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FACT SHEET

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Jury Improvement Program

"*I consider trial by jury as the only anchor ever yet imagined by man, by which government can be held to the principles of its constitution." Thomas Jefferson*

Thomas Jefferson, 1788

The Jury Improvement Program (JIP) was created by the Judicial Council (the Council) in 1995 through the work of the Blue Ribbon Commission on Jury System Improvement to undertake improvements to all aspects of the jury system, including efficient jury operations, trial and case management support, cost-effective improvements to jury service, best practices for jury administration and management, care and treatment of jurors, citizen expectations about jury service, as well as juror comprehension and education. Since 1995, the program has worked directly with the courts, Judicial Council staff, justice partners, and the public to promote improvements in the administration and management of jurors, as well as supporting the work of advisory groups charged by the Council with providing policy recommendations for improving the state's jury system.

These advisory groups have included the Blue Ribbon commission, the Task Force on Jury System Improvements, the Model Juror Summons Implementation Working Group, the Steering Committee for Jury Rule Proposals, the Trial Court Presiding Judges Advisory Committee (TCPJAC)/Court Executives Advisory Committee (CEAC) Joint Working Group on Jury Administration, Supreme Court Jury Selection Work Group, Ad Hoc Workgroup on Post-Pandemic Initiatives, and, most recently, the Jury Administration and Management Subcommittee (JAMS).

Program History

In 1995, the Chief Justice of California and the Judicial Council created the Blue Ribbon Commission on Jury System Improvement, with the State Bar of California and the California Judges Association as supporting sponsors. The commission, as directed, undertook a thorough and comprehensive review of all aspects of the jury system. The Council's subsequent Task Force on Jury System Improvements (1998– 2002) oversaw implementation of the commission's recommendations. The overarching principle embedded in the Jury Improvement Program is that everyone—judges, jury commissioners, lawyers, employers, and jurors—should share responsibility for improving the jury system. After the task force completed its work, the JIP continued to work on initiatives related to jury reform, from changes regarding juror eligibility and summonsing practices to accommodations for those with permanent medical conditions and changes to juror per diems.

Select Program Accomplishments

Mileage and Public Transit Reimbursements
In 2022, Assembly Bill (AB) 1981 was passed by the Legislature and signed into law by the governor. The new legislation, beginning January 1, 2023, raises the mileage reimbursement from $0.34 one-way to roundtrip. Additionally, the bill provides a framework for courts to create a program to encourage individuals to use public transit and reimburses up $12 per day starting on the first day of service for those who do.

New Statewide Jury Service Orientation Film
Released in 2022 and created to prepare jurors for this important civic right and responsibility, *Jury Service: Justice For All* provides a thoughtful and accessible overview of the juror experience, including jury selection, the trial, and deliberations. The film features interviews with former jurors, judges, and justice partners that reflect the diversity of California and the importance of jury service. While the 17-minute film was designed for screening in a jury assembly room or courtroom, it also serves as a valuable public education tool.

There is a companion video, *A More Perfect Jury: A History of Jury Service*, explores the history of jury service from its beginnings in English common law, into the Civil Rights and Women's Suffrage movements, as well as new changes to California juries created by recent legislation.

You can learn more in a fact sheet about the project, as well as watch both videos, on the California courts website.

Jury Data Report
The Judicial Council has begun publishing the most current Jury Data Report (JDR) on our website to improve transparency and accessibility regarding the jury system statewide. The JDR works to standardize, collect, and analyze fundamental measures of jury operations in the trial courts and to provide this information to court administrators, the public, legislators, and the Judicial Council. Among the data elements included in the report are juror yields, utilization, and postponement ratios, as well as aggregate numbers of summonses, excusals, disqualifications, jury service completion rates, panels created, jurors sworn, and other components. By gathering consistent and timely data for each court, the JDR supports the ongoing evaluation and improvement of the jury management system at both the local and state levels.

Failure to Appear (FTA) Toolkit
Jurors who fail to appear for jury service place heavy burdens on court administration and members of the public who regularly answer the call to serve. In 2009 the Joint Working Group on Jury Administration released a resource guide and training materials, based on section 209 of the California Code of Civil Procedure, to assist courts in developing legally sound and efficient processes for dealing with jurors who fail to appear when summoned for jury service.

The toolkit includes two alternatives. The courts can decide which option best suits their needs: the "Contempt" alternative (Code Civ. Proc., § 209(a)) and the "Sanctions" alternative (Code Civ. Proc., §

209(b)). Each alternative includes:

- Step-by-step guidelines for dealing with delinquent jurors;
- Sample correspondence and notices of delinquency;
- Sample forms relating to orders to show cause and contempt or sanctions hearings;
- Sample scripts for judges and court personnel; and
- A sample press release to alert the public about an FTA program.

The materials are intended to help courts increase the number of people appearing for jury duty; deter the numbers of jurors who fail to appear (FTA) and prevent repeated FTAs by delinquent jurors; as well as educate potential and delinquent jurors about the importance of jury service and fulfilling their civic obligation.

Model Juror Summons
Beginning in 1999, the Task Force on Jury System Improvements collected and reviewed sample summonses from courts around the state and identified key basic elements of a summons. The task force's goals were to:

- Improve the appearance and readability of the summons;
- Eliminate the costs of a two-step process in favor of a one-step summons; and
- Create a summons with consumer appeal.

The task force worked with design and communications consultants to develop and refine drafts of the model summons. To clarify and simplify the summons, the task force also developed an accompanying pamphlet called *Court and Community*. The pamphlet includes introductory court information such as the dress code for jurors, court amenities, and frequently asked questions.

One Day or One Trial System
Effective July 1, 1999, the Judicial Council adopted rule 2.1002 of the California Rules of Court to create a one-day or one-trial jury system throughout the state. Typically, if you are not assigned to jury selection after one day at the courthouse, then your service is complete for at least 12 months. If you serve on a jury, after you are dismissed by a judicial officer your service obligation is discharged for at least 12 months, and often longer.

The one-day or one-trial system is designed to reduce unproductive waiting time and the potential for lost income of jurors, as well as assist the courts in selecting panels of jurors who are prepared to serve.

Rules of Court and Standards of Judicial Administration
The Judicial Council has adopted the following California Rules of Court and Standards of Judicial Administration based on the recommendations of the Blue Ribbon Commission on Jury System Improvement, the Task Force on Jury System Improvement, as well as recommendations from advisory groups and/or judicial branch leaders.

Rule of Court	**Summary**
Rule 2.1002	One-day or one-trial policy.
Rule 2.1004	Accommodation of juror's schedule by granting one-time deferral of jury service.
Rule 2.1006	Mothers who breastfeed a child may request that jury service be deferred for up to one year and may renew that request as long as breastfeeding continues.

Rule 2.1008	Jury commissioners are required to apply standards for hardship excuses determined by the Judicial Council and set forth in the rule.
Rule 2.1009	Allows for a permanent medical excuse from jury service for qualified prospective jurors. This proposed new rule includes provisions for confidentiality, the right to reapply if denied, and the right to seek reinstatement if desired.
Rule 2.1031	Jurors must be permitted to take written notes during civil and criminal trials.
Rule 2.1032	Judges should encourage counsel in complex civil cases to include key documents, exhibits, and other appropriate materials in notebooks for use by jurors during trial to assist them in performing their duties.
Rule 2.1033	Encourages trial judges to allow jurors to submit written questions directed to witnesses during trials.
Rule 2.1050	Judicial Council–approved jury instructions are the official jury instructions for use in the state of California.
Rule 2.1058	All instructions submitted to the jury must be written in gender-neutral language.
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Standards of Judicial Administration	**Summary**
Standards 3.25 and 4.30	Written or oral examination of prospective jurors is permitted in civil and criminal cases. Judicial Council– approved forms may be used.
Standard 10.31	Recommends that the jury commissioner use the National Change of Address System, or equivalent, to update master jury lists.
Standard 10.51	Recommends that each court establish a reasonable mechanism for receiving and responding to juror complaints.
Rule 10.469	Promotes judicial officer education on the treatment of jurors and on conducting jury trials, in particular the process of jury selection (voir dire) through use of approved educational materials and programs.

California Juror Website
For information about jury service in California, please visit the California Courts Web site http://www.courts.ca.gov/juryservice.htm. For more information about the Jury Improvement Program, please visit http://www.courts.ca.gov/3918.htm.

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