualifications of jurors, as provided by 131
26 this Act, to fill the panel; however, the court or judge may 132
27 direct the clerk, at any time prior to the issuance of the 133
28 summons for the regular panel, to include in the summons any 134
29 specified number of the names listed on the supplemental
30 panel, in the order in which they appear, starting with the 135
31 first and counting consecutively, so that the persons so 136
32 designated may be available in court for the filling of the 137
33 grand jury panel. In counties having jury commissioners, the 138
34 names of the persons to constitute the regular and 139
35 supplemental panels shall be drawn in the manner provided for 140

1 the drawing of names of persons to serve as petit jurors in 140
 2 such counties; the 23 names to provide the regular panel 141
 3 shall be first drawn and thereupon 20 names for the 142
 4 supplemental panel shall be drawn and listed on that panel in 143
 5 the order in which they are drawn.

(Ch. 78, par. 10) 145

6 Sec. 10. In other than single county circuits, the clerk 147
 7 of the court shall, within 5 days after such drawing, issue 148
 8 summons for a sufficient number of petit jurors, not less 149
 9 than 30 of the persons so drawn, giving their residences and 150
 10 commanding them, to appear at the place of holding such
 11 court, at the hour ~~of 10:00 a. m.~~ of such day as the judge 151
 12 shall direct, and a like number to appear at the same place 152
 13 and hour ~~2 weeks after the time~~ at which the former number of 153
 14 jurors were summoned to appear, and the same number for each 154
 15 period 2 weeks thereafter the court will probably be in 155
 16 session, which summons shall be served before the sitting of
 17 the court by the issuing clerk, who shall enclose such 156
 18 summons in envelopes properly addressed to the persons so 157
 19 drawn and ordered to appear before the Court, and shall mail 158
 20 such summons in such envelopes, first class certified mail 159
 21 return ~~receipts~~ requested and marked for delivery to addressee 160
 22 only.

23 The certificate of the issuing clerk that he has sent the 162
 24 summons in pursuance of this Section is evidence that he has 163
 25 done so. If service of summons cannot be made by first class 164
 26 ~~certified~~ mail, the issuing clerk, shall re-issue such 165
 27 summons that has been returned undelivered and deliver it to 166
 28 the sheriff of the county wherein the court is to be held and
 29 he shall make service and return thereof to such issuing 167
 30 clerk of the court. 168

(Ch. 78, par. 10.1) 170

31 Sec. 10.1. In single county circuits, the clerk of the 172
 32 court shall, within five days after such drawing, issue to 173
 33 the sheriff a summons, commanding him to summon as petit 174

1 jurors, a sufficient number, not less than thirty of the 175
2 persons so drawn, giving their residences, to appear at the
3 place of holding such court, at an ~~the~~ hour of ~~ten o'clock~~ 176
4 ~~at~~ of such day as the judge shall direct, and a like number 177
5 to appear at the same place and hour ~~two weeks after the time~~ 178
6 at which the former number of jurors were summoned to appear, 179
7 and the same number for each period ~~two weeks~~ thereafter the 180
8 court will probably be in session, which summons shall be
9 served before the sitting of the court. 181

10 Section 2. Section 9.1 of "An Act in relation to jury 183
11 commissioners and authorizing judges to appoint such 184
12 commissioners and to make rules concerning their powers and 185
13 duties", approved June 15, 1887, as amended, is amended to 186
14 read as follows:

(Ch. 78, par. 32.1) 188

15 Sec. 9.1. In single county circuits, the chief judge of 190
16 the circuit court of the county shall certify to the clerk of 191
17 the court the number of petit jurors required each month. The 192
18 clerk shall then repair to the office of the jury 193
19 commissioners and there, in the presence of the persons
20 mentioned in Section 8 of this Act, proceed to draw by lot 194
21 the necessary number of names from those made available for 195
22 such drawing as in Section 8 of this act provided. The clerk 196
23 shall thereupon certify the electors whose names are so drawn 197
24 and summon them by first class mail, return requested as 198
25 provided for service of petit and grand jurors selected in
26 "An Act concerning jurors, and to repeal certain Acts therein 199
27 named"; approved February 11, 1874, as amended to the sheriff 200
28 ~~the electors whose names are so drawn, to be summoned~~ 201
29 ~~according to law.~~

30 If service of summons cannot be made by first class mail, 203
31 the clerk of the court issuing such summons shall, as soon as 204
32 the fact is determined by return of such first class mail 205
33 undelivered, re-issue and deliver the summons for the juror 206
34 not served to the sheriff for service as provided in such 207

1 case in Section 9 of "An Act governing jurors, and to repeal 207
2 certain Acts therein named," approved February 11, 1874, as 208
3 amended. If more jurors are needed during the month, a judge 209
4 of the court shall so certify, and they shall be drawn and 210
5 certified forthwith in the manner above provided. Whenever a 211
6 grand jury is required by law or by order of the court, it 212
7 shall be drawn and certified in like manner.

78 § 24

JURORS

either of such commissioners, assigning reasons therefor, and fill all vacancies occurring in the office of any such commissioners by death, resignation or removal.

As amended 1967, June 29, Laws 1967, p. 994, § 1; 1967, Sept. 7, Laws 1967, p. 3919, § 1; 1968, Sept. 6, Laws 1968, p. 280, § 1, eff. July 1, 1969.

3. Salaries of commissioners

Where each of three county jury commissioners had been appointed, one each successive year, to term of office of three years and supplemental appropriation bill increased their salaries as of start of fiscal year during which each jury commissioner was serving some part of his three-year term of office, the appropriation bill, as to county jury commissioners, violated statute providing that fees, salary or compensation of no municipal officer who is elected or appointed for definite term of office shall be increased or diminished during such term. *Kron v. Kucharski*, 1975, 31 Ill. App.3d 884, 335 N.E.2d 160.

5. Selection of jurors

Where jury supervisor testified that no record was made of racial heritage of prospective jurors, and that he did not determine who was summoned for jury duty and when prospective jurors arrived, they were assigned numbers and corresponding numbers were placed in a barrel and randomly selected until a venire was composed, no discrimination could be found in such procedure. *People v. Powell*, 1973, 53 Ill.2d 465, 292 N.E.2d 409.

§ 25. Preparation of jury list—Revision

The said commissioners upon entering upon the duties of their office, and every four years thereafter, shall prepare a list of all legal voters of each town or precinct of the county possessing the necessary legal qualifications for jury duty, to be known as the jury list. The list may be revised and amended annually in the discretion of the commissioners. Any record kept by the jury commissioners for over 4 years may be destroyed at their discretion. The name of each person on said list shall be entered in a book or books to be kept for that purpose, and opposite said name shall be entered his age and place of residence, giving street and number, if any.

Whenever the name of a legal voter appearing upon this jury list is transferred to the active jury list in the manner prescribed by Section 8 of this Act,¹ the following additional information shall be recorded after the name of such voter; the age of such voter, his occupation, if any, whether or not he is a householder residing with his family and whether or not he is a freeholder. Amended by P.A. 76-1604, § 1, eff. Sept. 30, 1977; P.A. 80-232, § 1, eff. Aug. 4, 1977.

¹ Chapter 78, § 31.

Section 2 of P.A. 80-232, approved Aug. 4, 1977, provided:
"This amendatory Act takes effect upon its becoming a law."

2. Construction and application

Defendant who was resident of Chicago was not denied right to be tried by jury of his peers by virtue of fact that jury which tried defendant included

Cook County residents not residing within city. *People v. Beck*, 1971, 133 Ill.App.2d 356, 273 N.E.2d 169.

Use at subsequent grand jury of supplemental list of grand jurors not used in jury term was substantial compliance with this section prescribing method of preparation of jury list. *People v. Petruso*, 1966, 35 Ill.2d 578, 221 N.E.2d 276.

§ 26. Rooms—Appointment of clerk—Examination of electors

The said commissioners are empowered to provide a suitable room or rooms in which to transact their business, and to incur all other necessary expenses which shall be paid by warrants drawn as provided in Section 6 of this Act,¹ and with the approval of said judges or a majority thereof to appoint a clerk and the requisite number of assistants. In counties having 1,000,000 or more inhabitants, the clerk, if there be one, shall be on duty at the room or rooms of said commissioners each day during the session of court; if there be no clerk, then one, at least, of said commissioners shall, in like manner, be present, if so prescribed by the rules hereinafter mentioned. The said jury commissioners shall also have power to summon electors to appear before them and to examine them touching their qualifications for jury service; and each of said commissioners and their clerk and assistants provided for in this Act, are hereby empowered to administer all oaths or affirmations required in the discharge of their official duties. Any Circuit Court of this state, in any county where this law is in force, or any judge thereof, upon application of any such jury commissioners may in the discretion of the court compel the attendance of electors and the giving of testimony before the said jury com-

missioners, by attachment for contempt, the production of evidence may be required of any person who having taken an oath or sworn or affirm willfully, corruptly and upon conviction shall be punished. Amended by P.A. 76-1663, § 1, eff.

¹ Chapter 78, § 29.

§ 31. Active jury list—Methods—Other duties

In such manner as may be prescribed by the rules of the court, before or after being summoned to appear before the said judges, the jury commissioners shall prepare and maintain a list of the names of persons certified back to the active jury list, containing such number as shall not be less than 5% of the aggregate of the names of persons on the jury lists, as the said rules may require, and in addition thereto, such list shall contain the names of prospective jurors who could most conveniently serve.

(a) From time to time prepare and maintain a list of the names of persons certified back to the active jury list, containing such number as shall not be less than 5% of the aggregate of the names of persons on the jury lists, as the said rules may require, and in addition thereto, such list shall contain the names of prospective jurors who could most conveniently serve. The names of persons certified back to the active jury list, the period of time for which they shall be certified, the name, or other whole name, of the person, as required, or, in counties having a population of more than 1,000,000, as prescribed by the judge in each county, shall be arranged by lot, and the list shall be arranged by lot, and the list shall run continuously in each precinct;

(b) Make the active jury list certified back by the clerk of the court, and the period jury lists, available for use by the court, from time to time, as hereinafter required, and the methods and mechanisms as the said rules may require.

(c) See that at least 2 of their names are on the list of the circuit court of the county, along with the clerk of the court.

(d) Perform such other duties as may be prescribed by the court. Amended by 1967, Sept. 7, Laws 1967, Sept. 30, 1969.

¹ Chapter 78, § 33.

Supplementary Index to Non-Evidence 5

3. Mode of drawing

Where jury supervisor testified no record was made of racial heritage of prospective jurors, and that he did not determine who was summoned for jury duty and when prospective jurors arrived, they were assigned numbers and corresponding numbers were placed in a barrel and randomly selected until a venire was composed, no discrimination could be found in such procedure. *People v. Powell*, 1973, 53 Ill.2d 465, 292 N.E.2d 409.

In absence of any showing of improper influence, undue prejudice or other factors which might have caused the venire to be improperly returned, refusal to quash indictment on ground that grand jury had not been chosen according to law was proper. *People v. Petruso*, 35 Ill.2d 578, 221 N.E.2d 276.

4. Racial discrimination

Defendant who contended that grand jury which indicted him was illegal

REVISED

Exhibit 9-A

P R O P O S A L

(Revised)

REORGANIZATION AND CONSOLIDATION
OF JURY SYSTEM FUNCTIONS

DU PAGE COUNTY JURY MANAGEMENT STUDY PROJECT
LEAA GRANT NO. 76-NI-05-0005

EDWARD A. LUDWIG, III

Project Director

November 23, 1977

PROPOSALJuror Selection and Jury Management in DuPage County

The juror selection and juror management system is under the direction and supervision of the Circuit Court Judges. The juror selection process becomes the specific responsibility of the Jury Commissioners and staff. Jury Commissioners, three in number, are appointed for three-year terms by the judges. The judges also elect a Chief Judge who, with his staff, is responsible for jury management and juror utilization.

Jury Commission Activities

1. Prepare a list of legal voters of each town or precinct of the county possessing the necessary legal qualifications for jury duty.
2. Develop an Active List from the Source List.
3. Develop a Qualified List from the Active List.
4. Cooperate with the Clerk of the Court in the drawing of grand and petit jurors and prepare certified list of prospective jurors for the Clerk for each jury session.
5. Receive and execute all requests for excuses or deferrals from prospective jurors as directed by the Chief Judge.
6. Enroll prospective jurors at the beginning of each jury session.
7. Verify attendance and mileage of each juror to the Clerk of the Circuit Court.
8. Keep records as required by statute, rules of the court and good office management methods.
9. Respond adequately to county budgetary and accounting procedures.

Court Administration Activities

1. Determine court needs for each jury session; the number of jurors to be summoned.
2. Conduct jury orientation session.
3. Supervise the juror pool lounge.
4. Develop and manage an efficient and effective jury utilization program.
5. Survey jurors' attitudes and assess the public's image of the jury system.
6. Keep records as required, collect additional data, and analyze all information in order to be most accountable to the use of both human resources and financial resources.
7. Respond adequately to county budgetary and accounting procedures.

The specific intent of this proposal is; 1) to consolidate, under one administrator, both the administrative and supervisory functions for jury-related activities; and, 2) to upgrade managerial capabilities within the jury system to better ensure continued community responsiveness and cost effectiveness.

SUPPLEMENT TO DU PAGE COUNTY'S PERSONNEL CLASSIFICATION PLAN
FOR EXECUTIVE I

JURY ADMINISTRATOR

This is professional, administrative work involving responsibility for the implementation and administration of the DuPage County Jury System.

This is an appointed position under the supervision and control of the Circuit Court Judges.

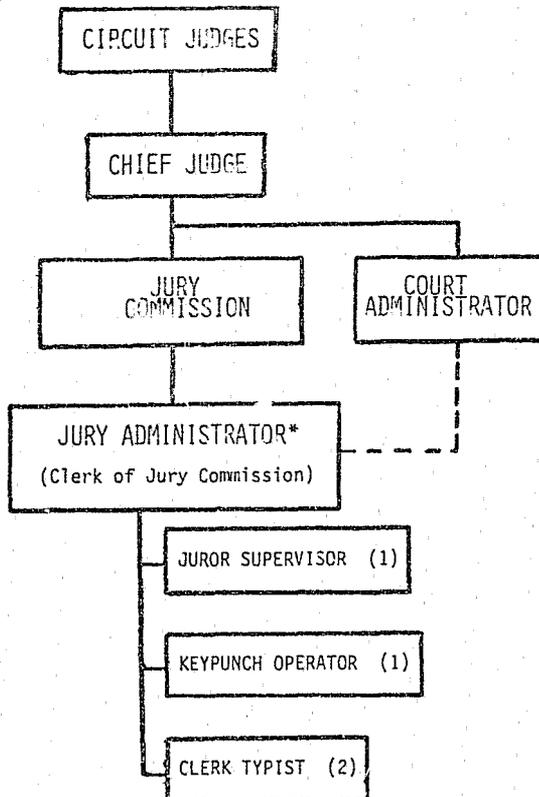
Qualifications:

1. Knowledge, skills and abilities normally acquired through regular training curriculum, special courses or self-education and experience which is substantially equivalent to extensive professional and administrative experience and four years of under graduate school.
2. Knowledge of the principles, applications and techniques of electronic data processing.
3. Thorough knowledge of the functions, operations and practices of court functions and government.
4. Knowledge of judicial procedures and rules of law pertaining to jury systems.
5. Thorough knowledge of office management methods, practices and supervisory techniques.
6. Ability to plan and direct the maintenance of complex, accurate court records and the preparation of a variety of legal and technical documents.
7. Ability to organize, direct and coordinate the activities of a professional and clerical staff.
8. Ability to maintain effective working relationships with circuit judges, state and local officials, attorneys, employees and the general public.
9. Ability to formulate regulations in furtherance of the governing procedures for the selection and management of all grand and trial jurors in DuPage County.
10. Ability to design forms, collect information, evaluate data and prepare written analytical reports for oral presentation.

To accomplish these objectives, it is recommended that a new position of Jury Administrator be created within the jury system.

The individual selected for this position should possess those general abilities, knowledges and qualifications required of an Executive II employed by the County, as well as the prerequisites enumerated on pages 3 and 4 herein. Accordingly, the Jury Administrator, as a department head, should be compensated at a rate comparable to the Executive I position, grade 25, (\$14,706.00-\$18,762.00 per annum).

PROPOSED
ORGANIZATION AND STAFF DESIGN
FOR JURY SYSTEM



- Chief Judge's staff interviews and screens candidates for position of Jury Administrator and makes recommendation to Jury Commissioners.
- Jury Commissioners select Jury Administrator; appointment is confirmed by Circuit Judges.

* Executive II, Grade 28, DuPage County Personnel Classification Plan

EXECUTIVE I

GENERAL STATEMENT OF DUTIES: Assists a department head in the overall direction of a department; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: An employee in this class acts as a line assistant to a department head, organizing, planning, executing, controlling and evaluating the operation of a line or staff program. Assists a higher level manager in an equivalent line or staff capacity. Positions in the Executive series are distinguished from those in the Administrative Assistant series because of their responsibility for line rather than staff activities.

EXAMPLES OF WORK: (Illustrative only)

Implements policy for the total administrative process of a line or staff supportive program;
 Assists a higher level manager in an equivalent line or staff capacity;
 Organizes the goals and objectives for the department;
 Directs management or research studies of the organization and administrative procedures;
 Plans for the efficient utilization of a staff in the recorder's office, and in the microfilming division and other areas of the highway department;
 Confers with management on the integration of program function activities, the resolution of administrative problems and improvements in programs;
 Performs the major controlling impact on the outputs of the program activities;
 Assists in analyzing legislation pertaining to department to which assigned;
 Directs and plans short and long-range building maintenance, supply, volunteer and public relations programs for the Youth Home;
 Reviews performance standards with subordinates;
 Confers with other departments on related programs;
 Prepares a variety of reports and memoranda;
 Aligns program operations on an intra-departmental basis.

REQUIRED KNOWLEDGES, SKILLS AND ABILITIES: Good knowledge of local government; good knowledge of administrative practices and procedures; ability to assist in the development and management of a departmental program; ability to analyze administrative problems and adopt an effective course of action; ability to develop, install and evaluate new and revised methods, procedures and performance standards; ability to exercise judgment and discretion in developing, implementing and interpreting departmental policies and procedures; ability to estimate and budget for future needs and cost of personnel, space, equipment, supplies and services; ability to develop and maintain cooperative working relationships; good physical condition.

ACCEPTABLE EXPERIENCE AND TRAINING: Some experience in a management or administrative capacity and graduation from a college or university of recognized standing preferably with course work in business or public administration; or any equivalent combination of experience and training which provides the required knowledges, skills and abilities.

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JUROR USAGE

PRELIMINARY REQUEST FOR PANEL OF JURORS

SUMMARY SHEET - WEEK OF _____

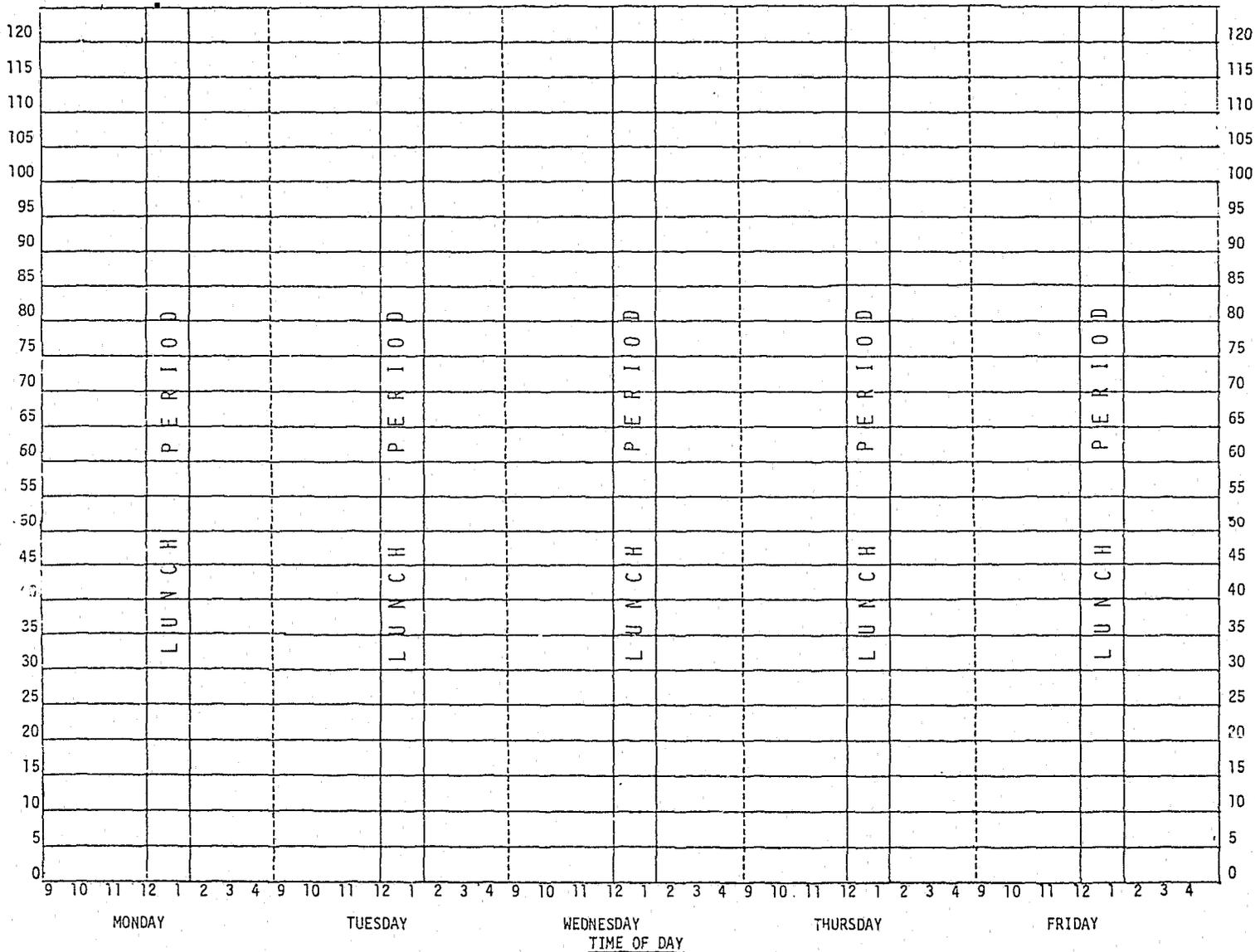
JUDGE	MON		TUES		WEDS		THURS		FRI	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
1.										
2.										
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										
11.										
12.										
13.										
14.										
15.										
TOTAL										
TOTAL FOR THE DAY										

1. 0 - circle if panel is provided
2. X - check if cancelled
3. - box to show panels requested during week, but not anticipated on previous Friday

Please file this report with Court Administrator at the end of the week.

23

NUMBER OF JURORS



Dates 19

 19

 19

 19

 19



Jurors in Voir Dire and Trial
(productive)



Jurors in pool waiting
(unproductive)

 % Average time productive for week

 % Average time unproductive for week

F-4

THE EIGHTEENTH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS

JURY PANEL UTILIZATION DATA FORM

Case Number _____ Judge _____ Civil Felony Misdemeanor

EVENTS:

- Preliminary request for panel
- Final request for panel
- Panel arrived in courtroom
- Voir dire started
- Voir dire ended
- Trial started
- Panel returned unused
- Trial ended - Jury verdict
- Trial ended - Jury used

	DATE	TIME	INTERVAL (minutes)
		am pm	

But case disposed of before jury verdict: Disqualified Mistrial Settlement

PANEL NOT USED:

Settlement Case Dismissed Plea Other _____

PANEL SELECTION:

= + + +

Total size of panel furnished Size of jury & alternates Challenges for cause allowed Peremptory challenges exercised Jurors not sworn or challenged

Prepared by _____ Return to Room 101

JURY POOL RESPONSE TIME ANALYSIS FORM

INSTRUCTIONS

This form provides a simple tally and computation sheet for measuring the responsiveness of the jury pool system in delivering panels to courtrooms after they are requested.

The results of the analysis tells the judges how far in advance of actual need they should make their requests for panels.

To use:

- (1) Enter interval data from the "Jury Panel Utilization Data Forms".
- (2) Add the intervals.
- (3) Divide by number of entries.
- (4) Circle the *longest* and *shortest* intervals to obtain the range.

$$\frac{\text{total} \underline{\hspace{2cm}}}{\text{number of entries} \underline{\hspace{2cm}}} = \text{average response time} \underline{\hspace{2cm}}$$

Form No. (Optional)	Entry Number	Interval (minutes) "Panel Requested" to "Panel Arrived in Courtroom"
	1	
	2	
	3	
	4	
	5	
	6	
	7	
	8	
	9	
	10	
	11	
	12	
	13	
	14	
	15	
	16	
	17	
	18	
	19	
	20	

Number of Entries Total

IDLE PANEL IN COURTROOM ANALYSIS FORM

INSTRUCTIONS

This form provides a single method for reducing data showing how long jurors wait in the courtroom for voir dire to begin.

Its results show whether judges are making good and efficient use of jurors drawn from the pool or, conversely, are placing "artificial" demands on the pool by calling panels too early.

To use:

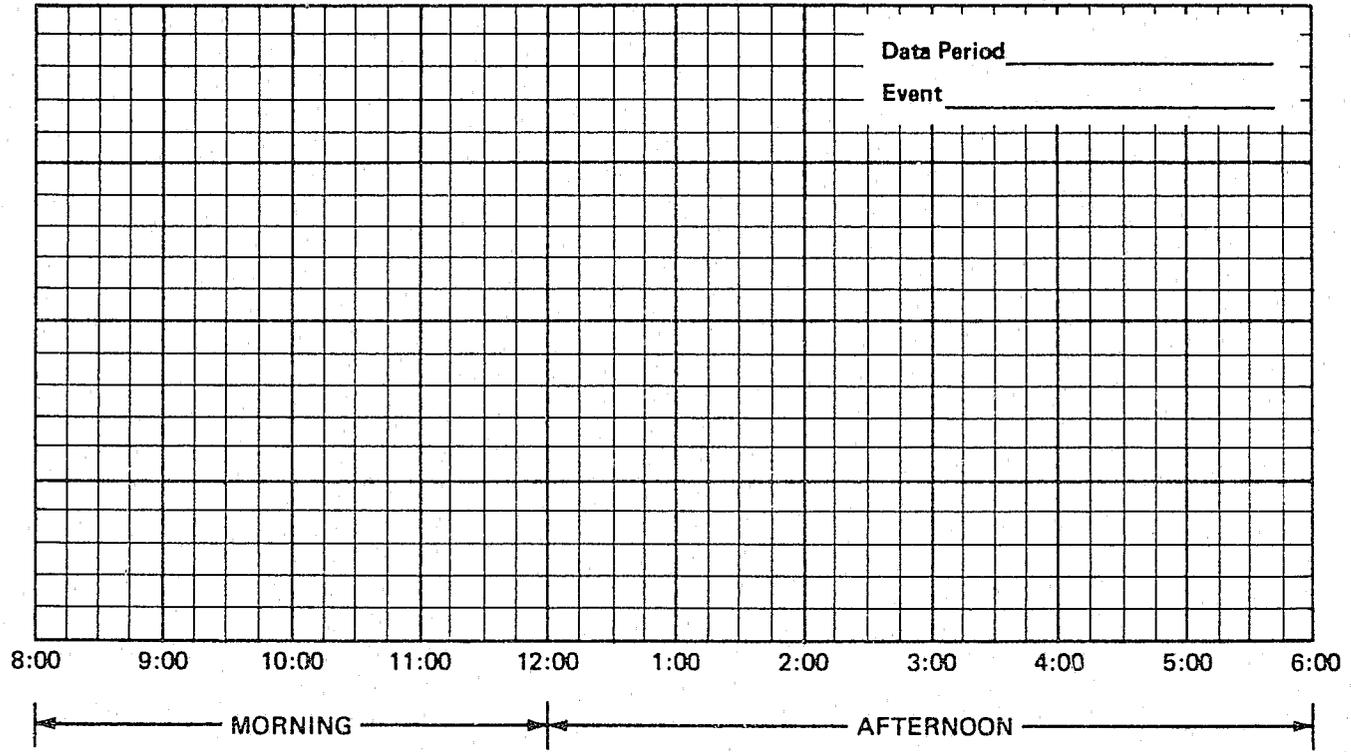
- (1) Enter interval data from the "Jury Panel Utilization Data Forms".
- (2) Add the intervals.
- (3) Divide by number of entries.
- (4) Circle the *longest* and *shortest* intervals to obtain the range.

$$\frac{\text{total } \underline{\hspace{2cm}}}{\text{number of entries } \underline{\hspace{2cm}}} = \text{average idle time } \underline{\hspace{2cm}}$$

Form No. (Optional)	Entry Number	Interval (minutes) "Panel Arrived" to "Voir Dire Started"
	1	
	2	
	3	
	4	
	5	
	6	
	7	
	8	
	9	
	10	
	11	
	12	
	13	
	14	
	15	
	16	
	17	
	18	
	19	
	20	

Number of Entries Total

NUMBER OF OCCURRENCES



JURY SERVICE EXIT QUESTIONNAIRE

Your answers to the following questions will help improve jury service. All responses are voluntary and confidential.

1. Approximately how many hours did you spend at the courthouse? _____
2. Of these hours in the courthouse, what percent was spent in the jury waiting room? _____
3. How many times were you chosen to report to a courtroom for the jury selection process? _____
4. How many times were you actually selected to be a juror? _____
5. Have you ever served on jury duty before? _____ How many times? _____
6. How would you rate the following factors? (Answer all)

	Good	Adequate	Poor
A. Initial orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B. Treatment by court personnel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Physical comforts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D. Personal safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E. Parking facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F. Eating facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G. Scheduling of your time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Did you lose income as a result of jury service? Yes
 No

8. After having served, what is your impression of jury service? (Answer one)

- A. The same as before -- favorable?
- B. The same as before -- unfavorable?
- C. More favorable than before?
- D. Less favorable than before?

9. In what ways do you think jury service can be improved?

The following information will help evaluate the results and responses to this questionnaire:

10. Age: 18-20 21-24 25-34 35-44 45-54 55-64 65-over

11. Sex: Female
 Male

END