



JUROR'S GUIDE

A QUICK REFERENCE TO YOUR ROLE IN
THE TRIAL PROCESS IN PENNSYLVANIA





The right to a trial by jury is guaranteed by the United States and Pennsylvania Constitutions. The effectiveness of the jury system depends upon citizens' willingness to serve, as well as jurors' ability to be fair and impartial while deciding the facts and applying the law.

Courts

Courts of Common Pleas

Courts of Common Pleas are Pennsylvania's general trial courts. These courts are organized into judicial districts, generally following the geographic boundaries of the state's counties. In most judicial districts, juries hear a wide range of cases.

Juries
are here

Courts of Common Pleas:

Are the primary trial courts with original jurisdiction in most serious criminal and civil cases.

Commonwealth Court of Pennsylvania:

Hears cases where the government is a party.

Superior Court of Pennsylvania:

Hears most criminal and civil appeals from the Courts of Common Pleas.

Supreme Court of Pennsylvania:

Is the highest judicial authority in the state.

What kinds of cases will I hear as a juror?

Jurors hear either criminal or civil cases.

In criminal cases, a district attorney acting on behalf of the citizens of Pennsylvania prosecutes a case against an individual or an entity accused of a crime. The district attorney is also referred to as the prosecutor. The person or entity accused of the crime is referred to as the defendant.

In civil cases, an individual, entity or governmental agency brings a suit against another individual, entity or governmental agency. The party initiating the lawsuit is referred to as the plaintiff, and the party defending the suit is the defendant.

What is the role of the juror & what is the role of a judge?

J U R O R

- Listen carefully to all evidence presented during the trial.
- During deliberations, discuss the evidence with fellow jurors and decide what the facts are, based upon which witnesses and evidence you believe.
- Apply the law, as explained by the judge, to the facts, as determined by you.
- Do no independent research or investigation.
- Determine the money damages in some civil cases.
- In criminal cases, decide whether the defendant is guilty or not guilty.
- Arrive at a verdict.

J U D G E

- Make sure that all parties have a fair opportunity to present their case.
- Make sure the trial process proceeds in a proper manner.
- Instruct the jury on the applicable law.
- Decide the punishment in most criminal cases.

Jury Selection

How are jurors selected?

Jury selection begins when a name is randomly selected from voter and motor vehicle registration lists. Your county may elect to supplement the master list of prospective jurors by the inclusion of additional lists from other sources such as personal tax roles. Those selected are sent a summons, which is a court order stating the required time and place to appear.

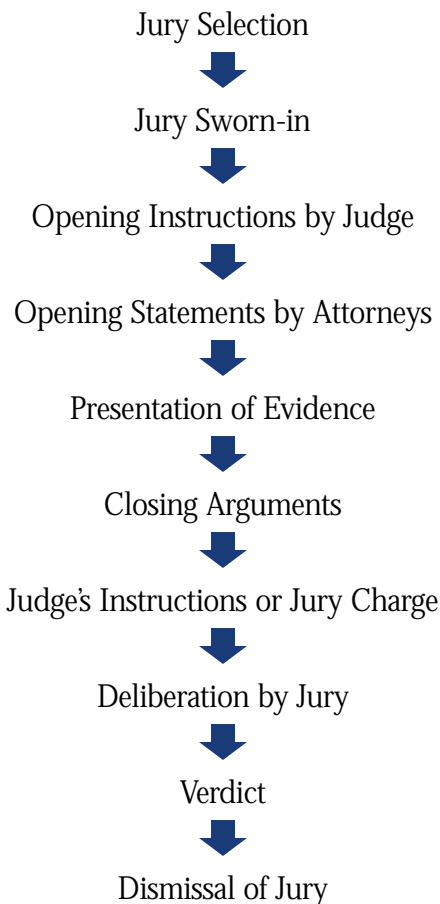
The jury pool is composed of those people summoned to appear on a particular day. Juries are selected from the jury pool.

In criminal cases, the jury is made up of twelve jurors, except in the rare case of the parties agreeing to fewer. In civil cases, the jury can consist of as few as six jurors or as many as twelve. Alternate jurors may also be chosen to avoid unnecessary delays or expense in the event of the incapacity of a juror.

What is voir dire?

Voir dire is a French term that refers to the preliminary examination of an individual's qualifications to be a juror. Voir dire is sometimes conducted by the judge and sometimes by the lawyers. The purpose is to find out whether any views held by the potential juror hinder his or her ability to act impartially. Therefore, it is very important to answer these questions honestly.

Trial Process



Jury Deliberations

The judge explains the law and provides guidance on procedures to be followed in jury deliberations. One of the first things the jury does during deliberations is to choose a foreperson. The foreperson should make sure that each juror has a chance to speak; that each juror's opinion is treated with respect; that the jury does not rush to come to a verdict; that jurors carefully listen to one another; and that they return a fair and impartial verdict based upon the facts of the case.

In criminal cases, a unanimous jury is required to find the defendant guilty. In civil cases, 5/6 of the jurors must be in agreement.

After the Jury Reaches a Verdict

Once a jury reaches a verdict, the foreperson informs the court that the jury has reached a verdict, and the judge calls everyone back to the courtroom. The verdict will then be announced. After the verdict is announced and recorded, the jury has completed its duties and is discharged.

After discharge, jurors are permitted, but not required, to talk about the case. Jurors are not permitted, however, to disclose what another juror said in the jury room. If anyone attempts to communicate with a juror regarding his or her role as a juror in a way that one feels is improper, the juror should report the incident to the court as soon as possible.

Commonly Asked Questions

Who is eligible to serve?

Anyone 18 years of age or older who is both a citizen of the Commonwealth and resident of the county and who has not been convicted of a crime punishable by imprisonment for more than one year is eligible.

What happens if I ignore my summons for jury service?

A jury summons is a court order. If you ignore it, you are subject to arrest and prosecution.

May I call the court and schedule a more convenient time to serve?

In many cases, the court will do what it can to accommodate you. Call the court and find out. Don't simply ignore the summons.

Will I be paid for serving as a juror?

Yes, \$9/day for the first three days and \$25/day thereafter, and in some counties mileage for transportation to and from the courthouse is included. These fees are set by the state legislature.

What if my employer doesn't allow me to serve?

The law prohibits any employer from preventing an employee to serve as a juror. The law also prohibits an employer from depriving a juror of benefits because of jury service, such as requiring you to use vacation time to serve.

Is my employer required to pay me while I serve as a juror?

If you work for the government, your employer must pay you. If you work in the private sector, your employer does not have to pay you.

Is it possible to appear for jury service and not sit on a jury?

Yes. More people are called than actually serve because it is not always possible to estimate accurately the number of jurors who will be needed to serve each day.

How long will I serve?

Criminal trials do not usually last longer than two to three days. Generally, civil trials do not last longer than three to four days. However, some trials last longer.

May I go home at the end of the day?

Jurors almost always go home at the end of the day. Sequestration is a term used to describe jurors staying at a local hotel at the county's expense during the trial. Sequestration occurs rarely.

Are accommodations available if I have a disability?

Accommodations are available to people with disabilities. Call your local jury coordinator or court administrator to find out what accommodations are available in your county.

What happens if I'm late and can't get to the court before the time the trial starts?

Telephone your county's jury coordinator or court administrator or the judge assigned to your case as soon as possible.

How often do I have to serve as a juror?

There is no limit on the number of times your name may be drawn for service. In Pennsylvania, however, anyone who has served on a trial as a juror fewer than three days does not need to serve again for one year. Anyone who has served three days or more does not have to serve again for three years. If you wish to serve again before the expiration of those time periods, you may.

Tips

- Bring something to read or do to pass the time spent waiting.
- Check with your county to find out if you may bring a cell phone, beeper or laptop computer.
- Get directions to the courthouse in advance.
- Before the date you are scheduled to appear, find a convenient place to park if you are driving. Some counties provide juror parking.
- If you use public transportation, find out which route you need to take and time schedules so you arrive on time.

Conclusion

While jury service may sometimes be inconvenient, it is an extremely important civic duty. Without citizens willing to serve as jurors, our system of justice would not exist. Many jurors find the experience to be educational and rewarding.

The purpose of this pamphlet is to help you better understand the Pennsylvania courts, inform you of what you can expect when serving as a juror, and emphasize the critical role jurors play in our justice system. It is not a substitute for the instructions given by the judge during trial.



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