

## **JURY SERVICE**

Did you know that a citizen's right to a trial by jury can be traced back to both the United States Constitution and the Texas Declaration of Independence? Although the right to a jury trial is considered a fundamental safeguard of each American's constitutional liberties, the concept of a jury trial is hardly new, dating back to medieval England. Your jury summons puts you in the center of this most basic right of all Americans. The United States and the State of Texas Constitutions guarantee a right to trial by jury for anyone accused of a crime, regardless of his or her race, religion, gender, national origin or economic status. Any time the facts of a civil or criminal case are in dispute, the parties have a right to have their case heard by a jury of fair and impartial citizens who will make decisions without bias or prejudice.

### **To Have a Jury Trial, There Must Be a Jury**

And to have a jury, citizens from all walks of life must be called upon to participate. Because you have received a jury summons, you are now part of this important process. In a sense, it is an adventure. You have the opportunity to see the justice system in action, meet a wide range of people, and if you are chosen to serve on a jury, participate in one of this country's most fundamental processes.

Although your jury summons may disrupt your daily routine, we ask that you participate with an open mind, patience and an understanding of the essential role you have in our justice system.

### **Juror Selection Process**

The process for selecting prospective jurors is mandated by state law. If you are a registered voter, have a Texas driver's license or Texas personal identification card and you live in Hardin County, your name is entered in a computer system designed to randomly select prospective jurors.

When directed by the State District Courts of Hardin County, the District Clerk makes a random selection of names, which are retrieved as needed each month. Those selected for that month receive a summons which is mailed by the Sheriff of Hardin County. Because this is a random selection system, and there is not an endless supply of potential jurors, it is quite possible that you will receive more than one jury summons while you live in Hardin County. Once you have served on a jury, your name will not be re-entered into the pool for six (6) months.

### **Exemptions**

You can be exempted from jury duty in certain circumstances. These reasons for exemption do not disqualify you from serving -- even though you may qualify for an exemption you can still serve on a jury.

But certain circumstances can impose considerable hardship for some people. If any of the following exemptions apply to you, the form on the back of the jury summons can be completed and mailed back to the Hardin County District Clerk's Office.

- those over seventy (70) years of age
- those with legal custody of children under ten (12) years old when jury service would leave those children without adequate supervision.

- students in private or public high schools or attending an institution of higher education.
- primary caretakers of a person who is an invalid unable to care for themselves.

There are some people who are disqualified for jury service. Again, there is a form on the back of your jury summons which can be used to inform the Hardin County District Courts. If you have been convicted of a felony or theft or if you are now on probation, you cannot serve on a jury.

### **The Exemption Form**

The form on the back of our summons covers the allowable exemptions from jury duty, but you must mail it back no more than seven days after receiving it. You may also fax it to the Hardin County District Clerk at (409)246-5288.

If you don't mail it in or think you have a situation which may exempt you but is not on the form, you must appear on the date you have been called.

### **Non-Allowable Exemptions**

There are several common reasons given for exemption requests which are not allowable:

- being the sole owner of a business
- have an employer who will not pay you for your jury service (although financial hardship caused by jury service may be considered).

### **Jury Duty and Your Job**

The law protects your job while you are fulfilling your jury duty and you can not be fired for serving. Your employer is not, however, required to pay you for the time missed from work while on jury duty.

### **Tips to Make Your Jury Service More Enjoyable**

Knowing where you are going and what to expect when you get there can make any experience more enjoyable, and jury service is no exception. Getting to the Hardin County Courthouse, finding the District Courtroom, and arriving prepared are not nearly as tough as you might think.

### **Come Prepared**

You must bring your completed jury summons with you when you report for jury duty. Please fill out and sign your summons prior to reporting.

In addition, you may want to bring something to do while you wait on the Court. Jury duty does involve some waiting, so a good book or handwork will help pass the time. You may also want to bring money for snacks, drinks, and lunch. There is a small café or snack bar on the first floor of the courthouse.

### **Dress the Part**

You may be selected for and actually serve on a jury the day you are summoned, so it's important that you dress appropriately. Jury service is serious business, and you should

dress accordingly. Business attire is recommended.

Shorts, hats, tank tops and flip-flop sandals are not allowed. T-shirts with derogatory images or messages are also not considered appropriate. When in doubt, dress seriously but with comfort in mind. Jury service can involve a good deal of sitting.

### **What Your Jury Service Involves**

Once you have arrived at the courtroom, your jury service is underway. You'll find that the system is set up to guide you along with clear instructions throughout the process. Whether you are selected for a jury or not, you will still be providing an essential part of the trial by jury system.

### **Where To Go Once You've Arrived at the Courthouse**

Your jury service starts in the courtroom, located on the second floor of the Hardin County Courthouse.

### **What To Expect**

About 20% of prospective jurors are selected for trials. If you are not selected for a jury, you can expect to be finished in about half a day. If you are selected, you will serve for one trial. Surprisingly, the average trial lasts only three (3) days.

When you arrive at the Hardin County Courthouse, please report to the courtroom on the second floor. After checking in, prospective jurors will be given a brief orientation by the Hardin County District Clerk's Office. The impaneling Judge will give further instructions and hear possible exemptions and qualifications.

Prospective jurors will be briefed by the judge and questioned by attorneys for both sides until the jurors who will hear the case are chosen. Once the jury has been selected, those on the panel who are not chosen are sent home.

### **Getting Paid for Jury Service**

Jurors are paid for their service. Each prospective juror sent to a court receives six dollars (\$6) a day. If you are selected and serve on the actual jury panel, you will receive forty dollars (\$40) per day of thereafter for your service.

Payment is processed at the end of the jury service, and will be disbursed in the form of cash.

### **You've Been Selected for a Jury -- What Now?**

Only 20% of those summoned to jury duty are ever chosen to serve on a jury, so there's a good chance you'll be released from your jury duty after just half a day.

If you are selected to serve, this will be an opportunity to see our justice system in action firsthand.

### **A Day in the Life of a Juror**

Each trial is as unique as the people involved, and there's no way to predict how long the trial you are chosen for will last. A trial can last a day or take two or three days. They are seldom much longer.

During the trial, the judge will tell you what time you need to be in court each day and what time to expect each day to end. You will also be given a break for lunch. Trials follow a set procedure which you may find familiar.

**Opening Statement:** Attorneys for each side may explain the case, outline any evidence they will present, and discuss the issues you will decide. This is usually a broad statement which sets the stage for witnesses and the details to follow.

**Presentation of Evidence:** Testimony of witnesses and exhibits are all evidence. Any exhibits will be available to the jury during their deliberations. Because you will be deciding the case based on the facts presented, it is very important to pay close attention to all evidence.

**Rulings by the Judge:** The judge may be asked to decide questions of law during the trial. He may ask jurors to leave the courtroom while lawyers make legal arguments. If this happens, understand that these issues must be decided so that proper evidence can be considered by the jury.

**Instruction to the Jury:** After all evidence has been presented, the judge may give the jury the Charge of the Court. This includes legal instructions about the case and the question the jury must answer.

**Closing Arguments:** This gives the lawyers an opportunity to summarize the evidence and to try to persuade the jury to accept their client's view of the case.

**Jury Deliberations and Decision:** After hearing the closing arguments, the jury is sent to deliberate. During deliberations, members of the jury will decide how they will answer the questions presented in the Charge of Court and then return a final verdict.

### **Sequestered Juries**

Sequestered juries are very rare. Before you are assigned to such a jury, you will have an opportunity to discuss with the judge any problems this might create.

### **Still Have Questions?**

If you still have questions about your summons or jury duty, please call the Hardin County District Clerk's Office at (409)246-5150. Or if you want to e-mail the Hardin County District Clerk you can e-mail any questions to [pam.hartt@co.hardin.tx.us](mailto:pam.hartt@co.hardin.tx.us) We understand you have questions, and we'll do everything we can make your jury service easy and as interesting as possible. We rely on our citizens to keep our justice system running, and we thank you in advance for the very important part you play.