

# CASE STUDY

## ONE-DAY/ONE-TRIAL JURY SYSTEM



WAYNE COUNTY, MICHIGAN

39453

## DEFINITION

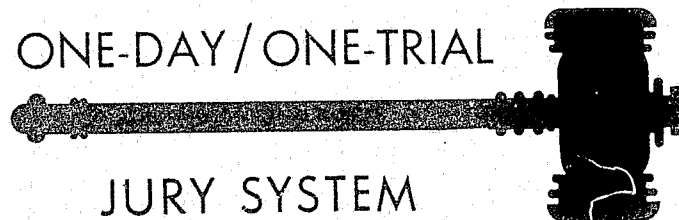
### WAYNE COUNTY COURTS ONE-DAY/ONE-TRIAL JURY SYSTEM

- A. Jurors complete their obligation when the trial to which they have been sworn has concluded. This is true regardless of length of the trial (e. g., 10 minutes or 10 days) or the manner in which the case is disposed (e. g., the jury comes to a decision, the case is settled out of court, or a mistrial is declared). Such jurors do not return to the jury pool.
- B. Challenged jurors return to the pool and are subject to voir dire in other cases for the remainder of the day.
- C. Jurors remaining unseated and unchallenged at voir dire are normally excused at the end of the day. Under extraordinary circumstances they may be held over for continuation of voir dire. For example:
  - 1. A sensitive case that requires lengthy general voir dire questioning and where this would be doubly time-consuming to repeat these group interrogatories the next day.
  - 2. When it is learned that there will be a heavy demand for jurors on the next day and the supply may fall short.

## CASE STUDY

ONE-DAY/ONE-TRIAL

JURY SYSTEM



WAYNE COUNTY, MICHIGAN

NCJRS

MAR 1 1977

ACQUISITIONS



## The Circuit Court

for the Third Judicial Circuit of Michigan  
1201 CITY-COUNTY BUILDING  
DETROIT, MICHIGAN 48226

JAMES N. CANHAM  
CHIEF JUDGE

AREA CODE 313  
TELEPHONE 224-5190

June 30, 1976

Mr. Richard W. Velde  
Administrator  
United States Department of Justice  
Law Enforcement Assistance Administration  
Washington, D. C. 20531

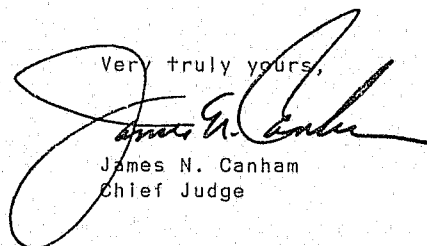
Dear Mr. Velde:

On behalf of the Courts of Wayne County, Michigan, I want to convey our most sincere appreciation for the grant in the amount of \$227,696 awarded to us by the LEAA in order to investigate the feasibility of the One-Day/One-Trial Jury System.

As you will note from the accompanying Case Study, our project was highly successful and, upon conclusion of a six-month pilot test, this new jury term was formally adopted by our court on April 26, 1976. Also, the Michigan Legislature is considering substantial changes in the statutes regarding jury service which will include the adoption of the One-Day/One-Trial concept for the entire state of Michigan.

In view of our experience, we would strongly urge consideration of this method by other courts. Our experience would indicate that any jurisdiction would benefit from this type of program. We offer our cooperation to any court so that it can take advantage of our efforts and bring even additional benefits from your investment.

Very truly yours,



James N. Canham  
Chief Judge

caj

## ACKNOWLEDGEMENTS

To the Wayne County Offices and the Courts, and the Project Staff whose assistance contributed to the success of the project.

Special thanks to the leadership of the Honorable Chief Judge James N. Canham, who presided during the period of implementation and who encouraged acceptance of the program through his active personal interest.

To the Law Enforcement Assistance Administration for funding this project and making possible the publication of a Case Study to share the experience of the One-Day/One-Trial Jury Program of Wayne County, Michigan.

**L. M. Jacobs IV**  
Circuit Court Administrator

**David E. Kasunic**  
Project Coordinator

**Athene C. Grabow**  
Communications Manager

## DEDICATION

To the Harris County, Texas Courts and Harris County officials who pioneered the One-Day/One-Trial Jury System.

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## CHAPTER I

### PROJECT ORGANIZATION

The One-Day/One-Trial Jury Reorganization Plan in the Wayne County, Michigan courts was a pilot study and therefore had to be structured to operate within the parameters of existing statutory regulations; pursuit of court rule changes or legislative amendments would depend upon final evaluation.

Reorganization of the jury system was a major undertaking and included all facets involved in juror selection and usage processes. It was hoped that results of the study, if positive, might serve to set standards and procedures for effecting cost savings and caseflow efficiency which could be helpful to other jurisdictions locally and beyond Michigan.

Although the One-Day/One-Trial concept was pioneered by officials in Harris County (Houston), Texas,\* their plan was not necessarily designed as a model, nor did they have special funding to publish the detailed explanatory material desirable if others were to copy their format. However, the Harris County Clerk and judges there did generously provide extensive and invaluable information and counsel.

To a degree, then, the Wayne County project was "plowing new ground." Only with outside funding, which was obtained from the Law Enforcement Assistance Administration, was it possible to include such additions as the development of an audio-visual presentation for juror orientation, as well as to incorporate a comprehensive analysis of juror attitudes based on a sample of thousands of jurors.

Further, the underwriting made possible the publication of this Case Study, a Sequential Plan of Implementation, and an inclusive systems manual. These efforts, hopefully, will allow other jurisdictions to institute a similar revision without being dependent on obtaining grant monies, since the underlying purpose of the Wayne County project was to share its experience nationally. In particular, the costly computer programming has been thoroughly documented and can readily be adopted or modified by the Data Processing Department in other courts.

It should be recognized that a major data processing system requires six to twelve months to implement and refine. During this "debugging" period, however, the occasional flaws in no way diminish the overall effectiveness and benefits.

Automation has manifold value for a court system. The computer not only prints, addresses and issues great volumes of forms and records, but it also insures accuracy, reduces clerical time to a

\*The One-Day/One-Trial format in Harris County differs from Wayne mainly in that it does not employ a reusable jury pool; once jurors are challenged, they are dismissed from service.

fraction and facilitates record maintenance and documentation for important reports. It makes possible the compilation of significant data and statistics which are essential for efficient jury management planning.

The grant application to the Michigan Office of Criminal Justice Programs for the LEAA funding had specified that the study would test the feasibility of more limited jury service. The goals were to increase citizen participation and to diversify the cross section of jurors by alleviating the personal disruption and economic hardship imposed by the inflexible 30-day period of service.

By reducing the number of requests for excuse and involving more citizens, the burdens and benefits of jury service would be more equitably allocated, thus supporting the ideal of participatory government by all segments of society in the community.

A major aim and expectation was that the brief duty requirement would improve juror attitude and also eliminate the "professional juror" syndrome.

At the conclusion of the pilot period, the consensus was that every objective had been achieved.

Under the One-day/One-Trial system, 9,975 citizens have been involved as jurors for the six months as compared to 1,348 citizens for the same period of the previous year — a seven-fold increase. The number of excuses requested decreased significantly (only 1.3% excused under the new system). Accordingly, all indications are that the venire reflects a more representative cross section of the community.

The shorter term has eliminated not only the inconvenience but also the frustration and tedium experienced when jurors reported daily and felt they were called needlessly or were under-utilized. The results of the Juror Attitudinal Survey (administered by an outside contractor) indicate an overwhelming approval of the One-Day/One-Trial term by participating jurors. Members of the Bench have commented that jurors are more alert and conscientious and that they do seem to represent a good balance of the social and economic population of the county.

In the matter of jury expense (past fiscal year budget \$785,000), the court has realized an effective cost savings of \$145,673 (\$26,955 actual reduction in juror payroll plus projected savings of \$60,088 resulting from 102 more jury trials heard with 1290 fewer jurors during a comparable period in the prior year. The total was annualized and then a deduction was made of \$28,413 for added costs of the system).

In addition to providing the Wayne courts with a comprehensive plan for maximum juror utilization, it was hoped that the jury reorganization study would provide quantitative and qualitative juror input which could be used in conjunction with future data to gauge trends and yield useful solutions to court problems through improved forecasting of jurors required.

Because of the interdependence and multitude operations involved in the management of the jury system, it was important to maintain close internal communications within the various courts and supporting offices. During the early stages, weekly meetings of the "Action Group" were held to incorporate changes and to coordinate tasks of all departments. A table and chart of procedures and responsibilities were distributed to every staff member and office relating to juror selection and utilization.

The Sequential Plan of Implementation provided a step-by-step explanation of the new system. It included a description of selection and summoning processes, the orientation of jurors, payroll procedures, and prediction of jurors needed. This document, with its appended exhibits of forms, juror orientation script, and radio and television public service announcement spots, can serve as an extremely helpful guide to any court contemplating change to the One-Day/One-Trial system. With modification much of it can be used in entirety.

A concentrated radio and TV public service campaign was conducted, prior to inauguration of the new jury plan, to educate the public to the changes in jury duty and to insure citizen cooperation. While the words "One-Day/One-Trial" formed an effective phrase, there was some concern that the duration of one trial might be equated with one day. The publicity, therefore, stressed that a trial in Wayne County averaged three to four days.

The media responded with great interest to the new jury system and continued their articles and announcements throughout the pilot period. As a result of the extensive press coverage, some of which was picked up by national publications, the Wayne County program caught the attention of court systems throughout the U. S. and has led to numerous requests for information.

A collateral benefit locally of the widespread publicity for the jury reorganization has been the increase in the public's general awareness of the importance of the citizen juror in the judicial process and of the county's efforts to improve the efficiency of the courts.

The program was designed to provide for the phasing out of the project staff hired specifically for the grant, so that any continuing duties could be assumed by permanent employees. Consideration was given also to the possibility of non-adoption of the plan, following termination of the six month pilot period, so that any necessary modifications of new features or reversal of procedures would be minimal.

While Michigan statutes vest prime control of the jurors in the courts, other county units are integrally involved with the jury process. Certain functions, if not defined by code, have become policy through usage or custom. In Wayne County:

1. The County Sheriff summons jurors.
2. County Auditors prepare the checks for juror payment and the County Treasurer issues the checks.

3. Within the court structure:

- a. Policy is vested in the Chief Judge and is executed through the Court Administrator's office.
- b. At the trial stage, the trial judge has considerable authority as to the jurors in his court.
- c. The Jury Commission is responsible for jury qualification.

A great deal of money was expended on the design, development, study and analysis of the Wayne pilot program, which was projected to serve as a model and guide. It was a concentrated, targeted effort to solve juror selection and management problems of concern nation-wide.

All of the expectations for the One-Day/One-Trial system have been met and have contributed to its major aim, the successful involvement and accommodation of a true cross section of unprecedented numbers of citizens fulfilling their privilege and duty in service as a juror.

## CHAPTER II

### JUDICIAL ROLE

Much has been written pertaining to the role that the judges play in their relation to the jurors. Many basics remain the same regardless of the length of jury term. This Case Study has discovered nothing that would diminish nor further emphasize the tremendous influence that the judge has on the panel selection.\*

Not unexpectedly, the pilot study did reveal some initial qualms of the judges when they were requested to alter past styles and approaches. In connection with the change to a new jury term, certain adjustments were desired in order to improve the efficiency of jury management. Because of the Bench's objectivity, any hesitancy was quickly sublimated in the spirit of cooperation. Without a firm commitment from the jurists for support any major court function would face extreme difficulties.

### THE TRIAL JUDGE

Under the One-Day/One-Trial plan a significant duty has transferred to the trial judge and that is to discuss matters at voir dire, which were previously mentioned at a special orientation. Formerly, this session was held a week before the jurors began their service, and one judge addressed the entire group at some length and could refer to such legal concepts as "burden of proof" or "weight of evidence." While this talk may have saved some time at the individual voir dire, it was quite general in nature and encompassed both civil and criminal trials. Now the daily indoctrination meeting is short and deals primarily with general trial procedures, courtroom situations, courtroom personnel and mechanics (pay, proprieties, parking). At voir dire the trial judge then has the opportunity in his explanations to deal specifically with the type of case to be heard. The advantage, of course, is much less confusion for the citizen, who is presumed not familiar with the law. In essence the jurors can be better prepared for their role though the judge may be required to spend more time in orienting a panel prior to selection.

Results from the pilot program were positive and the judges found their new obligation preferable as they could tailor their remarks to the particular circumstances at hand. Concern about the additional time requirement was offset by the benefits that accrued.

In the past, the number of jurors sent to each voir dire was arbitrarily determined by the individual judge. Usually this figure had a built-in safety factor which insured that there would be sufficient jurors after all challenges had been exhausted. Under the new

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\*In Wayne County the judge conducts the voir dire and counsel ask any questions through the bench. Each party is permitted a certain number of peremptory challenges depending upon the type of case.

system, panel sizes were standardized at 15, a reduction from 30 used in the past. Further, the number of jurors or panels sent to voir dire was predetermined according to the type of case (civil, criminal, capital) and the number of parties litigant. This decision weighed the consequences of an occasional necessity to repeat the introductory statements at voir dire in contrast to the benefits from need for fewer jurors. The size of each category, based on past experience covering the vast majority, but not every situation, was then recorded in chart form.

In some rare instances, the judges ordered in excess of the formula and, because this was a pilot program and everyone could learn from further study, their wishes were recognized. The facts subsequently showed that the original chart numbers were adequate and even that further experimentation would be in order. Accordingly, the panel size has now been reduced to 14 and this grouping or multiples thereof are sent to the courtroom. Any concerns of the judges regarding voir dire panel size apparently have been satisfied by the proof evidenced during the evaluation period.

Inasmuch as there is a greater awareness of juror efficiency under the One-Day/One-Trial method, the availability of jurors takes on added importance. Again, the trial judge is particularly instrumental in effecting this objective.

It was emphasized that panels should not be requested for the courtroom until actually needed. In the past, there was an inclination to order a panel early to make sure jurors were reserved before other courts depleted the pool. Since greater numbers of jurors would be available each day during the 30-day term, supposedly it was immaterial if some waited in the hallway rather than in the Assembly Room.

Now, with requirements being planned on a daily basis, streamlining is sought and a recycling of pool jurors is assumed. It is recognized that there occasionally may be good reason to call for a panel even when preliminary matters have not been determined. Such action demonstrates that the court is ready to try the case and often this stimulates counsel into a settlement that previously was delayed by cat-and-mouse tactics. The appearance of jurors is credited with inspiring the parties to consider a more realistic position. Many times, however, the same general effect can be obtained by advising the attorneys that, unless they arrive at immediate agreement, the deputy sheriff will be instructed to escort the panel to the courtroom.

Because estimation of jury needs under the new system was quite accurate, adequate numbers were provided and there was seldom a shortage or delay; the Bench, therefore, became acclimated to making timely requests. Not only did this result in greater efficiency but it also pleased the jurors who, almost always, preferred to sit on a case rather than being idle waiting to be used. This further removed the frustration of jurors being rushed to a courtroom and then having to stand in the hall for lengthy periods without anyone bothering to explain the cause for the delay.

Another factor contributing to increased juror utilization was the immediate return to the jury pool of jurors excused at voir dire. This approach was accepted readily and posed no problems. Formerly the challenged jurors were held until the conclusion of the voir dire and then returned en masse to the pool. The reasoning for this procedure was to keep them from contaminating the other pool jurors if that case lacked sufficient jurors to complete the panel and more would have to be sent for examination. However, by sending a predetermined number of panelists, according to the type of case, the occasions when the panel could not be selected from the original group have been extremely rare. Of course, all jurors were cautioned at orientation not to discuss any cases among themselves.

While a deviation from the regular practices could always be rationalized in a particular circumstance, the system was designed to accommodate 95% of the situations. A uniform approach was most important as occasional exceptions, when cumulated, could disrupt the overall system.

### THE PRESIDING JUDGE

As vital as the trial judge is in juror management, the Presiding or Chief Judge has the added responsibilities of supervising juror selection as well as direction of the overall jury program.

A basic element of the One-Day/One-Trial jury is that the shortened term would virtually eliminate personal inconveniences caused by jury service. Therefore, it is imperative that the Presider seldom grant excuses from jury duty except for health reasons or some highly unusual situation. Experience has shown that the great majority of requests can be solved by allowing a postponement to a more convenient date.

It follows, then, that the Presider should authorize a readily-granted deferment policy that may be implemented by any of the personnel working with the jurors. In essence, as long as requests do not exceed a reasonable period, usually six months, deferments should be permitted regardless of cause. This accommodation feature, so easily adaptable to the One-Day/One-Trial term, is one of the reasons for the widespread acceptance of the new system.

Recognizing that any change in the status quo may upset some vested interests, be they appointees, employees or attorneys, because they "have always done things that way," the Presider has to back the project through these early challenges or else it could easily be delayed or derailed. His conviction must also be apparent as the spokesman for the Bench as he is the person most likely to be queried by the media and by legal organizations.



## CHAPTER III

### SELECTION AND MANAGEMENT

By its very nature, the One-Day/One-Trial Jury System involved such an increase in the number of jurors that selection and management were possible only with the aid of a computer. The successful implementation of the system required conversion from manual processing to electronic data processing to handle the added volume.

Initially, the entire voter registration list, supplied by all municipal clerks in the county, was converted to computer tapes and it became possible to raise the number of petit jurors from an annual usage of 2,800 to over 24,000. Once completed, the yearly updating costs for maintaining voter lists are comparatively small and within the regular jury operating budget.

In the past, citizens were mailed a Notice to Appear for an interview and to fill out the Personal History Questionnaire, which must be completed by all prospective jurors, as specified in Michigan Court Rules. The labelling, stamping and stuffing operations were performed manually by the Jury Commission staff and the County Mail Room.

Under the One-Day/One-Trial system, the Personal History Questionnaire is printed on continuous-form. It is packaged along with an envelope, a cover letter and a return envelope and bulk-mailed directly to the prospective juror, as selected by the statutory key-number method.

The returned questionnaires are classified by the Jury Commission staff into four basic categories: qualified and accepted jurors, statutory or claimed exemptions, requests for excuse from jury service, and post office non-deliverables. Pre-screened questionnaires are then submitted to the Commissioners for review and action prior to being entered in the automated information system.

Generally, persons required to come in for an interview are those requesting an excuse from jury duty. They report on a scheduled date and are interviewed by a Jury Commissioner, who then recommends to the Presiding Judge either acceptance or rejection of the request.

Automation has resulted in considerable time saving in the drawing of the Second Jury List (i. e., accepted jurors — the "Jurat"). A print-out has replaced individual typing of names for the minutes of the drawing, and the drawing has changed from a manual method to a computerized random selection. The time of selection has been reduced from two hours (for 200 names) to fifteen minutes (for 3,200 names).

For the jury reorganization, a revised Summons was printed on continuous-form (for computer mailing) and packaged along with an envelope, an envelope tear-sheet which is used as the Sheriff's return, and "Instructions for Jurors."

The "Instructions" cover topics that formerly were mentioned at the monthly orientation sessions, e. g., where to report, parking availability, pay procedure, proper attire, etc. These subjects refer to the mechanics of jury service, not to legal or courtroom procedures.

On the day of the Jurat drawing, the summons package is addressed by computer, eliminating the individual date-stamping, stuffing and sealing routine of the one-month jury term. The summons are mailed on a daily basis, approximately two weeks prior to service. Tear-sheets are filed in date sequence and used by the Commission staff to process change in juror status.

When jurors report, their summons are taken from them and used for courtroom drawings as well as to verify attendance and facilitate paychecks.

A major advantage of the One-Day/One-Trial system is that it allows for a variable call (i. e., different number) of jurors each day, rather than a constant number each month as in the former system. Daily juror usage needs are determined primarily from past experience. During the pilot project an analysis was also made of the number and length of civil (six-person juries) and criminal (12-person) trials of previous months.

To capitalize on the benefits of the variable call without creating a shortage of jurors, "phone stand-by" jurors are designated. They are directed on their summons to telephone on the evening prior to their service date, at which time they are advised by recorded message which of them, if any, should report.

The decision to have these jurors report for service depends upon last-minute verification from the Assignment Clerk of cases ready for trial. Use of the phone stand-bys provides flexibility and greater juror usage as well as monetary savings, since stand-by jurors are not paid unless they actually serve.

As part of the jury reorganization, jury "boxes" were reduced from 30 to 15 jurors to provide greater adaptability. Fifteen proved to be sufficient for a voir dire panel for most civil trials. Criminal trials and cases with multiple defendants can utilize two or more panels. A significant juror availability was gained when these additional needed panels could be obtained by increments of 15. For example, in a trial requiring 45 jurors, three panels of 15 can now be used, whereas under the old system 60 (two panels of 30) would have had to be sent.

When jurors are sent to a courtroom and are challenged at voir dire, they return immediately to the jury pool rather than wait for the completion of voir dire. The jurors are then placed into a new, regrouped panel for further courtroom call, after the original panels are used.

This procedure, along with the reduced panel size allows for quicker recycling of jurors and means less waiting time for them. As may be noted in the following chapter on "Juror Attitudes," the time



sitting in the jury pool is one of the irritants often commented on by the jurors.

On Friday of each week an alphabetical print-out is processed, listing all new jurors expected on each day of the following week, including designated phone stand-bys. Copies of this print-out, which also includes jurors' and spouses' occupation, serve as the panel list for use by the judge and attorneys. This replaces the monthly printed Panel List.

Jurors report to the Jury Assembly Area where they are checked in and are given an information sheet and stick-on badge and are assigned a panel number and grouped for trial selection.

The conversion from a metal pin-on badge was made when the One-Day/One-Trial plan was implemented, primarily so that the badges would not have to be collected at the end of the day or a trial, and jurors could thus avoid having to return from the distant courtroom locations simply to turn in the badge. The paper stick-on badges are less costly to purchase and replace and can be retained as a souvenir by the jurors.

At 8:30 a.m. each day a half-hour orientation is given to new jurors in the Jury Assembly Area. The program features a 16-minute, dual-slide program, with narration, which was specifically produced for the court and answers conceptual questions of a juror's duties and responsibilities and describes the procedures of the Wayne County courts. The Jury Clerk follows with a ten-minute familiarization talk on facilities and behavior rules and answers questions asked by the assembled jurors.

This orientation replaces the monthly indoctrination which used to be held for jurors on the Monday afternoon preceding their 30-day term. That session lasted about three hours and jurors received a half-day's pay for attending. This expenditure has now been eliminated.

To avoid assembly and movement problems, the Jury Room was rearranged and slightly remodeled for use as both the check-in and orientation room. A raised rostrum was constructed and a movie screen was hung for presentation of the audio-visual portion of the juror orientation.

Jurors are paid weekly by check and a specially designed stub serves as verification of service for employers requiring precise dates and pay information.

Computer Operations obtain the necessary payroll information from the Jury Usage Report, which is completed daily by each clerk in a courtroom having a jury trial in progress or just concluded.

In addition to its function in the payroll process, the Jury Usage Report is an invaluable aid in capturing important caseflow data such as length of voir dire, number of jury cases in each court, average length of jury trials, etc. This information is useful for compilation of the court's comprehensive statistics, which is essential for effective jury management.

## CHAPTER IV

# A COMPARISON OF THE ATTITUDINAL AND DEMOGRAPHIC CHARACTERISTICS OF 30-DAY AND ONE-DAY/ONE TRIAL JURORS

by

Dr. Patrick C. Easto, Ph. D.  
Court Sociologist

and

Associate Professor of Sociology  
Eastern Michigan University

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## NOTE:

*This Jury Reorganization Grant provided for the services of an independent contractor qualified to analyze attitudes of jurors, and, insofar as possible, to compare reactions of those jurors who served during the former one-month term with those who were called during the new One-Day/One-Trial period.*

*Because of his past involvement with jury studies and his background in statistical analysis, Professor Patrick C. Easto was retained to conduct this attitudinal research.*

*The response from jurors exceeded most expectations — even to answering a comprehensive four-page survey form. This allowed Dr. Easto to go beyond subjective inquiries and to obtain factual demographic data pertaining to venire composition. Overall the returns approximated 55%, an exceptional response. With over 5500 replies this effort, propelled by Dr. Easto's personal interest and enthusiasm, constitutes possibly one of the most sizable samplings undertaken in this field.*

## SUMMARY OF FINDINGS

1. The effect of jury service is to increase positive attitudes about jury duty.
2. Jurors single out Judicial or Court procedures as the most impressive aspect of their service.
3. Jurors are disappointed about sitting and waiting; and the change to one-day service seems to have heightened this concern since the One-Day/One-Trial system emphasizes time savings.
4. Jurors find the caliber of justice in Wayne County "Fair or Impartial" or "Impressive or Excellent."
5. The vast majority of One-Day/One-Trial jurors perceived the new term of service as "About Right."
6. When asked what length of service they would prefer, One-Day/One-Trial jurors overwhelmingly choose One-Day/One-Trial service over thirty-day service.
7. 75.5% of One-Day/One-Trial jurors said they were either "Excellent" or "Well Prepared" by Court Officials for jury service.
8. When asked how well the dual-slide presentation had prepared them for service, 69.6% of One-Day/One-Trial jurors said "Excellent" or "Very Well."
9. In terms of the sex ratio for Wayne County jurors, males are slightly underrepresented under both the 30-day and the One-Day/One-Trial plans.
10. Initiation of the One-Day/One-Trial system has resulted in the educational level statistics changing in the direction of becoming more representative of Wayne County.
11. One-Day/One-Trial jurors, in contrast to those serving for thirty days, include more executives, managers and professionals, while becoming more representative of Wayne County in terms of middle level occupations like the clerical and sales group and craftsmen/foremen.

## INTRODUCTION

This chapter of the Case Study focusses upon the attitudinal and demographic characteristics of former jurors serving under both the 30-day and One-Day/One-Trial jury service plans in Wayne County Circuit Court, Detroit, Michigan. It consists of three sections.

Section one will describe the methods employed in the study. Longitudinal studies of this kind often become complex in terms of changes in the data collection process, and as we will soon learn, this one is no exception.

Section two is data analysis. Here we begin with a summary of juror attitudes relative to their service. In some cases the information dates to 1972. This section closes with an analysis of the effect that changing to the One-Day/One-Trial plan has had upon the extent to which jurors represent a cross section of the Wayne County citizenry.

The final section affords an opportunity to summarize the report as well as to conjecture whether the change in jury service plans has been beneficial from the perspective of those who are summoned to service. Here we will try to place our findings, as well as the study itself, into the context of jury studies in general. With this brief outline in hand, we now turn to our first section.

## METHODS

Beginning in January, 1972 court officials began collecting data on jurors in the form of a simple exit questionnaire. The writer became associated as a result of the pilot project involving a change to One-Day/One-Trial service and soon redesigned the questionnaire. In fact, altogether we have changed the data collection instrument five times. However, for this report we have decided to use information from all five surveys in an attempt to develop the largest data-bank possible. As a result of this decision, our analysis will be based on 5,519 juror surveys dating backward to January, 1972.

The data from juror surveys were coded, punched onto data processing cards, entered on data retrieval tapes and analyzed at Eastern Michigan University. The changes in the survey noted above complicated this process but can be summarized simply. In some cases, we retained the same attitude indicator over all forms of the survey. In others, we improved the response categories, and in still others, we added completely new indicators as we planned for the initiation of the One-Day/One-Trial pilot project. As a result, we will treat responses to the various forms of the survey as subsamples of the total 5,519. Since each subsample represents a different time period and also varies in terms of size, it seems appropriate to begin our analysis with a description of the subsamples in terms of these two basic characteristics.

## DATA ANALYSIS

The subsamples. Our first table shows the size of each subsample resulting from changes made in the juror survey, as well as the time periods during which the data comprising each subsample were collected. The important thing to bear in mind

TABLE 1  
THE SIX SUBSAMPLES

Subsample number	Size of subsample	Time period	
1	2363	January, 1972	— August, 1973
2	1967	September, 1973	— March, 1975
3	210	April, 1975	— May, 1975
4	219	June, 1975	— July, 1975
5	214	August, 1975	— Sept. 18, 1975
6	546	September 22, 1975	— January, 1976
Totals	5519		

about Table 1 is that subsamples 1—5 will represent the responses of jurors serving for 30 days, whereas subsample 6 consists of jurors who have served under the One-Day/One-Trial pilot project. In line with the purpose of this report, we will be most interested in looking for changes in either attitudes or juror demographics occurring between subsamples 1—5 versus subsample 6. At the same time, however, we will have an opportunity to observe any fluctuations occurring between any of the subsamples representing those jurors who were called for 30-day service. In short, we are beginning what will prove to be a rather complete picture of not only those fluctuations in attitude and demographics that occurred when service was 30 days in length, but also any changes that resulted with the initiation of the One-Day/One-Trial service.<sup>1</sup> With an understanding of the methodology of the study in hand, let us now begin our examination of the data.

The attitude indicators. Some five attitude indicators remained the same over the four year time period represented by the 6 subsamples. They are:

- (1) reactions of jurors when first summoned to service
- (2) reactions of jurors were they to be called again
- (3) what impressed jurors most about jury service
- (4) what disappointed jurors about service

1. The technical reader will recognize this study design as "experimental as own control group design."

- (5) what jurors generally think about the quality of justice in Wayne County Circuit Court

Our attitudinal analysis begins by presenting the five tables reflecting juror responses to these indicators. Within the body of each table we have separated responses by subsample number so that 30-day juror responses may be contrasted to those of jurors serving under the pilot project.

Table 2 summarizes the first reactions of jurors called to service. Between subsamples 1-2 and 3-6 the categories of response were changed, as the body of the table reveals. However, these small changes have had no effect upon our assessment of juror attitudes. Here we see that, generally speaking, over the last four years a majority of Wayne County citizens report their first reactions as either "honored" or "pleased." We should also note that for substantial minorities in subsample 2, first reactions are "reluctant" or "displeased." But, Table 2 clearly shows that among the One-Day/One-Trial subsample (number 6) there is a decided increase in the "pleased" category to 46.8%.

Table 3 shows that after serving, a majority of all subsamples report that their reaction to a second summons would be either "honored," "very pleased" or "pleased." What is more, the proportions comprising these very positive majorities in 5 of 6 subsamples have increased. Most importantly, we see that 63.4% of the One-Day/One-Trial jurors report they would be either "pleased" or "very pleased" at a second summons. Note that the sizable minorities indicating "reluctant" or "displeased" in Table 2 have disappeared. In summary, we have seen an increase in reported positive attitudes between Tables 2 and 3, and may conclude that the effect of service is to strongly improve positive attitudes about serving. This is especially true of jurors serving One-Day/One-Trial.

The third and fourth attitude indicators that remained the same over the four-year, six-subsample period have to do with what most impressed and disappointed jurors during their service. Since these indicators are of the open-ended variety, our analytic strategy involved first reading a large number of surveys and deciding upon a set of general categories into which actual juror responses might be classified. Thus, before we examine the data, it will prove instructive to elaborate on each of the categories for responses to these two indicators.

Concerning the indicator measuring what most impressed jurors during their service, we placed all responses like "I liked the system of justice," "the way jurors (juries) are selected (chosen) is good," "I enjoyed sitting on a case (trial)," or "I was impressed with the way the judges told us about the law (trial)," into the category called JUDICIAL OR COURT PROCEDURE. Additionally, responses that mentioned a judge or court official, either by name or position were categorized as COURT PERSONNEL. Jurors mentioning they were impressed by the court rooms, court house or jury assembly area were classified as having been impressed by the

**TABLE 2**  
**JUROR REACTIONS TO JURY SUMMONS**

First Reaction	1		2		Subsample number		4		5		6	
		%		%	3							
Honored	1149	49.4	536	28.4								
Pleased	751	32.3	594	31.5								
Reluctant	424	18.2	593	36.7								
Hostile	—	—	63	3.3								
D. K.; N. A.*	39		81									
Totals	2363	100.0**	1967	100.0		%	%		%		%	
Very Pleased	—	—	—	—	56	27.2	60	28.3	47	23.3	86	16.1
Pleased	—	—	—	—	78	37.9	57	26.9	81	39.9	250	46.8
Displeased	—	—	—	—	59	28.6	74	34.9	46	22.7	140	26.2
Very Displeased	—	—	—	—	13	6.3	21	9.9	29	14.3	57	10.7
D. K.; N. A.	—	—	—	—	4		7		11		12	
Totals					210	100.0	219	100.0	214	100.0	546	100.0

\*D. K.; N. A. — Don't know or No answer

\*\*Percentages might be slightly less or slightly more than 100.0% due to rounding to the nearest tenth of a percent.

**TABLE 3**  
**JUROR REACTIONS, IF SUMMONED AGAIN**

Reaction	1		2		Subsample Number		4		5		6	
		%		%	3							
Honored	804	40.6	677	36.0								
Pleased	751	37.9	703	37.4								
Reluctant	424	21.4	436	23.2								
Hostile	—	—	62	3.3								
D. K.; N. A.	384		89									
Totals	2363	100.0	1967	100.0		%	%		%		%	
Very Pleased					78	38.0	79	37.3	58	28.0	83	15.7
Pleased					73	35.6	90	42.5	86	41.5	252	47.7
Displeased					46	22.4	27	12.7	40	19.3	125	23.7
Very Displeased					8	3.9	16	7.5	23	11.1	68	12.9
D. K.; N. A.					5		7		7		18	
Totals					210	100.0	219	100.0	214	100.0	546	100.0

**PHYSICAL SURROUNDINGS.** Those responses indicating that a particular juror was impressed with other jurors were simply called **OTHER JURORS**. Finally, we established an **OTHER** category into which responses that were either statistically infrequent or irrelevant to the spirit of the question (like "nothing impressed me") could be placed.

For those aspects of jury service which jurors found disappointing, we established the following categories. First, if a juror mentioned any one of the judicial or court procedures referred to above (including voir dire) we coded his response as **JUDICIAL OR COURT PROCEDURE**. Similarly, if responses to this indicator singled out judges or other court personnel as disappointing, we placed them into the **JUDGES OR COURT STAFF** category. In addition to these categories, we created three more—**PROSECUTORS**, **DEFENSE ATTORNEYS** and **OTHER JURORS**, all of which refer to positions practiced in the Court. A **PHYSICAL SURROUNDINGS** category was also included. Finally, we created an **ATTORNEYS IN GENERAL** class which would include response like "all attorneys are interested in is money" and an **OTHER** category into which statistically infrequent or irrelevant answers might be placed. The summaries representing the categorized responses to these two indicators are presented in Table 4 and 5.

Our fourth table shows that the most impressive aspect of jury service reported by our samples is **JUDICIAL OR COURT PROCEDURE**. Further, we see that in all six subsamples this category predominates. But at the same time, we see that generally the size of the proportions mentioning this category decreases across the subsamples (including the One-Day/One-Trial group). This suggests that current jurors may be thinking more about their disappointments during service. A look at our next table might therefore shed some light upon what jurors dislike about their experience.

Table 5 reveals that almost without exception the most disappointing aspect of jury service is **SITTING AND WAITING** to be either called to a courtroom or waiting through voir dire once called there. This finding holds for all subsamples except 3. But if we look carefully at this sample we learn that only one juror makes the **JUDICIAL OR COURT PROCEDURE** predominate over the **SITTING AND WAITING** category. Finally, we see that One-Day/One-Trial jurors appear the most concerned about sitting and waiting, and we find this fact interesting since as a group they "sit and wait" far less than 30-day jurors. This concern is probably related to the fact that the One-Day/One-Trial system places great importance on how little time is wasted and as a result our One-Day/One-Trial jurors are more easily disappointed about any sitting or waiting.

Now that we know something about jurors' reactions to being called and their feelings should they be summoned again, their disappointments as well as those aspects of service that most impressed them, we might look at jurors' impressions of the caliber of justice in Wayne County courts. In this analysis, we will also enjoy the advantage of examining all six subsamples. But before presenting the

TABLE 4  
WHAT IMPRESSED YOU MOST ABOUT JURY SERVICE

What Impressed	Subsample Number					
	2	3	4	5	6	
	%	%	%	%	%	
Judicial or Court Procedure	849	83	73	55	109	36.1
Judges or Court Personnel	401	43	42	40	50	16.6
Physical Surroundings	21	2	1	1	10	3.3
Other Jurors	249	21	15	18	28	9.3
Other	215	37	41	50	105	34.8
D. K.; N. A.	232	24	47	50	244	
Totals	1967	210	219	214	546	100.0

TABLE 5  
JUROR DISAPPOINTMENTS

Disappointments	2 %		Subsample Number		5 %		6 %	
	Number	%	3	4	Number	%	Number	%
Judicial or Court Procedure	424	25.6	64	47	52	30.2	82	27.1
Judges or Court Staff	50	3.0	2	9	3	1.7	3	1.0
Prosecutors	34	2.1	1	2	0	0.0	1	.3
Defense Attorneys	14	.8	1	1	0	0.0	2	.6
Other Jurors	59	3.6	7	8	10	5.8	7	2.3
Physical Surroundings	64	3.9	2	11	16	9.3	9	3.0
Sitting and Waiting	623	37.6	63	59	63	36.6	135	44.6
Attorneys (in general)	10	.6	5	1	5	2.9	3	1.0
Other	378	22.8	33	32	23	13.4	61	20.1
D. K.; N. A.	311		32	49	42		243	
Totals	1967	100.0	210	219	214	100.0	546	100.0

tabular summary we should comment on at least one of our created categories for this open-ended indicator, namely OTHER. Into this category we placed responses that disparaged court personnel, as well as statistically infrequent responses. The remaining categories will be largely self-explanatory as may be seen in the following Table.

Table 6 shows that in five subsamples a majority of jurors find the caliber of justice in Wayne County FAIR or IMPARTIAL. Just as important is the second largest proportion in the same subsamples — namely, that the caliber of justice is perceived as IMPRESSIVE (excellent). We see that this is particularly true of One-Day/One-Trial jurors. Interestingly enough, however, we see that in subsample 1 jurors are reporting that they perceive the caliber of justice as either TOO FAST or TOO SLOW, a finding that will require more complicated analysis in a later report by the author.

At this point in the report we have examined responses to all attitudinal indicators that remained basically the same over the four-year, six-subsample data collection period. From this point forward our tables will reflect only those subsamples representing the surveys that were designed to take account of the fact that the pilot project in One-Day/One-Trial jury service would soon be initiated. As a result we will be discussing attitudes that were not measured before April, 1975. The first of these analyses looks at juror perceptions concerning the length of jury service. Here we remind the reader that subsamples 3—5 reflect the attitudes of jurors serving for 30 days, whereas subsample 6 represents One-Day/One-Trial juror attitudes.

Table 7 indicates that One-Day/One-Trial jurors are far more likely to call the length of their service ABOUT RIGHT than are 30-day jurors. Even though most 30-day jurors are likely to perceive the length of their service as about right, the size of the proportion among One-Day/One-Trial jurors with this attitude is 81.6%, a figure that is decidedly larger than any representing 30-day jurors. What is more, only 16.0% of our One-Day/One-Trial group report their service as TOO SHORT, a figure that is actually smaller than the comparable figure in subsample 3, and only slightly larger than the comparable figure in subsample 4. In short, the shift to the shorter jury service seems to have really pleased those who serve. But, we have still another indicator dealing with length of service. Beginning with subsample 3 we asked former jurors how long jury service "should be." The responses to this measure are reported in the following table.

Table 8 reveals an interesting set of percentages. Let us examine them very carefully. First, we note that while it is true that in subsamples 3—5 most 30-day jurors chose four weeks as appropriate, there is a steady decline in the size of the majorities over the remaining two 30-day subsamples. Our hypothesis is that the press releases prior to initiation of the One-Day/One-Trial program ex-

TABLE 6  
JUROR PERCEPTIONS OF THE CALIBER OF WAYNE COUNTY JUSTICE

Perceptions	Subsample Number											
	1	%	2	%	3	%	4	%	5	%	6	%
Too Slow	138	19.9	90	5.1	6	3.1	9	5.1	11	6.7	7	3.0
Too Fast	374	53.8	12	0.7	0	0.0	0	0.0	0	0.0	0	0.0
Unfair	47	6.8	68	3.8	9	4.7	14	7.9	8	4.8	20	8.5
Fair or Impartial	124	17.8	790	44.5	107	55.7	98	55.4	80	48.5	101	43.0
Impressive/Excellent	9	1.3	385	21.7	37	19.3	23	13.0	35	21.2	54	23.0
Neutral Response	3	0.4	221	12.5	14	7.3	13	7.3	13	7.9	22	9.4
Both positive & negative	0	0.0	0	0.0	0	0.0	7	4.0	10	6.1	11	4.7
Other	0	0.0	209	11.8	19	9.9	13	7.3	8	4.8	20	8.5
D. K.; N. A.	1668		192		18		42		49		311	
Totals	2363	100.0	1967	100.0	210	100.0	219	100.0	214	100.0	546	100.0

TABLE 7  
JUROR PERCEPTIONS OF THE LENGTH OF JURY SERVICE

Jury Service is:	Subsample Number											
	3	%	4	%	5	%	6	%	7	%	8	%
Too Long	21	15.1	43	20.2	88	42.7	12	2.4				
About Right	94	67.6	137	64.3	106	51.5	408	81.6				
Too Short	24	17.3	33	15.5	12	5.8	80	16.0				
D. K.; N. A.	71		6		8		46					
Totals	210	100.0	219	100.0	214	100.0	546	100.0				

plain this decrease in acceptance of the 30-day plan. That is, once 30-day jurors realized that a shorter term of jury service was soon to be a reality, our surveys began registering their discontent with the 30-day plan. Corroborating evidence may be found in the fact that the percentage of jurors preferring LESS than four weeks steadily increases as the proportion preferring four weeks decreases across subsamples 3—5 (25.4% vs. 43.1% vs. 61.7%). In contrast, a look at the figures in subsample 6 shows that, clearly, far more One-Day/One-Trial jurors see the length of their service as appropriate than do their 30-day counterparts. Here, we find almost 60% reporting One-Day/One-Trial as the preferred length of service, a figure that is almost ten times the percentage preferring four weeks.

But we have still another indicator concerning the length of service that is relevant here. We asked our One-Day/One-Trial jurors which plan for jury service they thought best. The choices were simply the 30-day plan versus One-Day/One-Trial. The results of a tabulation of responses to this question were a resounding majority in favor of the One-Day/One-Trial plan. Specifically, while only 9.2% of the One-Day/One-Trial jurors thought 30 days is the best length of service, an overwhelming 90.8% chose One-Day/One-Trial. What is more, some 9.0% of our sample of One-Day/One-Trial jurors actually had served under both plans of jury service.

Our closing attitudinal indicators were included only in subsample 6. The final revision of the juror survey asked jurors to generally report how well court personnel had prepared them for service, and specifically, their impressions of the color-slide presentation which described the duties of a juror. Responses to the first of these two indicators are reported in the following table.

Table 9 reveals that the majority of One-Day/One-Trial jurors feel that they had been either WELL PREPARED or EXCELLENTLY PREPARED for jury service. Of the 75.5% choosing these responses, 51.3% said they were WELL PREPARED and the remaining 24.2% called their preparation EXCELLENT. What is more, when we asked about their impressions of the slide presentation, we learned that 69.6% said that the slides had EXCELLENTLY prepared them, or that the slides had prepared them VERY WELL. In fact, as Table 10 shows, only 3.4% of subsample 6 (some 12 jurors) felt that the slide presentation had POORLY prepared them for service.

Having examined various attitudes of jurors serving under both the 30-day and One-Day/One-Trial jury service plans, we next ask what effect the pilot project has had upon the extent to which all our jurors represent a good cross section of the Wayne County citizenry. In order to shed some light upon this issue we gathered demographic information about jurors. Accordingly, the following tables will allow a comparison of the distributions of demographic characteristics of 30-day and One-Day/One-Trial jurors to comparable distributions in Wayne County.



TABLE 8  
PREFERRED LENGTH OF JURY SERVICE

Jury Service Should Be:	Subsample Number					
	3	4	5	6	7	8
One Week	5	16	38	81	193	59.6
Two Weeks	20	31	31	16	222	59.6
Three Weeks	4	3	5	4	2	6
Four Weeks	60	47	39	21	6	1.5
Five Weeks	3	0	3	2	0	0.0
Six Weeks	4	1	0	5	0	0.0
Seven Weeks	0	1	0	0	2	1.7
Eight Weeks	11	13	2	2	2	1.7
Nine Weeks or more	7	4	2	—	—	—
Mentions One-Day/One-Trial	—	—	—	—	—	—
D. K.; N. A.	96	103	94	—	—	—
Totals	210	219	214	546	100.0	100.0

TABLE 9

## JURORS ON THEIR PREPARATION FOR SERVICE

Jurors felt:	n	%
Excellent Prepared	83	24.2
Well Prepared	176	51.3
Somewhat Prepared	75	21.9
Poorly Prepared	9	2.6
D. K.; N. A.	203	—
Totals	546	100.0

TABLE 10

## JURORS ON THE DUAL SLIDE PRESENTATION

Jurors felt:	n	%
Excellent Prepared	89	24.9
Well Prepared	160	44.7
Somewhat Prepared	97	27.1
Poorly Prepared	12	3.4
D. K.; N. A.	188	—
Totals	546	100.0

**The demographic analyses.** The basis of our demographic analyses is the data collected in the 1970 Census of the Population. These data proved to be the most recent for Wayne County as the Small Area Mid-decennial Census was not performed in Wayne County during 1975. Thus, while some of the figures for Wayne County may have changed slightly, we feel they are adequate for our purposes here.

The measurement of such demographic characteristics as sex, education and occupational level varied by the form of the juror survey (subsample). Specifically, while we have county-comparable data on male-female percentages for all six subsamples, the figures for education and occupational level were collected beginning with subsample 3 (April, 1975). Our first analysis will deal with the ratio of males to females among former Jurors.

Looking at the distributions for sex in table 11 we learn that among 30-day jurors, males were underrepresented and females overrepresented. And our figures for One-Day/One-Trial jurors show about the same departure from county statistics. Thus, the shift to One-Day/One-Trial service seems to have had little effect upon the sex distribution of Jurors.

TABLE 11  
MALE—FEMALE DISTRIBUTION

Sex	Wayne County		Subsample Number			
		%	1—5	%	6	%
Male	1,291,895	48.4	2024	43.8	195	42.0
Female	1,374,856	51.6	2596	56.2	269	58.0
N. A.	—	—	353	—	82	—
Totals	2,666,751	100.0	4973	100.0	546	100.0

The second demographic characteristic and first socioeconomic indicator is occupational level. As we look at the results of Table 12, two important considerations should be borne in mind. First, it was hoped the One-Day/One-Trial system would increase the proportions of professionals and executive/managers, since we believed that persons holding these kinds of jobs would be less likely to claim hardship exemptions under the shorter term of jury service. Secondly, we should note that public school teachers are classified as professionals and under the 30-day plan almost always deferred their service until the June-August time period. As a result our sample of 30-day jurors (subsamples 3—5) will overrepresent the professional category. Let us now examine the occupational data.

Figures for 30-day jurors show that the unskilled and semi-skilled category is underrepresented in relation to Wayne County percentages. The clerical/sales and craftsmen/foremen category, on the other hand, is somewhat larger than the comparable proportion in Wayne County. Finally, we see that executives, managers and professionals were slightly overrepresented given county figures, but we should attenuate this figure somewhat given the schoolteacher summer deferments mentioned above. In sum, we find that 30-day

TABLE 12  
DISTRIBUTION BY OCCUPATION

Occupation	Wayne County %	Subsample Number	
		3—5 %	6 %
Semi and Unskilled Laborers	476,879	144	95
Craftsmen/Foremen		34.9	31.9
and Clerical/Sales Workers	401,754	178	126
Executives/Managers		43.1	42.3
and Professionals	137,114	91	77
D. K.; N. A.	—	230	248
		22.0	25.8
Totals	1,065,747	643	546
		100.0	100.0

TABLE 13  
DISTRIBUTION BY EDUCATION COMPLETED

Education Level	Wayne County %	Subsample Number	
		3-5 %	6 %
Eight years or less	385,599	43	38
9-12 years	798,639	266	237
1-3 years College	122,331	139	102
4 years College or more	111,724	109	72
D. K.; N. A.	—	86	97
Totals	1,418,293	643	546
	100.0	100.0	100.0

jurors underrepresent the semi and unskilled laborers category and slightly overrepresent clerical and sales workers and craftsmen/foremen; while maintaining about the same proportion of executives, managers and professionals.

The figures for One-Day/One-Trial jurors, however, are heartening. We see that while the semi and unskilled laborer category has decreased even more than under 30-day service, the craftsmen/foremen and clerical/sales category has decreased slightly in the direction of Wayne County figures. More important is the fact that we have enjoyed, as predicted, an almost 4.0% increase in the proportion of executives and professionals. In short, the occupational level of jurors has shifted in the direction of more executives, managers and professionals, while becoming more representative of Wayne County among such middle level occupations as clerical/sales and craftsmen/foremen. It appears, therefore, that these data confirm court officials' impressions that "we are getting a better class of juror," if by a "better class" they have reference to the relatively higher status level occupations.

Our second and final socioeconomic indicator is education level. Table 13 permits a comparison of 30-day and One-Day/One-Trial jurors to Wayne County in terms of this characteristic. Here we see that while jurors with less than 8 years of schooling as well as those completing 9-12 years were underrepresented among 30-day jurors, this group overrepresented both those having 1-3 years of college as well as 4 years of college or more. However, as we have already noted, this group of 30-day jurors shown in subsamples 4 and 5 covered the summer months. It included many school teachers and administrators as well as college professors and as a result should be expected to show a higher than usual proportion of the more highly educated. Thus, similar to the occupational analysis, the percentage of 30-day jurors having 4 years of college or more must be attenuated.

In contrast, the comparable figures for One-Day/One-Trial jurors reveal that while still less than representative in some categories, most education level figures are improving in the direction of becoming more representative of Wayne County. An important exception, however, is that we may infer a slight increase in the proportion of those having completed 4 years of college or more.

**Conclusions.** This analysis has afforded a privileged inside look at jurors and their feelings about jury service. We have learned that jurors are likely to develop positive attitudes about jury service as a result of having served. What is more, we find that once citizens become involved in the criminal justice system as jurors, they are likely to be most impressed with judicial and court procedures and perhaps as a result are more likely to be impressed with the caliber of justice in our courts. The conclusion that involvement increases positive attitudes about the criminal justice system in general, and our courts particularly, seems inescapable. It follows, then, that a major benefit of the shorter term of service is its seven-fold increase in citizen participation.<sup>1</sup>

<sup>1</sup> Circuit Court figures.

The success of the One-Day/One-Trial pilot project is that One-Day/One-Trial jurors approve not only the shorter term of service, but also the newly initiated methods of preparing them for service. This seems especially true of the dual-slide presentation.

In addition to finding what might be called a "happier" juror, we have discovered some interesting changes in juror demographics as a result of the pilot project. Using the most recently available county statistics we have learned that the venires generated under the pilot project are in most instances representative of Wayne County. Additionally, the figures for education level are improving under the One-Day/One-Trial system in the direction of becoming more representative of the county. Our analysis also has shown that occupationally the group of One-Day/One-Trial jurors includes more executives, managers and professionals than comparable groups serving under the 30-day system. This finding confirms court officials' expectations that the pilot project would improve the quality of jurors serving in Circuit Court, since higher status level occupations would be less likely to claim exemptions if jury service were shortened to only One-Day/One-Trial. Indeed, this writer has learned that under the One-Day/One-Trial system, only 1.6% of potential jurors have claimed exemption. Finally, the overrepresentation of females under both plans of jury service probably has to do with the fact that males predominate among those occupations statutorily exempted from jury service.

#### IMPLICATIONS FOR FURTHER RESEARCH

This descriptive study of the attitudinal and demographic characteristics of former jurors is only the beginning. We now have a data bank that, when funding permits, will allow us to discover more about jurors than has hitherto been known. A look at all of the indicators included in the juror survey will easily confirm this assertion. We have data on what happens during jury deliberations, the "style" that jurors prefer attorneys to employ when presenting their cases to juries, what influences juror decisions and much more. On behalf of the social science community, this writer would like to publicly express his gratitude to the Court and to the funding organization for making such a research effort possible.

## CHAPTER V

### CONCLUSIONS AND RECOMMENDATIONS

This Case Study offered an opportunity to review and reflect on the One-Day/One-Trial experience in Wayne County. The system, even within the limitations of outmoded regulations and practices, was successful. These recommendations are made from the conviction that additional innovations and refinements would generate even greater progress.

Jurisdictions of excessively large and small size have questioned the feasibility of the concept for them. We believe that the flexibility of the system makes it adaptable to most courts. The logistical concerns of larger courts, for example, can be eased by indoctrinating new groups of jurors throughout the day; this daily orientation, especially if highly organized with audio-visual assistance, can be accomplished quickly and effortlessly. Usually, existing jury assembly areas have sufficient space to accommodate the number of jurors called on a day-by-day basis, since holdover jurors report directly to the courtrooms.

Because trial activity is almost always directly proportional to population, it is unlikely that smaller counties would so rapidly deplete the potential supply of jurors as to cause their frequent re-use. Smaller population not only means fewer jurors but also less trial activity.

The subject of expense necessarily is of extreme importance to every court. A realistic problem is posed if it costs money to save money, as budget restrictions may prevent an investment even to gain permanent economies. However, there are means for solving this dilemma. The largest expenditure pertains to data processing and, as was indicated in a previous chapter, much of the necessary programming completed for the Wayne County project can be adapted or modified for use in other courts at a considerably reduced price. There is no question that use of a computer is necessary, except possibly in the smaller jurisdictions, but purchase of one is not. Time-sharing, leasing or rental arrangements do not require substantial down-payments, and the continuing charges could be obtained from the actual savings which definitely result from the One-Day/One-Trial method. Both the Harris County, Texas, Courts and the Wayne County, Michigan, Courts have proven that the total jury remuneration has decreased through efficient scheduling of jurors according to each day's particular needs.

Lack of funds sufficient to accomplish every objective is no reason to forego installation of such a system. Even though desirable, not every improvement need be started simultaneously. For example, audio-visual equipment would be of great help, but the program can function without it. In other words, some sophistications may have to be financed after savings have accrued.

As understandable as the fiscal concerns are, it is almost incomprehensible to accept the criticism that the One-Day/One-Trial term is not as effective because jurors do not become experienced. This most illogical argument not only suggests that experienced jurors are the more competent but, further, that justice is only rendered during the latter portion of a lengthy term after the panel has seasoned. Obviously then, litigants during the first part of the month would be the unfortunate guinea pigs. Need we emphasize that nowhere during the conception of the jury system was it implied that an inalienable right was to have a trial by a "veteran" jury of peers. At the very least, it can be said that the new plan offers the same measure of fairness regardless of when the case is heard.

Another implication was that the verdicts were not as enlightened and differed drastically from those in the past. An initial limited comparison of both criminal and civil cases, however, showed only mild variances and these could possibly be explained by economic inflation or recent high court edicts. In no way do they give any appearance of inferior or outrageous decisions. Further, not one instance of a verdict which offended the sensibilities of the trial judge was ever reported. Again, Harris County results over the past five years corroborate the conclusion that justice has not suffered due to exclusive use of fresh jurors.

In spite of overcoming such objections, the plan could admittedly be even better through the benefit of supportive laws and court rules. As was mentioned previously, no such legislation was sought prior to the introduction of this system in Wayne County, because this project was contemplated as a pilot study. Now that the program has been adopted here, certain code amendments, which would further increase juror efficiency and utilization, have been introduced.

Primarily, statutory exemptions and prohibitions for jury service, except for those over 70 years of age and for felons who have not completed their sentence, are sought to be repealed. With this new shortened jury term there no longer is any justification for anyone claiming that jury service would pose a hardship or great inconvenience.

Elimination of these exemptions and prohibitions in Texas has caused no problems whatsoever for Harris County. By making these people who are now in a "privileged" class eligible, two advantages would be gained. First, a still wider cross section of the community would be available, such as professionals and government leaders. Second, more men would be eligible since these exempt categories are male dominated. The venire composition could then more truly reflect the community demographics.

In addition, the following improvements are being proposed through definitive legislation:

- 1) A clause providing specifically for the option of a term of One-Day/One-Trial throughout Michigan.

- 2) A provision clearly determining who has the responsibility for juror management under this system.
- 3) Adequate and clear-cut language allowing for computer use to assist in every facet of jury selection and management, including voir dire seating determinations.

Furthermore, especially in view of Harris County's five-year record of achieving high total juror yield by only a single summons-questionnaire mailing contact, consideration must be given to substantial reduction of the entire qualification process. Because pre-qualification entails considerable effort and expense, apparently without any noticeable added results, other jurisdictions are currently modifying or terminating this procedure. Actual experience has shown that the presumed purpose of the overly detailed Juror Personal History Questionnaire, required in Michigan, has not been accomplished; it does not facilitate the voir dire. A good number of questions dealing with accidents have no applicability to the vast majority of cases, and such information could easily be elicited at the voir dire when it is pertinent. Factually, very few attorneys have bothered to review these documents prior to the trial or at any time. Both the monetary benefits and the sizeable reduction of the tremendous paperwork that must be processed well justify a revision of existing forms.

Finally, further advancements are still possible in the matter of juror paychecks. Although weekly checks are an improvement over the former practice of twice-monthly payments, under normal conditions there still is a delay of seven to fourteen days before checks are mailed because they are prepared only once during a seven-day cycle. This lag could be even longer if any problems arise. In some instances there is then an additional processing wait for salary or wage reimbursement from employers after they have been provided with the stub as verification of service.

In addition to the inconvenience to the juror, a considerable amount of time and expense is also required of the court, because a payroll clerk must verify that the amounts payable to each juror are correct.

Both goodwill and efficiency could be improved if jurors' checks were produced so that they could be distributed to them at the end of each day's service. This frequency is entirely feasible with the production capability and speed of a computerized system. The verification process would be greatly simplified because everyone would receive only the standard one-day compensation (\$15.00 plus round-trip mileage as predetermined by voting precinct). Only those jurors who actually reported and acknowledged receipt would be presented with a check. Checks for jurors who are scheduled but do not appear (average of about six per day) would be voided. This voiding procedure would be much less time-consuming than the demands of the current payroll verification method, which involves examining the lengthy and unwieldy daily attendance lists.

At present usage rates the number of checks needed would

double but no postage funds would be required because they could be distributed directly to each juror. The cost of additional checks would be offset by the savings from elimination of window envelopes, and overall a savings of the postage charges would be realized.

As the success of the One-Day/One-Trial jury system becomes widely known, the demand to institute the method elsewhere will be inevitable, if for no other reason than the convenience for the jurors. It is not without imperfections, but those associated with the pilot project have agreed without reservation that the benefits far outweigh any defects. It has contributed to much-needed cost and procedural efficiencies in the court and it has caused a dramatic change in citizen attitudes towards the judicial process.

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Other publications of the Jury Reorganization Project:

**Sequential Plan of Implementation  
of the One-Day/One-Trial Jury System**

**One-Day/One-Trial Jury System Computer Documentation**

**Peers, Venires and Juries:  
An Attitudinal Evaluation of the One-Day/One-Trial Pilot Project**

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THIRD JUDICIAL CIRCUIT COURT  
WAYNE COUNTY, MICHIGAN  
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**END**

7/25/1971