

Who Has To Serve On A Jury?

Jurors are selected at random. Each court district has its own plan for a “random” selection of jurors. Usually names of prospective jurors are selected from voter registration or city directory lists. Either way, the procedure is designed to ensure the random selection of a fair cross section of people residing in that particular district.

Most state laws require that in order to serve as a juror in the state’s courts you must be:

- a U.S. citizen,
- age 18 or older,
- a resident of the area served by the court, and
- able to understand the English language.

If you are temporarily unavailable for jury duty on the date you are summoned because of illness or vacation, you can receive one postponement.

Exemptions from jury duty

Some people can be exempted from jury service. Exemptions are specified by state statute. A request can be made for an exemption from jury duty by completing the “remarks” section on the jury duty summons.

The exemptions vary from state to state and are rarely granted. No occupational group is automatically exempt from jury service, but many states exempt certain professions, such as police officers and doctors.

Though exemptions vary from state to state, the following categories are common exemptions:

- You are 75 years of age or older.
- Jury duty will impose a severe hardship on you (e.g., a necessary medical appointment, an operation, a desperate

financial situation).

- You have served within the last three years in the same county in which you are being summoned.
- You are a volunteer first-aid squad member, EMT or volunteer firefighter.
- You have an obligation to care for others (e.g., you take care of your mother who is in a wheelchair) including dependant or sick children.
- You provide highly specialized health care services for which a replacement is not easily obtained.
- You are a health care worker involved in the care of a disabled person and your presence is essential to that person's personal treatment.
- You are a full-time member of the staff at a high school or elementary school, are summoned during the school term, and a replacement cannot be easily obtained.

Some states have different exemptions, so it is always best to check with your state's specific jurisdiction. For example, under Connecticut law you may be exempt from jury duty if, among other things you:

- cannot speak English;
- have been convicted of a felony during the past seven years or you are a defendant in a felony case;
- are in jail;
- are a state senator or representative and the legislature is in session; or
- are a judge of the Superior, Appellate or Supreme Court, or you are a federal court judge.

There is a distinction between being excused from service in general and being excused from service in a particular trial. Always respond to a summons even if you think you have good reasons to be exempted from jury service.

Excused from service in a particular trial

All the people required to appear for jury service are not

actually chosen for trials. Jurors may be excused from serving on a particular trial if there is any indication of bias or partiality or if sitting on a trial would impose a severe hardship. In addition, if you know any of the parties involved in the trial (e.g., lawyers, judge, defendant or witnesses) or if you have knowledge of the case from the media, it is not likely you will serve on the jury.

Once you are impaneled for a particular trial, the lawyers and/or judge will ask you questions about your opinions and beliefs to determine whether you can be impartial.

Example: *If the case involves a robbery, the judge or lawyers may ask the jurors if any of them have been robbed. If you say you have been robbed, the judge or lawyers may question you further to determine whether that experience will affect your ability to fairly decide the case.*

Judges and lawyers can excuse any jurors who demonstrate partiality toward one side or another. In addition, both lawyers have a certain number of peremptory challenges. These challenges allow the lawyers to excuse a juror for any reason except a discriminatory reason (i.e., the juror's membership in a protected group based on his or her race, religion or sex).

Often lawyers know the type of juror they want on a jury. Lawyers devote a great deal of research to determining the type of person (blue-collar worker, white-collar worker, with children, no children, etc.) they believe will be predisposed in favor of their client. They use their peremptory challenges to eliminate the jurors they believe will hurt their case.