



Nancy J. Diehl

# Jury Duty—Atticus Finch Sums It Up Perfectly!

**W**hen a jury summons arrives in your mailbox, do you feel privileged that you have the opportunity to serve or are your feelings of another nature?

The jury system is an integral part of our American justice system. Thomas Jefferson called the jury system "the only anchor yet imagined by man which a government can be held to the principles of its constitution." As a prosecutor I have tried hundreds of cases before juries. And, it is my experience that most juries reach the right decision. It may not be the result I had argued for, but it was a verdict I could not argue with based on reasonable issues. By trusting ordinary people from our community to decide legal cases involving guilt or innocence or issues of liability and damages, we continue to support the belief that everyday people can make the right decision—a cornerstone of our democratic society.

How do non-lawyers react when the jury summons arrives? This past February, I observed a group of 14 citizens talking about the role of the jury. The discussion group was part of the ABA American Jury Project.<sup>1</sup> The Jury Project was initiated as a result of a public opinion poll that revealed Americans have a strong belief and trust in the jury system and challenged the notion that Americans consider jury duty to be a burden to be avoided. However, despite such beliefs, courts around the country today report serious problems with low response rates to jury summonses.

During the group discussion there was general consensus that it was important to serve, and jury duty was one of the few activities in civic life that provides direct contact with the workings of our democracy. Suggestions were made that would make jury service a better experience. They wanted complete information about what to expect in

the selection process and in courtroom procedures. They wanted competent lawyers who made the evidence clear and told the truth! They felt that time spent on jury duty should be respected. It was their observation that participation takes jurors away from their jobs, families, and other important commitments, while lawyers and judges are being paid for their time.

As I sat there listening, I could relate to their concerns and suggestions. I have served on two juries to verdict and have been called and questioned a handful of other times. Each time it was an eye-opening experience for me regarding the real world of jurors. In

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each instance it appeared that my time was not important nor was it respected. One of the cases I sat on continued over the course of two weeks. We did not work full days. When we were there, we spent most of the time in the hallway waiting. The actual time we spent listening to testimony was very brief.

In another situation, the panel I was on was called for a case late in the morning. We sat in the courtroom while the judge dealt with a myriad of other matters—never addressing us at all! Many of my fellow prospective jurors were confused about what was going on and became very agitated. I was ticked off that the judge called us to the courtroom and then completely ignored us for over 45 minutes (I would have been able to finish my paperback if I had been allowed to remain in the jury assembly room).

My personal experiences as a juror were similar to those reflected by the Jury Project discussion group. Jurors need to be respected for their role in our justice system. And it is the responsibility of the lawyers and most importantly judges to show that respect. Respect includes giving information and explaining courtroom procedure. Respect means setting an appropriate time schedule and following it. It means taking care of pre-trial matters before the jury is brought to court. It means that judges should not be answering phone calls on the bench. We all value our time, so why is the time of jurors not more valued or respected?

So please take the time to look at the ABA American Jury Project. Although the purpose of the project is to educate citizens about jury service, I came away with an education for a trial lawyer. The project, available through the ABA, is a win-win situation for lawyers. Becoming involved not only provides an opportunity for lawyers to inform citizens on the importance of jury duty, but also provides lawyers with input from members of their community on what they expect from us.

A quote by lawyer Atticus Finch in *To Kill A Mockingbird* sums up the importance of juries, as well as the goals of the ABA American Jury Project:

*I'm no idealist to believe firmly in the integrity of our courts and in the jury system—that is no ideal to me, it is a living, working reality. . . . A court is no better than each. . . . of you sitting before me on this jury. A court is only as sound as its jury, and a jury is only as sound as the people who make it up.*

Having recently filled out a juror questionnaire, I anxiously await my next jury summons to have the privilege of participating again! ♦

## FOOTNOTE

1. For information on the American Jury Project go to: [www.abajury.org](http://www.abajury.org).