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HEADLINE: Easing the Burden for Jurors; Md. Panel Aims to Make Judicial Process More User-Friendly

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BODY:

Though most Maryland residents consider juries the most important part of the justice system, many of them find jury duty inconvenient or even onerous and try to dodge it when they are summoned.

Maryland's judges have taken notice--and are taking steps to improve the jury system for prospective jurors as well as lawyers and judges.

In recent months, a 32-member committee appointed by Robert M. Bell, chief judge of the Maryland Court of Appeals, has developed dozens of preliminary recommendations, including requiring employers to supplement government jury pay. Some of the suggestions would require legislation by state lawmakers, while others could be put into practice by judges.

Over the next few months, Bell and the administrative chief judges of the eight judicial circuits in the state will hash out which recommendations will be adopted, officials said.

The committee, which includes judges, law professors, lawyers, business people, law professors and non-lawyer residents, is scheduled to meet again Feb. 14 at the Judicial Training Center in Annapolis.

"The court system is trying to reach out and become more user-friendly," said Prince George's County Circuit Court Judge Michele D. Hotten, chairman of the jury pool and summoning process panel, one of three subcommittees. The other subcommittees are quality of jury experience and trial procedures, and the role of the jury.

"The overall goal is to raise public consciousness about jury service and to expand the list of prospective jurors," Hotten said. "We are looking to streamline the [jury selection] process and make it more user-friendly to prospective jurors."

According to a 1998 American Bar Association survey, 69 percent of those polled said they considered juries the most important part of the justice system, and 78 percent rated the U.S. jury system the fairest way to determine guilt or innocence in criminal matters.

Despite that high regard, officials have had a hard time finding enough people to take part in juries.

In Maryland, up to 25 percent of the people who are summoned for jury duty fail to appear in some counties, according to the state bar association. Many of those who do show are prepared with excuses as to why they should not serve.

Jury participation is one of the key issues under review by Hotten's subcommittee.

According to Hotten, prospective jurors have cited a number of reasons for not wanting to serve on juries: concerns about providing child care or care for elderly relatives, transportation problems and in some cases, losing income because an employer does not compensate for days not worked while on jury duty.

Compensation for jurors varies from county to county: In Prince George's, jurors are paid \$ 15 a day; in Howard County, jurors are paid \$ 10 a half-day, morning or afternoon.

Here are some of the committee's preliminary recommendations:

- * Requiring employers to compensate jurors by paying the difference between daily jury pay and the amount the worker would have made in a typical workday. The employer's obligation would last for up to three days under the recommendation, which requires state legislation.

- * Offering post-verdict counseling to jurors who have seen gruesome evidence or heard disturbing testimony.

- * Reducing the number of peremptory challenges--which lawyers can use to remove prospective jurors without explanation--from the current 40 that are available in some serious criminal cases.

- * Dropping the Latin term used for jury selection, "voir dire," and simply using the term "jury selection" to help demystify the process.

- * Allowing jurors to question witnesses in trials, provided that the judge has reviewed all questions in writing and discusses the matter with lawyers in the case first.

- * Allowing jurors to discuss the evidence and testimony during the course of the trial, not simply after all the evidence is in, provided that all jurors are present at the discussion.

"Jurors ought to be able to discuss the case and get a head start on their analysis of the evidence," said Circuit Court Judge Dennis M. Sweeney, chairman of the subcommittee that dealt with the role of the jury.

In Arizona, jurors are allowed to discuss cases during the trial, Sweeney said.

A study showed that such discussions did not cause Arizona jurors to reach conclusions before all the evidence was in, he added.

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