

NO 47 NO INTELIM FILES, JURY

JURY

Court rules changed in 18 states

Rehabilitating our juries

By **GEORGE B. MERRY**

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"Very interesting. A day well spent." This is how a Wakefield, Massachusetts, nurse describes her recent two days on a trial court jury here.

The 32-year-old mother of three is among hundreds of Middlesex County residents now sharing in a new experience for many Bay State residents.

NO LONGER are nurses, clergymen, teachers, police, firefighters, lighthouse keepers, public officials, doctors, lawyers, or even judges excused from jury duty.

During the first 10 weeks of the new arrangement, a state senator and citizens from most of the other walks of life previously exempted have served in jury pools. "We've had them here as young as 18 and as old as 94," reports Joseph S. Romanow, Middlesex County jury commissioner, who is responsible for making the system run smoothly here.

Instead of being called to serve a full month, as in the past, citizens drawn for jury duty now ordinarily put in one to three days. A key reason for this system is that it is believed fairer to everyone.

It is all part of a computerized, shorter-term juror selection process that first took root in Houston, Texas, in 1971. A new Texas law wiping out almost all exemptions helped the program along.

THE HOUSTON experience soon caught the attention of court officials elsewhere, but it was not until three years later that the new concept was adopted elsewhere. The second town in the country to try it was Asheville, North Carolina.

Since 1974, similar systems involving shorter juror duty and a larger cross section of citizens have started in Wayne County, Michigan (including Detroit); Pittsburgh; Dallas; Anchorage; East Lansing, Michigan; Maywood, Illinois, near Chicago; Montgomery County, Maryland, outside Washington, D.C.; and Middlesex County, Massachusetts, of which Cambridge is a part.

In addition, the system is about to begin in Philadelphia. By early summer, it will be in Colorado Springs, Colorado, too.

Mexico, North Carolina, North Dakota, Ohio, Texas, and West Virginia.

A major problem in some courts is deciding how many jurors are needed to sit on cases each day. The decision must be made in advance, so jurors can make arrangements to appear. Rather than run the risk of falling short, court officials usually call more people than are expected to be needed.

To prevent jurors in Detroit from having to cool their heels all day without ever being assigned to a trial, half of those summoned are asked to call in the night before to see if they will be needed. If the

answer is "no" they need now show, and their names are put back into the computer to be drawn for another date.

BESIDE PROVIDING a continuing stream of fresh jurors, drawn from a larger cross section of the population, the shorter-service system minimizes potential economic hardship to those called.

In some states it also saves taxpayer dollars. In Middlesex County, for example, the county pays jurors \$40 a day only after three days of juror service. Since most trials are shorter than three days, there need be no compensation except from employers, who are required to pay

their jury-absent workers regular wages for up to three days.

"**THE SYSTEM** seems to be really catching on now in more and more courts around the United States," says Thomas Munsterman, executive director of the National Center for Jury Studies.

He notes that the changeover, which spreads the juror workload around more evenly and to more people, has been aided considerably by the use of computers to select those called to sit on trials.

Grants from the federal Law Enforcement Assistance Administration (LEAA) have, in several instances, helped pay for new equipment and personnel to implement the process.

GREATLY REDUCING exemptions provides the courts with a larger pool of potential jurors. Thus, each person generally spends less time on jury duty.

In recent weeks a new Utah statute was passed, clearing the way for just about all adults physically and mentally capable of serving to be called.

Similar laws have been adopted covering parts or all of at least 18 other states. The states are Alabama, Arizona, California, Colorado, Florida, Idaho, Indiana, Kansas, Kentucky, Maryland, Massachusetts, Michigan, New



Alaska Trial Jury
HANDBOOK

DISTRIBUTED BY

The Supreme Court of Alaska

FORWORD

This handbook has been adapted for use by the Alaska Court system from the original handbook prepared by the Institute of Judicial Administration. The Institute has kindly given its consent to this use.

A careful study of this handbook will be helpful in understanding the history of trial by jury, the selection and function of a jury, courtroom proceedings and the responsibility that is placed in those who serve as trial jurors in the courts of Alaska.

**Robert Rochever
Chief Justice
Alaska Supreme Court**

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HISTORY AND FUNCTIONS OF A JURY

The hallmark of the American legal system is the jury system in which panels of private citizens are called upon to make the final decisions in the trial of legal disputes.

While many countries do provide for jury trials in a limited number of circumstances, no country places as much faith and responsibility on the private citizen as in the United States. Nearly 90 per cent of all cases which go to trial, both civil and criminal, are heard and decided by juries.

This reliance on the private citizen to help resolve disputes between his neighbors is written into the United States Constitution as a fundamental right for the individual's own protection. It was a right found necessary by the authors of the constitution as a result of the Colonial Experience.

But the origins of the jury system as it is now practiced in this country, are found in the English legal system, traceable to the Norman Conquest of 1066. The Norman kings brought with them the practice of calling witnesses or persons knowledgeable of a dispute and compelling them to tell under oath, or to swear, to what they knew of the particular dispute. The word "juror" comes from the Old French, meaning "to swear."

Most disputes of the time involved ownership of land and the king would call as jurors those neighbors with personal knowledge of the matter and they would be required to tell under oath what they knew about the ownership of the disputed property. The king would then render a decision based on this testimony.

But, during the reign of King Henry II (1133-1189) an evolutionary step was taken which ultimately lead to the jury system as it is now practiced. King Henry decided that if a jury can give him knowledge of the facts of a matter, then the jury could also be useful in deciding the disputes as well.

Today that is precisely the role of the jury, to determine the facts of the matter under dispute and to render a decision based on the evidence presented. Jurors today are selected on the basis of their impartiality and consequently jurors are chosen who have no prior knowledge or acquaintance with the persons or issues in dispute.

The judge, supplanting the role of the king, determines the law. He guides the course of the trial to assure that the proceedings and the presentation of evidence are conducted properly and according to established legal principles.

JURY SELECTION

Once an individual is assured of a right to a trial by a jury composed of fellow citizens, it becomes obvious that each individual also may be required to serve as a juror himself.

The establishment of a right to a trial by jury also requires that means be established to assure that there are a sufficient number of people available for selection of juries. The methods for the initial selection of potential jurors vary from one state to another, but generally involve a random selection designed to assure a reasonable cross section of the community.

In Alaska, state statutes require that at least once each year the Administrative Director of the Alaska Court System is to prepare a list of prospective jurors for each judicial district in the state. The statutes specify that the list is to be derived from state income tax rolls, registered voters, and holders of resident hunting, fishing and trapping licenses.

From these lists each court can make a periodic random selection of persons living within 50 miles of the court location. This will be a list of persons who, during a specified period of time, will be subject to call as possible jurors on one or more occasions as the need for jurors arises.

It is not the responsibility of the court to select the jurors for each trial, but to provide a sufficient number of qualified persons for selection at the beginning of each trial.

Depending on the number of trials expected at each court location in the state the size of these lists may vary from 100 to 700 and the length of time during which a person is subject to call as a possible juror may vary from 30 to 90 days.

A questionnaire is sent to all persons on these lists to determine who are qualified to serve as jurors. As specified in state statutes, a person to be qualified to serve as a juror must be: a citizen of the United States, a resident of the State of Alaska, be at least 19 years old, of sound mind, in possession of his natural faculties and be able to read or speak the English language.

While jury service may be inconvenient, no person should seek excuse from such service for that reason alone. If jury service will cause personal hardship, the person should complete the questionnaire and then enclose a letter explaining the situation and the hardship that would result. The presiding judge will make the final decision of whether to grant an excuse, or to defer service to another time.

A summons will be sent to all persons found qualified to serve as jurors during a specified period of time. During this period a person is subject to call one or more times in which he is to report to the court for possible selection as a juror. Instructions will be provided with the summons explaining how each juror will be notified of when he is to report to the court.

These instructions are important because often, particularly in the high volume courts such as in Anchorage and Fairbanks, notification cannot be made until the evening before the juror is needed.

While trials are scheduled far in advance, the attorneys in individual cases may reach a last minute settlement or

request a postponement of the trial to another time. Consequently the court cannot determine how many prospective jurors will be needed each day until the evening before.

Once called a prospective juror will be assigned to a jury panel. This panel may consist of 30 members from whom 12 will be selected as a jury for a superior court trial, or it may consist of 15 members from whom six will be selected as a jury in a district court trial.

The selection of a jury from a panel will be conducted in the courtroom as the first step in a trial. Panel members will be asked questions by the judge and the attorneys involved in the particular matter on trial.

Basically this questioning will be to determine if any member of the panel has any acquaintanceship or knowledge of the persons or events involved in the case, or if anyone has any preconceived opinions or ideas which would influence him as a juror.

In some instances this inquiry may delve more deeply into a panel member's background, experiences and beliefs. No one should be embarrassed or offended by this. It is a necessary part of assuring selection of a fair and impartial jury. Each person, therefore, should try to answer all questions frankly and honestly.

During this questioning, which is called "voir dire" (to speak the truth), the attorneys may ask that individual panel members be excused—that they not serve on the jury in that particular case. This may be for a stated reason or disqualification for "cause," or the attorney may give no reason which is a peremptory challenge. An attorney is not limited in how many he may disqualify for cause, but he is limited in how many times he may exercise the right of peremptory challenge.

No one should be offended if he is excused from serving on a jury in a particular trial. He may be assigned to another jury panel for possible selection in another trial, or he may be

excused for the day, subject to call on another day.

Once a jury is selected, one or two additional persons may be selected as alternates. They will sit with the jury during the trial and can take the place of any juror who may become ill or otherwise incapacitated.

The jury will be given an oath in which the jurors swear to impartially hear and try the case on the evidence that will be presented.

The jury will be assigned to a jury room where the jury will meet before sessions of the court and during recesses. It will be in this room that the jury will complete its final deliberations and decide on a verdict.

A bailiff will be assigned to the jury to assist members during the trial and to protect the jury from outside influences. Any question or problem that may arise during the trial should be addressed to the bailiff and he will convey the question or problem to the judge.

THE TRIAL

When the jury is finally impaneled the trial can then proceed.

Whether the trial involves a civil dispute or a criminal complaint it will follow an established order of events and the role of the jury is essentially the same.

It is the responsibility of the jury to hear the evidence, or facts, as presented and then to make a final determination or resolution of the dispute based upon those facts.

The party which initiated the action—the plaintiff in a civil dispute or the prosecutor for the governmental entity such as the city or state in a criminal complaint—will present its side first.

On the completion of the presentation of its evidence and testimony by the plaintiff or prosecutor,

the defense will then present its evidence. This order of presentation is one of the reasons the jurors are instructed to reach no conclusions or form no opinions until all the facts are in.

The trial will begin with opening statements by the attorneys in which each will state to the jurors what they hope to prove during the course of the trial.

In some instances the defense may choose to make no opening statement at this time and to defer its opening remarks until after the the plaintiff or prosecutor has completed presentation of his case.

The jurors will be advised, however, that the statements of the attorneys are not to be considered as evidence.

The evidence upon which the jury will make its final decision will be presented in the form of the sworn testimony of witnesses called by the attorneys or as physical evidence such as documents, records, weapons or various other articles or exhibits.

Most of the testimony will be presented by witnesses in response to questions by the attorneys. The attorney calling a witness will question the witness first in what is called "direct examination." The opposing attorney will then have an opportunity to question the witness also in what is called "cross examination."

The rules governing the admission or presentation of evidence are quite numerous and complex. But these rules are not the concern of the jury, they are instead, the concern of the judge. It is the judge's responsibility to assure that all testimony and all evidence is admitted according to established rules.

Occasionally during the trial an attorney may "object" to an action or question by the opposing attorney, or a statement by a witness. This will necessitate a ruling by the judge.

Sometimes the judge will rule on the objection without comment by any of the attorneys. Sometimes there may be

a brief discussion between the attorneys and the judge before the jury. On other occasions there the discussion will be at the judge's bench out of the hearing of the jury. Sometimes the jury will be asked to retire to the jury room to allow full and free discussion of an issue in the court room.

Understandably jurors may become disturbed by frequent or long sessions in the jury room. All that can be asked of jurors at such times is that they be patient, for important issues are being resolved that are necessary to the proper presentation of evidence to the jury.

Occasionally an objection may be made to a statement already made. If the objection is sustained by the judge the jury is to disregard that statement—it is not to be considered as evidence.

When all parties have completed the presentation of their case, the attorneys will then give their summation or final arguments to the jury.

The plaintiff or prosecutor will present his arguments first, then the defense can present his arguments to the jury. Because the plaintiff or prosecution does have the burden of proof they are accorded the opportunity to have the last word and may give a brief closing argument before the jury.

THE CHARGE

After all of the evidence has been presented and the attorneys have completed their final arguments there remains one very important matter of business that must be completed before the jury can begin its deliberations.

This is the reading of the instructions by the judge, sometimes called "the charge."

This reading of the instructions is an explanation of the law as it applies to that particular case, it is an explanation to

the jury of how the evidence presented during the trial is to be considered.

As an explanation of the law, it is to be accepted as such by the jury. No juror should be influenced by what he thinks the law should be, or what he would like it to be.

The process of reaching a verdict is a process of law, not whim, and for a juror to fulfill his oath to bring a true verdict he must apply the law as it is to the facts as they have been presented.

While the reading of the instructions may be long and involved, the jury should listen carefully. But, to help assure that there will be no misunderstanding, printed copies of the instructions will be provided to the jury when it goes into its deliberations.

DELIBERATIONS

The case is now in the hands of the jury, and it is to this moment that all of the proceedings which have gone on before have been directed.

The jury must now endeavor to reach a verdict for one or the other of the parties in the trial just heard.

The jury will retire to the jury room and if the jury has not already done so, the first matter of business will be to select a foreman.

It is the foreman's responsibility to preside over the deliberations of the jury, to keep order and to give every juror a fair opportunity to express his views.

Even now jurors should keep an open mind, give respectful consideration to the opinions of others and freely discuss all ideas presented.

A juror should not be afraid to change his mind when reason and logic so dictate, but he should not surrender an opinion conscientiously held.

To reach a verdict the jurors must weigh and consider the evidence that was presented during the trial in accordance with the instructions given by the judge. Jurors must not be swayed by either prejudice or sympathy. Sympathy, if allowed to sway a verdict, is just as harmful as bias that would sway a verdict the other way.

If, during the course of deliberations, a question is raised about the instructions, or if it is believed that further instructions are necessary, the jury can ask the judge for further clarification. But any question or other matter which the jury would like to address to the judge should be given to the bailiff who will relay the matter to the judge.

If there is an important disagreement among jurors over a particular portion of testimony during the trial a request can be made for an opportunity to hear a recording of that portion of the trial.

The final verdict of the jury must be reached by reason and careful deliberation. Chance must not be allowed to enter. In a case where the jury is asked to determine the amount of damages to be awarded, the jury must first determine the liability. Only then can the matter of damages be considered.

In a criminal case the verdict must be the unanimous decision of the jury. But in a civil case a verdict can be reached by a five-to-six majority, that is a verdict can be reached by the agreement of at least five persons on a six-person jury, or by at least 10 on a twelve-person jury.

When a verdict has been reached the bailiff will advise the judge and the court will be called back into session. The foreman will deliver the jury's verdict to the court and the verdict will be read. At this point the jurors may be polled, or asked individually if they agree with the verdict.

The jury will be discharged with the appreciation of the court. The jurors may now return to their homes and personal affairs.

The secrecy which bound the jurors during the course of

the trial is now lifted and the attorneys who were involved in the trial and others may ask the jurors about their deliberations. While no longer bound by secrecy, there is no duty or obligation for jurors to discuss the case and a juror may refuse to discuss the trial if he so desires.

CONDUCT

Jury service is a serious responsibility and whether a trial lasts less than a day or for several weeks, a juror must give his full attention to the matter being heard. He should not allow himself to be distracted by any extraneous influence, nor should he be the cause of any distraction.

A good standard of conduct for a juror to follow is that of common courtesy and respect. The following admonishments are intended to serve as a further assistance and guide for jurors:

-It is essential that a juror be in court at the time previously announced as the trial cannot proceed until all jurors are present.

-Everyone in the courtroom, including jurors, will stand when the judge enters. All will rise again at the end of the session when the judge leaves.

-When the court is in session a juror should not talk with fellow members of the jury or read magazines or newspapers.

-A juror should pay close attention to the evidence being presented. If a juror cannot hear what a witness is saying, the court should be advised immediately. Rather to interrupt the proceedings, the juror should raise his hand and tell the judge the problem when the judge recognizes him.

-During the course of a trial, particularly if it is long or involved, some jurors may feel it will be helpful if they can take notes. No juror should do this on his own. If someone

wants to take notes the bailiff should be contacted during a recess and he will advise the judge of the request. The judge may or may not grant the request.

-A juror should not form an opinion or reach any conclusion regarding the matter on trial, nor should he express any opinion with fellow jurors. A juror must keep an open mind throughout the course of the trial.

-The personalities of the attorneys involved should not be allowed to influence a juror. The final decision reached by the jury must be based solely on the evidence and not on personalities.

-Jurors must not discuss the trial with anyone during the course of the trial. Generally juries in Alaska are not sequestered and jurors may return to their homes and businesses when the trial is not in session. While this is more convenient for jurors, it places a responsibility on them to protect themselves from outside influences. Friends and family may naturally inquire about the trial, but it must not be discussed until the trial is over.

-Nor should jurors read any newspaper articles or listen to any radio or television accounts of the trial. Even if accurate, such accounts are necessarily only brief summations and capsulizations which tend to give undue weight to some items and not others. More seriously, there may be references to matters which cannot be admitted as evidence.

-The judge should be notified immediately if anyone attempts to exert any influence on a juror.

-Occasionally a juror may discover during the course of a trial that he does have some personal knowledge or connections with the case. He should advise the judge immediately. It may be the particular connection is non-prejudicial, or it may be necessary for the juror to be excused. If so, it involves no fault of the juror and the trial can proceed with the alternate taking the juror's place.

-If an emergency arises that could affect the ability of

a juror to fulfill his duty, the judge should be advised immediately.

-Occasionally a juror may feel that he could better understand the matter on trial if he could visit the scene of the crime or accident. He must not. To do so may cause a mistrial. If the judge believes such a visit appropriate, arrangements will be made for the entire jury to visit the scene.

-If, during the trial or during the deliberations, a juror observes what appears to be misconduct by another juror, the judge should be notified immediately.

-When the trial is over and the jury is discharged, the secrecy which once bound the jury is lifted. The attorneys involved in the trial and others may ask questions regarding the trial. While there is no law which now prohibits jurors from discussing the trial, there is also no duty or obligation to discuss the case. A juror may refuse if he so chooses.

A PROCEDURES MANUAL
FOR JURY CLERKS

Office of Technical Operations
Office of the Administrative Director
Alaska Court System
301 K Street
Anchorage, AK 99501

May 1978

FOREWORD

This manual is intended as a guidance tool for jury clerks and other clerks performing juror functions. There are considerable changes expected to be made in jury statutes, rules and procedures in the next couple years. We are sure that a new jury manual will be required within two years. Towards that fact, please forward to us any changes you would suggest for the next manual.

Merle P. Martin, Manager
Technical Operations

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JUROR MANAGEMENT MANUAL

I. INTRODUCTION

"There usually are three occasions in the life of an American when he, or she, is called upon to come to the support of the country. From time to time our young people are called on to perform service in the armed forces, in the defense or protection of our country. From time to time all citizens are called upon to vote -- to help choose those persons who will lead and direct our country. And from time to time we are called upon to accept service as jurors in the trial and disposition of civil and criminal cases. To take our part, for short periods of time, as vital members of the judicial process. To take our part in making democracy work."

Chief Judge Grady L. Crawford,
11th Judicial Circuit of Florida

Jury service is one of the highest duties of citizenship. As a juror, each citizen participates in the administration of justice between man and man, between government and the individual, and between corporations and consumers. Active participation of every citizen in this important civic duty is necessary for a "...government of the people, by the people, and for the people".

The Alaska Court System is committed to achieving the following management objectives in its jury system:

1. Maximum responsiveness to court needs.
2. Maximum citizen participation in jury service.
3. Minimum economic burden on the individual.
4. Minimum cost of the jury system.

Management practices supporting the above objectives may be summarized in the following guidelines:

1. Develop a written and comprehensive jury system plan to ensure compliance with the law.
2. Summon prospective jurors directly and randomly from the master list to minimize paper work and unnecessary citizen activity.
3. Maintain random order of names as selected from the master list to give every prospective juror a chance to serve and to maximize cross-section representation.
4. Monitor yield of jurors from selection and utilization of jurors during service to insure full involvement.
5. Make orientation brief in order to use jurors for trial activity on the same day and to save juror time and court costs.
6. Eliminate unnecessary typing and paper work by using preprinted forms and rapid check-in methods.
7. Maintain communication between the court and jurors. The use of an attitudinal survey too will provide information for corrective adjustments in the jury system.
8. Minimize term of jury service to minimize burden on citizens and reduce the necessity for exemptions and hardship excuses.

In order to better achieve these objectives, we have prepared this Juror Management manual as a guide for your court. The manual is organized into the following sections:

- Juror Selection and Qualifications
- Juror Service
- Juror Exit Procedures

II. JUROR SELECTION AND QUALIFICATION

A. Compilation of Master Juror file

Source List

Before March 15 of each calendar year a list of prospective jurors for all Alaska Courts is generated by the Office of Technical Operations in Anchorage and sent to the presiding judge in each judicial district. This Master Juror File is formed by merging the following three lists:

1. All persons who purchased resident trapping, hunting or fishing licenses during the preceding calendar year showing an Alaskan address. This list is prepared by the Department of Fish and Game.
2. All persons who filed a state income tax return the preceding calendar year showing an Alaskan address. This list is prepared by the Department of Revenue.
3. All persons who have registered to vote in Alaska. This list is prepared by the office of the Lieutenant Governor.

Alaska is one of only a few states to use multiple sources for jurors rather than using a single source list. The advantages of using multiple lists are:

1. The resulting combined list has more names than simply using a single list. Therefore, multiple lists provide more complete coverage of the state's population.

2. The combined list may represent a better cross section of the population than any single list.
3. The use of a combined list may lessen the problem of citizens failing to register to vote in order to avoid being called for jury duty.

Elimination of Duplicate Names

Any one person may have his or her name on two or all three lists. Therefore, the combined list of prospective jurors must be matched, one name against another, to eliminate duplicate entries. The procedure for eliminating duplicate names is described in Appendix One.

Prior Randomization

After elimination of duplicate names, a random selection number is assigned to each prospective juror on the Master Juror File and then this list is sorted in random selection sequence. Therefore, if a court requests a thousand jurors, the next thousand on the list for that location can be easily selected in sequence.

Prior randomization of the Master Juror File offers the following advantages over randomization at the time of selection:

1. Data processing is more efficient.
2. In case of computer failure or emergency time requirements, the selection of the needed jurors can be done manually yet randomly.

Microfile Venire Lists

Now that the Master Jury File is complete, it is transferred to computer output microfilm (COM) tape. Copies of the microfiche are then sent to the area court administrator in each judicial district as required by law (AS 09.20.050(a)). Microfilm readers are available at Juneau, Nome, Anchorage, and Fairbanks to allow the public or court personnel easy access to the Venire list.

All of the computer processing is done on the IBM 370/148 computer located at the Division of Data Processing, State Department of Administration facility located in Anchorage.

B. Periodic Selection of Prospective Jurors

Flexibility of Requests

The frequency of juror selection varies statewide depending upon the volume of jury trials. Some locations, such as Anchorage and Fairbanks, may have sufficient volume to require bi-weekly selection. Other locations may have one selection made for the entire year or when an individual trial occurs. The wide difference in the needs of Alaska's courts requires this flexibility.

Selection Process

Whatever the frequency of juror selection, the process is essentially the same. The individual court sends or phones a request for a jury to the Office of Technical Operations in Anchorage. (See Appendix Two - Request for Selection of a Jury Panel). This request must be approved by the Presiding Judge in the respective judicial district and should be sent at least three weeks prior to the time a panel is needed.

The request is edited, then sent to the Division of Data Processing where it is keypunched and, with the Master Juror File, becomes an input to the IBM 370/148 Computer. The requisite number of jurors is then selected. The Division of Data Processing provides the Office of Technical Operations with the following:

1. A list (Appendix Three) of selected prospective jurors for court use. This list is sent in two forms.
 - a. An alphabetical list.
 - b. A random sequence list
2. Three or four sets of labels (Appendix Two) for each prospective juror. These labels are used for court mailings.
3. Jury service cards for payment to jurors. (Appendix Two).
4. For higher volume courts, one of the following:
 - a. Ready-to-mail questionnaires (Appendix Two) with summons included. This is for courts that want a "one-process" service the questionnaires and the summons are served at the same time.

- b. Ready-to-mail questionnaires with separate ready-to-mail summons. (Appendix Two) This is for those courts who wish the summons served after the juror has been qualified but wish to take advantage of automatic rather than manual summons preparation. At the time these courts wish the summons to be mailed, they select those from the qualified jurors for mailing and throw away the rest.
- c. Ready-to-mail questionnaires only. This is for those courts who still prefer to manually type the summons and for those courts utilizing the Automated Juror Qualification System (AJQS).

Does Not Quality

AS 09.20.020 prescribes that a person is not qualified to act as a juror if he is not:

- (1) A citizen of the United States;
- (2) A resident of the State;
- (3) At least 19 years of age;
- (4) Of sound mind;
- (5) In possession of his mental faculties;
- (6) Able to read or speak the English language.

In addition, if the prospective juror has served as a juror in the state within one year of the time of service, or he has been convicted of a felony and his civil rights have not been restored, that person is disqualified to act as a juror.

For courts using AJQS, enter the Venire number and the reason for disqualification to the terminal as per the instructions included

in Appendix Four. The computer will automatically produce letters to these persons stating the reasons for disqualification. For all other courts, send a letter (Appendix Two) to the juror advising him of the reason for his disqualification and enter his name and reason for disqualification on the qualifications unit sheet shown in Appendix Two.

Whether or not your court is a user of AJQS, place questionnaires in a file folder in computer selection number sequence. The file folder should be marked "DISQUALIFICATIONS and EXCUSALS for _____, 19__." Retain this file for one year.

Permanent Excusals

The only permanent excusals to be granted are for deceased, the permanently handicapped or those of advanced age. If the prospective juror does not qualify for permanent excusal from jury duty, place his questionnaire in the non-permanent excusal group and process it as described below.

If a prospective juror does qualify for a permanent excusal, perform the following tasks:

1. For those permanently handicapped and of advanced age, send a letter (Appendix Two) to the prospective juror notifying him of his permanent excusal.
2. If your court is using the Automatic Juror Qualification System (AJQS), enter the Venire number and excusal code for the excused juror into the terminal.

3. If your court is not using AJQS, state the reason for excusal on the Jury Selection card. Send these cards to Technical Operations in Anchorage. They will enter this excusal data into the computer.
4. Whether or not your court uses AJQS, place the questionnaires in the Disqualification and Excusals folder in computer selection number sequence.

Entering of permanent excusal data to the computer will result in that prospective juror never being selected again.

Deferral of Service

Courts may defer juror service to a later date but are advised not to defer service more than six months. Deferral more than six months greatly increases the chances that the prospective juror will have changed addresses and won't be reached. For those courts using AJQS, enter the Venire number for deferred jurors and the date deferred to into the terminal. This will cause questionnaires to be sent again to those jurors on/or about the deferment date. No suspense file need be maintained. The questionnaire should be filed in computer selection number sequence in a file marked "DEFERRAL OF SERVICE _____, 19__."

For those courts not using the Automated Juror Qualification System (AJQS), place the questionnaire in a file marked "DEFERRAL OF SERVICE." The questionnaires should be filed by month of deferral date. When that month comes, summons should be sent to all jurors deferred to that month.

Non-Permanent Excusal

There are a number of types of requests for excusal which can be approved by the jury clerk without judicial approval. These include:

- (1) Professional exemptions: Requests for excusal will be automatically granted if the prospective juror is:
 - (a) A judicial officer;
 - (b) Any other civil officer of the state or United States whose duties are at the time inconsistent with his attendance or service as a juror;
 - (c) An attorney;
 - (d) A minister of the gospel or priest of any denomination;
 - (e) A teacher in a university, college, academy, or school;
 - (f) A practicing physician;
 - (g) A practicing dentist.

Do not excuse any of the above unless they have specifically requested excusal.

- (2) Jury Service: Request for excusal will be automatically granted if the prospective juror has served three months or more as a juror during any consecutive two year period. Service is defined as attendance at the court house rather than on-call as a juror.
- (3) Medical: Requests for excusal will be automatically granted if for medical reasons as verified by a letter from the prospective jurors physician.

- (4) Out of Area: If the prospective juror is outside the 50 mile radius of the court, he should be automatically excused.
- (5) Out of State: If the prospective juror will be out of Alaska for more than six months he should be automatically excused.
- (6) Transportation: If it is clear that the prospective juror has no or very expensive means of transportation, he should be automatically excused.

All other requests for excusal must be approved by the presiding judge: If the excusal is not granted a letter, (Appendix Two) should be sent to the prospective juror informing him of that fact.

For those courts using the Automated Juror Qualification System (AJQS), enter the Venire number and appropriate excusal code to the terminal in the manner described in Appendix Four. Ready-to-mail notices of excusals will automatically be produced by the computer.

For those courts not using AJQS, send excusal letters (Appendix Two) to those prospective jurors who have been excused. Enter the name of the juror and the reason for excusal to the Disqualification/Excusal roster (Appendix Two).

Whether or not your court is using AJQS, place the questionnaires for those excused in the Disqualification and Excused file, for that month in computer selection number sequence.

Monthly Disqualification/Excusal
Report

For those courts using the Automated Juror Qualification System (AJQS), the computer will automatically produce a monthly report of all prospective jurors excused or disqualified. One copy will be sent to Technical Operations and the second copy to the court for approval of the presiding judge.

For those courts not using AJQS, the Disqualification/ Excusal Roster (Appendix Two) will be approved monthly by the presiding judge and the second copy sent to Technical Operations.

Whether or not your court uses AJQS, place the disqualification/excusal listing or roster in the Disqualification and Excusal file for that month.

Qualified Jurors

Those prospective jurors not disqualified, deferred or excused are now qualified for jury service. For these jurors, perform the following tasks:

1. From the juror payment cards previously sent to you, select the ones for the qualified jurors and throw away the rest.
2. Attach the juror payment cards to the back of the questionnaire.

3. Attach the juror selection cards to the front of the questionnaire.
4. Place the packages of selection cards, questionnaires, and payment cards in a file marked "QUALIFIED JURORS FOR (beginning date) _____, 19____ through (ending date) _____, 19____".

Summons

There are three different methods by which jurors are summoned in this state:

1. In some courts the summons is either included in the questionnaire mailer or, while in a separate mailer, is mailed at the same time as the questionnaire. For these courts, no additional action need be taken at this point.
2. In other courts, ready-to-mail summons are produced at the time the questionnaires are produced, but the summons are mailed in bulk to the court rather than to the prospective jurors. If your court is one of these courts, then you must now pull the summons for these prospective jurors who are qualified for service, mail these summons and throw away the rest.
3. Some courts do not request or receive automatically prepared summons. If your court is one of these, you must now type and mail summons to the jurors who you have qualified.

III. JUROR SERVICE

A. Period of Service:

The period of service as prescribed by Administrative Rule 17 is shown in the following table:

<u>Population</u>	<u>Maximum Period of Juror Service</u>
Less than 2500	One Year
2500 to less than 5000	90 Days
5000 or more	30 Days

Any questions as to the population of your location should be directed to Technical Operations in Anchorage. It must be emphasized that this is the maximum period of service. The minimum period can be as little as one day. For larger courts, we recommend no more than a two week period of service. It must also be stressed that the period of service refers to that period of time when the juror is subject to court attendance. Regardless of the period of service, court attendance should never exceed 30 full calendar days.

B. How Many Jurors to Call In:

When a trial is scheduled to begin, you must call in a group of jurors to be questioned during voir dire. The number of jurors to call in varies depending on the number of challenges expected in the courtroom, but the following table presents some guidelines you can use to determine how many jurors to call in for a single trial:

Type <u>Jury</u>	Minimum <u>To Call In</u>	Maximum <u>To Call In</u>
6 Person	12	20
12 Person (Civil)	24*	32
13 Person (Criminal)	27	35

*As dictated by statute.

Staggered Trials

In the larger courts where more than one trial is scheduled for a certain day, much money and juror dissatisfaction can be saved by staggering trial start times. In this way, jurors who were challenged or not questioned (not reached) during voir dire in the first trial can be sent to the courtroom for the second trial, and so on. Let's demonstrate this technique through the following examples. Let's say we have three six person jury trials scheduled for the morning and we estimate that we need a panel of 15 jurors for each voir dire. If we start all three trials at nine o'clock, we will have to call in 45 jurors since all three voir

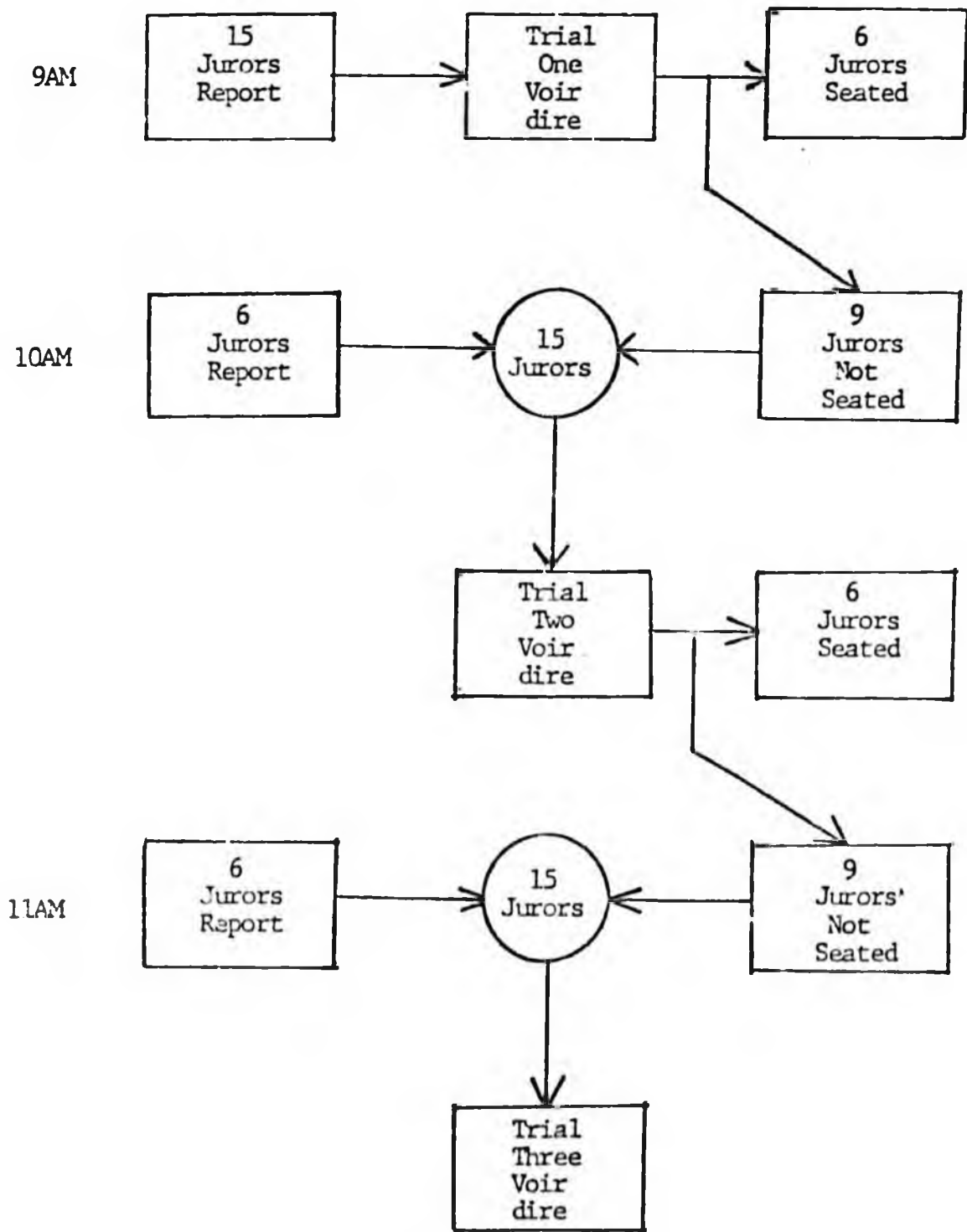
trials will be conducted simultaneously. At 10 for a half day, this type of scheduling will cost us \$450. Eighteen (40%) jurors will eventually be impanelled, but 27 will have reported and not have had the opportunity to sit on a jury.

Now instead, let's stagger our trial start times to 9, 10 and 11 a.m.. The diagram on the following page illustrates how this would work.

Instead of 45 jurors reporting, by staggering trial times only 27 jurors need report. This is a savings of \$180 (40%), and the percent of jurors reporting who get to sit on a trial rises from 40 to 67 percent.

Folding Trials

Cases may settle or be dismissed or result in a change of plea after the jurors have been called in. This late folding of trials is largely beyond the control of the courts, but if you have enough trials and some data from the past, you can decrease the negative effects of late foldings. Say, for example, that you have four misdemeanor trials scheduled for the same day and you know that one third of these jury trials fold after the jurors are called in. Call in only three panels. On the average you'll save one quarter of your jury costs. Once in awhile you will get burnt when none of the trials fold, but this may be well worth the savings in costs and inconvenience to your jurors.



C. Call-in of Jurors:

Jurors will be called in for specific trial activities. In no case will jurors be instructed to show up at the court for a number of consecutive days in case trials should be scheduled. Jurors will be called in for specific days, for a specific trial or trials that have been placed on the calendar. There are two methods by which jurors are called in:

1. Direct Contact: Jurors required are directly contacted to notify them that they must report for jury duty at a specific date and time. If the number of jurors required is less than the number summoned, choose the jurors to be called in the following order:
 - a. Those selected for a previous period but deferred to the current period. Select these by computer selection number.
 - b. Those selected for the current period by computer selection number.
2. Message: A prerecorded message informing jurors who must report can be left on special telephone equipment. Under this system jurors are automatically and randomly assigned to panels of between 15 and 20, thus allowing the jury clerks to identify jurors by panel number or letter. Thus a prerecorded message, "All jurors in panel C report to the courthouse at 8:30 a.m. tomorrow" can be used instead of identifying each juror by name.

Preparation of Jury List For Trial

Prepare the juror attendance sheet (Appendix Two) by typing the juror's names in alphabetical order. Make copies of each juror's questionnaire for the plaintiff and the defendant counsel only if they specifically request them. Separate jury payment cards and selection cards from the questionnaire and keep them together in alphabetical order.

D. Attendance:

Take the roll of jurors after they assemble. Annotate attendance on the attendance sheet (See Appendix Two) using the following symbols:

Absent	<input type="checkbox"/> A
Excused	<input type="checkbox"/> E
Half days service	<input type="checkbox"/> /
Full days service	<input type="checkbox"/> X

It is important for our public image that we make some effort to reduce juror absenteeism. This can be done by either telephone followup or making a periodic example of what sanctions the court can impose on jurors who are absent.

E. Orientation:

When the jurors have assembled present them with a short orientation. The following points should be covered in this orientation:

1. Since the primary juror complaint is waiting, explain to them why they are waiting and why they may show up only to have the case they are assigned to fold.
2. Suggest the best places to park their cars;
3. Explain when they can expect to be paid;
4. Pass out exit questionnaires (See Appendix Two) and ask the jurors to fill them out on the last day of their service.
5. Inform them that, if they desire, they can obtain a certification of service for their employer (Appendix Two) from the jury clerk.
6. Distribute to the jurors the jury handbook;
7. For larger locations you may wish to show a short movie on jury service. We recommend "HOW DO YOU FIND". Contact Technical Operations for any questions on how to obtain this film.

Voir Dire

When the trial is ready to begin, send the panel of jurors to the courtroom along with the jury selection cards and a copy of the attendance sheet. During voir dire the in-court clerk will complete the Selection of Jurors (Appendix Two) form in the following manner:

1. Fill in the top of the form. Be sure to note the number of jurors sent to the courtroom. This information is necessary to adjust panel sizes.
2. As each juror is called to the jury box, enter his or her name on the next available line.
3. If the juror is excused for cause or as the result of a peremptory challenge, put an 'X' in the proper block.
4. Place the date and time voir dire starts and ends in the top portion of the form.
5. Place the date and time deliberation starts in the top portion of the form.
6. Send the second copy of the form to Technical Operations in Anchorage.

IV. JUROR EXIT PROCEDURE

After the juror has completed his period of service, there are four tasks to be performed:

1. Payment
2. Exit Questionnaires
3. Certificate of Juror Service
4. Thank You Letters

Payment of Jurors

Automated courts will enter payment data via computer terminal directly from the attendance sheets. These attendance sheets should then be filed and stored for three years plus the current year. Thus if the current year is 1978, the file should include attendance sheets for 1975, 1976, 1977 and 1978.

For non-automated courts, juror service will be entered on the Jury Payment Card.

Jury Payment Card (Reference Appendix Two)

The payment card is automatically produced by the computer with name, address and venire number preprinted. For each day of service enter the following information:

1. Amount - enter only if payment is for travel or per diem. The computer will automatically calculate jury service fees.
2. L - Level of Court - enter one of following
D - District Court
S - Superior Court
3. Case Number;
4. Date of Service;
M - Month
D - Day
Y - Year
5. Time of Day;
AM - Morning
PM - Afternoon
Check both if all day

Data Processing

The computer prepares checks twice a month. At least once a month send your payment cards to Technical Operations. The warrants produced will be mailed from Anchorage and the payment cards returned to you for additional entries if the juror is still serving or, for filing if the juror has completed service. The file of payment cards should contain three years plus the current year. Thus, if the current year is 1978, the file should include payment cards for 1975, 1976, 1977 and 1978.

Juror Exit Interview

If trials are a regular occurrence at your court (e.g., at least once a month), you are encouraged to ask your jurors to complete the juror exit questionnaire (Appendix Two) at the completion of

service. Keep the first copy of the questionnaire for your purposes and send the second copy to Technical Operations. After you are finished using your copies of the questionnaires, you may throw them away.

Certificate of Juror's Attendance

If requested by the juror, fill out a certificate of attendance as shown in Appendix Two.

Thank You Letters

You are encouraged to send jurors who have served, thank you letters such as those shown in Appendix Two.

APPENDIX 1

LOGIC FOR ELIMINATING DUPLICATE NAMES

Jury File

The Jury File is composed of records from three sources: (1) Voters Registration, (2) Fishing and Hunting Licenses, (3) Income Tax. There are identifiers in each file that are used to match and eliminate duplicate records.

<u>ELEMENT</u>	<u>VOTERS</u>	<u>FISH AND GAME</u>	<u>INCOME TAX</u>
Last Name	Yes	Yes	Yes
First Name	Yes	Yes	No
First Initial	Yes	Yes	Yes
Middle Initial	Yes	Yes	Yes
Date of Birth	Yes	Yes	No
Soc. Sec. Number	Yes	Yes	Yes
Mailing Address	Yes	Yes	Yes

It would appear that Social Security Number could be used to match the three files and eliminate duplicates, however, this is not true because Social Security Number is not a required element in the Voters and Fish and Game files and spouses on the Income Tax File are not required to have a Social Security Number. Approximately 24 percent of the combined records do not contain Social Security Number.

Therefore the following procedure is used to eliminate duplicate records:

1. Match all files by Social Security Number and Last Name or First Initial. Approximately 3,000 records have the same Social Security Number but are

different individuals. If the Last Name is the same or the First Initial is the same, the record is merged. This allows for women changing their Last Name through marriage during the year.

2. The Income Tax file is matched to the Drivers file by Social Security Number, Last Name and First Initial. On any matching record, the complete First Name and Date of Birth is transferred from the Drivers File to the Income Tax File.
3. The merged files are sorted to Last Name, First Name, Date of Birth and the numeric digits of Mailing Address. Duplicates are eliminated by the following elements:
 - A. Last Name, First Name, Date of Birth.
 - B. Last Name, First Name, Address Numeric Digits.
 - C. Last name, First Name, 7 of the 9 digits of the Social Security Number.
4. Experience has shown that Social Security Number is not a valid identifier, even if present, because of transpositions of number and individuals using another person's number. Therefore, name, date of birth and the mailing address fields are also used to eliminate duplicates.
5. Each record type contains a date that is used to determine which address is the latest. However, the Voters File date is the original date of registration and not the last address change date. Therefore, in most cases where records match the Voters File, the Voters File address field is not used unless it is a recent registration.

APPENDIX 2

JURY FORMS

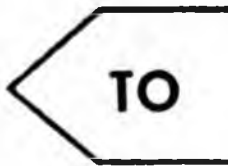
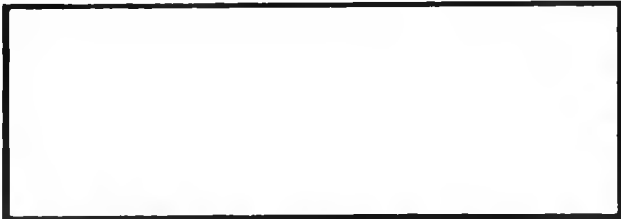
1. Anchorage Mailer for Summons and Questionnaire-Petit Jury
2. Statewide Juror Questionnaire
3. Anchorage Summons and Information Sheet-Petit Jury
4. Return Mailer for Questionnaire
5. Statewide Mailer for Questionnaire
6. Statewide Information Sheet
7. Statewide Return Mailer for Questionnaire
8. Computer Produced Juror Labels
9. Anchorage Excusal from Jury Service
10. Statewide Computer Excusal from Jury Service
11. Statewide Manual Excusal from Jury Service
12. Statewide Mailer from Summons
13. Statewide Summons
14. Anchorage Reminder of Service
15. Disqualification/Excusal Roster
16. Attendance Roster
17. Selection of Juror Roster
18. Juror Payment Card
19. Certificate of Attendance
20. Juror Exit Questionnaire
21. Thank You Letter



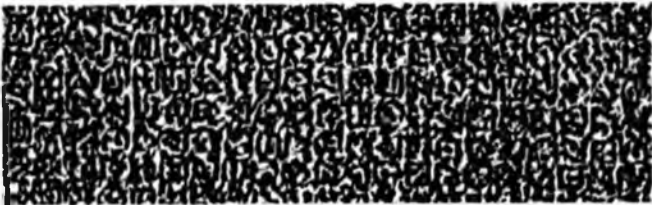
JURY CLERK
ALASKA COURT SYSTEM
303 K STREET
ANCHORAGE, ALASKA 99501



FIRST CLASS MAIL
U.S. POSTAGE
PAID ONE OUNCE
PERMIT NO. 250



TO



POSTMASTER:
Please do not forward
out of Alaska

IMPORTANT

30

JURY SUMMONS

AND QUESTIONNAIRE ENCLOSED

OPEN AND READ IMMEDIATELY



J7-AP

PROSPECTIVE JURY QUESTIONNAIRE

(PLEASE PRINT)

			1b. IF NAME AT LEFT IS INCORRECT, SHOW CORRECTLY				2. DATE OF BIRTH					
MALE	FEMALE	4a. HOME PHONE	4b. WORK PHONE	4c. MESSAGE PHONE	5. MARITAL STATUS	MARRIED	DIVORCED	WIDOWER	WIDOW	SEPARATED	SINGLE	
EMPLOYED BY			6b. EMPLOYER'S ADDRESS				6. HOW LONG EMPLOYED		6a. OCCUPATION			
WIFE'S NAME			7b. SPOUSE'S OCCUPATION			7c. SPOUSE EMPLOYED BY						
NUMBER OF CHILDREN		8b. AGES OF CHILDREN		8c. IS CHILD CARE AVAILABLE		9. HOW LONG HAVE YOU LIVED IN ALASKA						
YOU EVER CONVICTED FELONY	YES	NO	10b. IF YES HAVE YOUR CIVIL RIGHTS BEEN RESTORED	YES	NO	11a. HAVE YOU EVER SERVED ON A JURY	YES	NO	11b. DATE OF LAST JURY SERVICE			
MAIL ADDRESS				12b. IF ADDRESS AT LEFT IS INCORRECT, SHOW CORRECTLY				12c. RESIDENCE ADDRESS				
YOU DRIVE A MOTOR VEHICLE	YES	NO	13b. IF YES HOW LONG	14. HOW FAR DO YOU LIVE FROM THE COURT HOUSE LOCATED AT 4th AND K STREETS IN ANCHORAGE?								
15. ANSWER YES OR NO TO THE FOLLOWING QUESTIONS						<p>A PERSON MAY CLAIM EXEMPTION AND MAY BE EXCUSED FROM JURY DUTY</p> <p>A. IF HIS HEALTH, THE HEALTH OR PROPER CARE OF HIS FAMILY OR THE SICKNESS OR DEATH OF A MEMBER OF HIS FAMILY MAKES IT NECESSARY FOR HIM TO BE EXCUSED (Physician's Certificate Required)</p> <p>B. OR IF HE IS: 1) A JUDICIAL OFFICER; 2) AN ATTORNEY; 3) A MINISTER OF THE GOSPEL OR PRIEST OF ANY DENOMINATION; 4) ANY OTHER CIVIL OFFICER OF THE STATE OF ALASKA OR THE UNITED STATES WHOSE DUTIES ARE AT THE TIME INCONSISTENT WITH HIS OR HER ATTENDANCE OR SERVICE AS A JUROR; 5) A TEACHER IN A UNIVERSITY, COLLEGE, ACADEMY OR SCHOOL; 6) A PRACTICING PHYSICIAN; 7) A PRACTICING DENTIST.</p>						
15a. ARE YOU A CITIZEN OF THE UNITED STATES? IF YES BY BIRTH <input type="checkbox"/> OR NATURALIZATION <input type="checkbox"/>												
15b. ARE YOU A RESIDENT OF THE STATE OF ALASKA?												
15c. ARE YOU AT LEAST 19 YEARS OF AGE?												
15d. CAN YOU READ AND SPEAK THE ENGLISH LANGUAGE?												
15e. ARE YOU OF SOUND MIND?												
15f. DO YOU HAVE ADEQUATE EYESIGHT TO SERVE ON JURY DUTY (CORRECTABLE WITH GLASSES)?												
15g. DO YOU HAVE ADEQUATE HEARING TO SERVE ON JURY DUTY (CORRECTABLE WITH HEARING DEVICE)?												
PLAIN ALL NO ANSWERS (USE BACK IF NEEDED)												
WILL BE EXCUSED FROM JURY DUTY IF ANY OF THE ABOVE ARE VALIDLY MARKED NO												
16. ANSWER YES OR NO TO THE FOLLOWING QUESTIONS						17a. ARE YOU IN ANY OF THESE CATEGORIES		YES	NO	17b. WHICH ONE		
16a. HAVE YOU OR ANY MEMBER OF YOUR IMMEDIATE FAMILY EVER BROUGHT SUIT FOR PERSONAL INJURIES?												
16b. HAVE YOU OR ANY MEMBER OF YOUR IMMEDIATE FAMILY EVER BEEN SUED FOR PERSONAL INJURIES?												
16c. HAVE YOU OR ANY MEMBER OF YOUR IMMEDIATE FAMILY EVER BEEN A PARTY TO ANY OTHER KIND OF LAWSUIT?												
16d. ARE YOU RELATED TO OR CLOSE FRIENDS WITH ANY LAW ENFORCEMENT OFFICER OR PROSECUTOR?												
										17c. DO YOU REQUEST EXCUSE FROM JURY DUTY BECAUSE OF BEING IN SUCH CATEGORY		
										IF YOU NEED TO REQUEST AN EXCUSE ON ANY OTHER GROUNDS, A WRITTEN EXPLANATION IS REQUIRED TO ACCOMPANY THIS QUESTIONNAIRE IF POSSIBLE		
CERTIFY THAT THE ANSWERS TO THE ABOVE QUESTIONS ARE TRUE AND CORRECT						A PHYSICIAN'S STATEMENT IS REQUIRED FOR ALL PHYSICAL IMPAIRMENTS						
SIGNATURE						DATE						
						ALL FEES FOR JURY SERVICE ARE PAID AT PUBLIC EXPENSE						

FOR THE TRIAL COURTS - THIRD JUDICIAL DISTRICT - STATE OF ALASKA

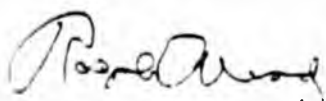
SUMMONS FOR PETIT JURY DUTY


You are hereby summoned to appear before the Trial Courts for the State of Alaska, Third Judicial District, in the Alaska Court Building at 303 K Street for jury duty.

Please complete and return the enclosed questionnaire (pink sheet) within ten days. Return only the completed questionnaire (pink sheet) and any supporting letters necessary. **KEEP THIS SUMMONS AND INFORMATION (white sheet)** as it will not be sent to you again.

You are required to comply with this summons unless notified by the Court that you have been excused. Consider any request for excusal denied unless you are so notified. **THIS IS THE ONLY OPPORTUNITY TO REQUEST AN EXCUSE.**

Failure to attend in accordance with this summons is punishable by fine, imprisonment, or both, unless excused by the Court.


RALPH E. MOODY PRESIDING JUDGE

NAME OF PERSON SUMMONED	<p align="center">PLACE THIS INFORMATION NEXT TO YOUR TELEPHONE AS YOU WILL NEED IT ON A DAILY BASIS DURING YOUR PERIOD OF JURY SERVICE.</p> <p align="center">278 - 3618  JURY CALL-IN NUMBER AFTER 4:00 PM</p>
FIRST DAY TO CALL IN	
LAST DAY TO CALL IN	
YOU HAVE BEEN ASSIGNED TO THIS CALL IN GROUP	

1. The Alaska Court uses a "call-in" system to inform jurors when their services will be required on the next trial day. Each of you must understand and observe several key provisions if this system is to work:
 - a. You have been divided into groups so that the message can be brief. Please remember your group designation.
 - b. Whenever you are actually serving on a jury, you must follow the instructions of the Judge. You should not call in unless the trial is completed and you have been excused from that panel.
 - c. Each juror not actually serving on a jury must call the telephone number noted above after 4:00 p.m. each day. You can expect to receive a recorded message such as "The following groups will be needed Monday, July 1, room 402, at 9:00 a.m. Groups A, B, and C, plus Deborah Doe and Richard Roe."
 - d. If your group or name is not mentioned in the message, you are excused from service and should not come in the next day. However, remember to call in the next evening.
2. FAILURE TO MAKE THE REQUIRED DAILY PHONE CALL OR TO APPEAR IN ACCORDANCE WITH INSTRUCTIONS ON THE RECORDED MESSAGE IS PUNISHABLE BY FINE, IMPRISONMENT, OR BOTH, UNLESS EXCUSED BY THE COURT.

PLEASE READ REVERSE FOR GENERAL INFORMATION ON JURY SERVICE

General Information For Jurors

Location The Courthouse is located at 303 K Street. It is a two-building complex. When you are notified to report for service as a juror, you will usually be asked to report to room 402, which is in the building closest to Third Avenue.

Questions concerning jury service should be directed to the Jury Clerk, room 405, telephone 278-3618. You may receive emergency calls through this number also.

Room 402 is the Jury Assemble Room. Coffee is available there, as well as magazines. You may bring a lunch and eat there or go to the basement where there are tables, chairs, and vending machines.

You will not necessarily serve the entire term. Your name will be randomly selected for individual trials. Should you be serving as a member of a trial jury panel at the expiration of the term, you will be required to continue your service until the case has been completed or you are discharged by the Court. Normally, jury trial hours are from 9:00 a.m. to 4:30 p.m. and occasionally later, Mondays through Fridays.

Juror Fees The jury fee is \$15.00 for each full day of service and \$7.50 for each half day of service. Payment is computed on the last day of service, sent to the computer for printing of checks and compilation of statistical reports, and a check will be mailed to you within two weeks. On your check it will be itemized by dates and full or half day service.

Certificate of Service Many employers require that a certificate of attendance be furnished as proof of jury service. If this is required of you, a certificate may be obtained from the Jury Clerk. They may be done on a daily basis.

We will try to cause you as little inconvenience as possible during your period of service as a juror. However, there will be times when you will be called to appear for service only to find that a jury is not needed. This happens when a case settles at the time it is scheduled for trial. The Court has no control over this. All litigants have the right to change their plea. This is part of the American system of justice. Also we try to give about a days notice when you will be needed. Sometimes, however, cases come up that we will need to call you by phone to come in as soon as possible. There will also be times when you will spend time waiting in a jury room while counsel are arguing motions to the Court out of the presence of the jury. We hope that your waiting time will be minimal and that you will find your service as a juror to be interesting and enjoyable.

SFA P 77/12/01 050546-1 PANEL 01

RCHN D ABBOTT
PO BOX 843
FAIRBANKS AK

99707

SFA P 77/12/01 050647-7 PANEL 01

WARD ADAMS
ST RT BOX 501a8
FAIRBANKS AK

99701

SFA P 77/12/01 050727-7 PANEL 01

FATRICIA C BROOKS
4020-3 PINE ST
FT WAINWRIGHT AK

99703

SFA P 77/12/01 050729-3 PANEL 01

V J FERGUSON
809 16 ST
FAIRBANKS AK

99701

PLEASE PRINT RETURN ADDRESS

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PERMIT NO. 81
ANCHORAGE, ALASKA

BUSINESS REPLY MAIL NO POSTAGE STAMP NECESSARY IF MAILED IN THE UNITED STATES

POSTAGE WILL BE PAID BY

**ALASKA COURT SYSTEM
303 K STREET
ANCHORAGE, ALASKA
99501**



ATTN: JURY CLERK

35

JURY CLERK
ALASKA COURT SYSTEM

FROM



FIRST CLASS MAIL
U.S. POSTAGE
PAID ONE OUNCE
PERMIT NO. 310

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

TO

[Redacted]

POSTMASTER:
Please do not forward
out of Alaska

36

[Large redacted area]

J7- S

- IMPORTANT -

JURY QUESTIONNAIRE ENCLOSED — OPEN AND READ IMMEDIATELY

FOR THE TRIAL COURTS

STATE OF ALASKA

<p>PLEASE KEEP THIS SHEET FOR YOUR INFORMATION</p>	<p>GREETINGS: You have been selected to serve as a juror for the Trial Courts.</p>
<p>THE LOCATION OF THE COURT HOUSE IS</p>	
<p>THE JURY CLERK'S PHONE NUMBER IS</p>	<p>if you request and are granted an excuse from service, you will be so notified. THIS IS THE ONLY OPPORTUNITY TO REQUEST AN EXCUSE. NOT RECEIVING A REQUEST FOR EXCUSE, AND IF FOUND QUALIFIED YOU WILL BE SUMMONED TO SERVE. A summons will be issued for the commencement of your service and you will be furnished instructions regarding your appearance.</p>
<p>Please complete the attached questionnaire (pink sheet) immediately, answer all questions, date and sign it, and mail it with any required enclosures to the Jury Clerk. A postage paid return envelope is provided for your convenience. Please refer all questions to the jury clerk before 4:00 P.M. The phone number for the jury clerk is shown above.</p>	<p>Failure to return the completed questionnaire within seven (7) days after its receipt will result in a summons being issued for your personal appearance before the court to explain why you failed to comply with this request.</p>
<p>INFORMATION SHEET</p>	

FOLD FLAP DOWN AND MOISTEN TO SEAL

INTERNATIONAL MAIL PERMIT NO. 81 ANCHORAGE, ALASKA

PLEASE USE THIS POSTAGE PAID ENVELOPE TO RETURN YOUR COMPLETED QUESTIONNAIRE AND ACCOMPANYING STATEMENTS

PLEASE PRINT RETURN ADDRESS

**FIRST CLASS
PERMIT NO. 81
ANCHORAGE, ALASKA**

BUSINESS REPLY MAIL **NO POSTAGE STAMP NECESSARY IF MAILED IN THE UNITED STATES**

POSTAGE WILL BE PAID BY

ALASKA COURT SYSTEM



38

ATTN: JURY CLERK

CLERK
ALASKA COURT SYSTEM
K STREET
ANCHORAGE, ALASKA 99501



FIRST CLASS MAIL
U.S. POSTAGE
PAID ONE OUNCE
PERMIT NO. 250



TO

EXCUSE FROM JURY SERVICE

J - 8

FOR THE TRIAL COURTS - THIRD JUDICIAL DISTRICT - STATE OF ALASKA

EXCUSE FROM JURY SERVICE

TO

You have been excused from service as a member of our jury panel for the reason shown below. It is not necessary for you to appear on the date for which you were summoned.


RALPH E. MOODY PRESIDING JUDGE

JURY CLERK - ALASKA COURT SYSTEM

TO

You have been excused from service as a member of our jury panel for the reason shown below.

**EXCUSE
FROM
JURY
SERVICE**

TRIAL COURTS
STATE OF ALASKA
____ JUDICIAL DISTRICT
____, Alaska 99 ____

DATE: _____

You have been excused from service as a member of our petit jury panel for the reason listed below.

It is not necessary for you to appear on the date for which you were summoned.

- | | |
|---|---|
| <input type="checkbox"/> Child Care | <input type="checkbox"/> Hardship |
| <input type="checkbox"/> Non Resident | <input type="checkbox"/> Medical |
| <input type="checkbox"/> Under Age | <input type="checkbox"/> Profession |
| <input type="checkbox"/> Over 30 miles | <input type="checkbox"/> No Transportation |
| <input type="checkbox"/> Served within 2 years | <input type="checkbox"/> Out of State |
| <input type="checkbox"/> Not a U.S. Citizen | <input type="checkbox"/> Civil Rights Revoked |
| <input type="checkbox"/> Excused to a Later Date: _____ | |

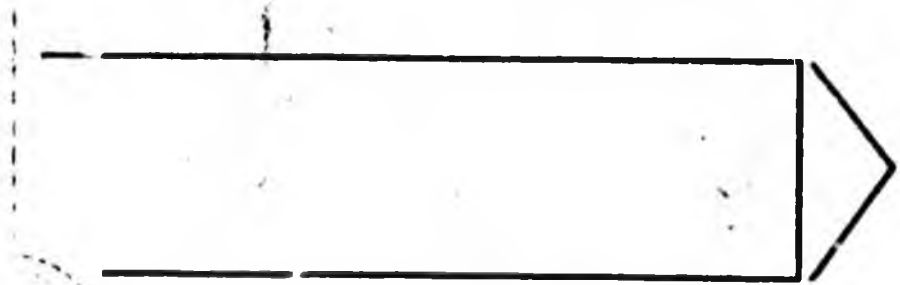
Very truly yours,

SUPERIOR COURT JUDGE/MAGISTRATE

JURY CLERK - ALASKA COURT SYSTEM



**FIRST CLASS MAIL
U.S. POSTAGE
PAID ONE OUNCE
PERMIT NO. 250**



TO



42

JURY SUMMONS ENCLOSED - OPEN AND READ IMMEDIATELY

J - 9

JURY CLERK - ALASKA COURT SYSTEM

|| |

TO

GREETINGS: You are hereby summoned to appear in this court at the date and time shown to serve as a juror on any matter regularly brought before the Court, and you will serve until such time as you are excused by a judicial officer of competent jurisdiction.

DATE TO APPEAR

TIME TO APPEAR

JURY SUMMONS

43

THIS IS TO REMIND YOU THAT YOU HAVE BEEN SUMMONED TO APPEAR BEFORE THE TRIAL COURTS, THIRD JUDICIAL DISTRICT, AT ANCHORAGE. THIS COURT USES A CALL-IN SYSTEM TO INFORM JURORS OF THE EXACT DATE AND TIME THEIR SERVICES WILL BE REQUIRED. YOUR CALL IN GROUP AND THE FIRST AND LAST DAYS TO CALL IN ARE SHOWN ON THE REVERSE SIDE OF THIS NOTICE.

IF YOU HAVE ANY QUESTIONS, PLEASE CALL ME AT 278-3618, BEFORE 4:00 PM.

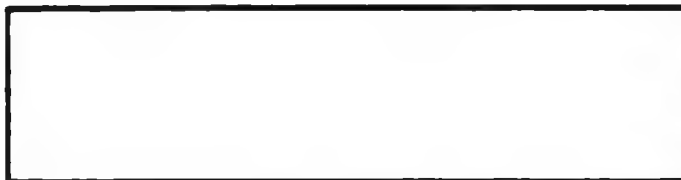
THANK YOU

JURY CLERK

JURY CLERK
ALASKA COURT SYSTEM
303 K STREET
ANCHORAGE, ALASKA 99501



FIRST CLASS MAIL
U.S. POSTAGE
PAID ONE OUNCE
PERMIT NO. 250



CALL IN NUMBER
AFTER 4:00 P.M.
278-3618

PLEASE READ REVERSE

J-10

FIRST DAY TO CALL IN

LAST DAY TO CALL IN

CALL IN GROUP

DISQUALIFICATION/EXCUSAL ROSTER

Name	Venira No.	Date Excused	Reason for Excuse
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
12			
13			
14			
15			
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20			
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26			
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28			
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31			
32			
33			
34			
35			
36			
37			

JUROR ATTENDANCE ROSTER

Name	Comments	Days in Trial				
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
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18						
19						
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33						
34						
35						

THE (SUPERIOR) (DISTRICT) COURT FOR THE STATE OF ALASKA

AT _____

PLAINTIFF

vs.

DEFENDANT

JUDGE

CASE NO. _____

_____, 19____

No. of Jurors
sent to the
Courtroom

Date

Time

Voir Dire Started	Voir Dire Ended	Delibera- tion Started	Delibera- tion Ended

SELECTION OF JURORS

No.	Name	Excused				court for cause	Remarks
		Plaintiff		Defendant			
		Cause	Peremp- tory	Cause	Peremp- tory		
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							

Certificate of Jurors' Attendance

THE TRIAL COURTS FOR THE STATE OF ALASKA
____ JUDICIAL DISTRICT

This is to certify that _____
attended upon this court as a juror duly summoned according to law on
_____ (date).

Presiding Judge

BY _____
Jury Clerk

DATED: _____

ALASKA COURT SYSTEM

JURY SERVICE EXIT QUESTIONNAIRE

Your answers to the following questions will help improve jury service. All responses are voluntary and confidential.

1. How many times did you show up at the courthouse? _____
2. Approximately how many hours did you spend at the courthouse? _____
3. Of these hours, how many were spent in the jury waiting room? _____
4. How many times were you chosen to report to a courtroom? _____
5. How many times were you actually selected to be juror? _____
6. Have you ever served on jury duty before? _____ How many times? _____
7. Did you lose income as a result of jury Service? Yes How much? _____
 No
8. After having served, what is your impression of jury service? (Answer one)
 - A. The same as before - favorable
 - B. The same as before - unfavorable?
 - C. More favorable than before?
 - D. Less favorable than before?
9. In what ways do you think jury service can be improved?

The following information will help us ensure that we are selecting jurors from a fair cross-section of our population.

10. Age: 18-20 21-24 25-34 35-44 45-54 55-64 65-Over

 (a) (b) (c) (d) (e) (f) (g)
11. Sex: Female
 Male
12. Occupation: _____
13. Race: _____



Trial Courts

State of Alaska

THIRD JUDICIAL DISTRICT
303 K STREET
ANCHORAGE, ALASKA 99501

TO: ALL JURORS

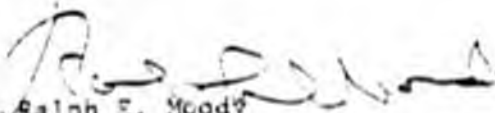
On behalf of the Alaska Court System, I want to thank you for your participation as a petit juror in our judicial system.

We realize the inconvenience of readjusting personal schedules to appear when jury panels are called, the waiting involved during the jury selection process, or being called only to find that a jury is not needed because the case has settled too late, making it impossible to call and advise the jurors not to report.

This is part of the American system of justice, in which every person has the opportunity to be judged by a group of his peers. We hope that you have found your service as a juror to be interesting and enjoyable.

Jury fees are paid at the rate of \$15.00 for a full day of service and \$7.50 for a half day of service. In addition to the jury fees, a parking allowance is paid at \$5.00 for a full day and \$2.50 for a half day.

Sincerely,


Ralph E. Moody
Presiding Judge
Third Judicial District

APPENDIX 3

JURY SYSTEM REPORTS

1. Venire List
2. Jurors by Venire Number
3. Juror by Name
4. Jurors Summons
5. Jurors Excused

1/16/77

LIST OF JURORS IN ORDER BY JUROR NUMBER

PAGE

1

JURY	JUROR NUMBER	LNAME	FNAME	MI	DOB	ADDRESS CITY ST	COURT SERVING	JURY TYPE	DATE SELECTED	CG	TALLY
10	050732-7	URPMAN	K	F		1373 TURNER ST. FAIRBANKS AK	SFA	P	780101	01	
10	050756-5	COOPER JR	DANIEL	M	461913	3312 RIVERVIEW DR FAIRBANKS AK	SFA	P	780101	02	
10	050772-3	APEL	ROBERT	A	571206	238 MOORE HALL U OF A FAIRBANKS AK	SFA	P	780101	03	
10	050774-2	STEOVICIC	MATILDA	M	220424	323 CHARLES ST FAIRBANKS AK	SFA	P	780101	04	
10	050793-4	HULLINGER	WILLIAM	L	330814	4732 DALE RD. FAIRBANKS AK	SFA	P	780101	05	
10	050804-4	GUTLER	MARY	A	310414	4573 WOODRIVER FAIRBANKS AK	SFA	P	780101	06	
10	050812-7	PHATER	JERRY	A	400407	314 SLATER DR FAIRBANKS AK	SFA	P	780101	07	
10	050815-0	ALEXANDER	CHERYL	L	560718	BX 602 1409 SLATER ST #91 FAIRBANKS AK	SFA	P	780101	08	
10	050829-1	ENGEBRETSON	MARIE	F	190121	FAIRBANKS AK	SFA	P	780101	09	
10	050841-6	CAPLU	DONALD	D	440930	305 SLOUGH ST APT 1 FAIRBANKS AK	SFA	P	780101	10	
10	050852-4	SCOTT	P	A		4135 24 EIGHT ST. FT. W. AK	SFA	P	780101	11	
10	050864-0	SELLERS	PATRICIA	A	471127	2 MI LAURANCE RD C-2 FAIRBANKS AK	SFA	P	780101	12	
10	050896-5	MASCHNER	JANE	L	410820	3761 SWENSON FAIRBANKS AK	SFA	P	780101	13	
10	0509	MITCHELL	HEATHLE	L	410827	2117 LISGA FAIRBANKS AK	SFA	P	780101	14	
10	050914-4	CORRIGLLEY	GEORGE	F	440814	712 3RD AVE. FAIRBANKS AK	SFA	P	780101	15	
10	050952-2	SCHAEFF	MARK	L	430214	BOX 60313 FAIRBANKS AK	SFA	P	780101	16	
10	050953-7	STEELE	MICHAEL	S	440722	BOX 5 114 COLLEGE AK	SFA	P	780101	17	
10	050977-2	GORDON	MARY	L	250420	1516 BUTTERFLY LANE FAIRBANKS AK	SFA	P	780101	18	

45

11/16/77

LIST OF JURORS IN ORDER BY LAST NAME

PAGE

1

JURY	NAME	FNAME	MI	DOB	ADDRESS CITY ST	JUROR NUMBER	COURT SERVING	JURY TYPE	DATE SELECTED	CG	TALLY
10	ADAMS	JOSEPH	S	500221	541 7TH FAIRBANKS AK	055017-5	SFA	P	780101	01	
10	ADAMS	NANCY	E	5012-5	1051 DOUGLASS ST FAIRBANKS AK	053077-1	SFA	P	780101	09	
10	AIDY JR	FRANK	L	200010	4011-1 PINE ST FAIRBANKS AK	052035-3	SFA	P	780101	04	
10	AGER	THOMAS	A	400731	11 40TH AVE FAIRBANKS AK	055929-4	SFA	P	780101	22	
10	AIRVAAL JR	MARCIA	J	300104	2950 AIRPORT WAY FAIRBANKS AK	051404-2	SFA	P	780101	14	
10	AIR	YONG	S	400315	517 17TH ST #132 FAIRBANKS AK	053891-8	SFA	P	780101	16	
10	AIRBORNE	CRALD	M	500010	012 3RD AVE FAIRBANKS AK	055295-0	SFA	P	780101	08	
10	ALEXANDER	CHERYL	I	500710	114 022 1907 BEAVER ST FAIRBANKS AK	051015-0	SFA	P	780101	06	
10	ALEXANDER	ROSS	G	700400	500 WASHINGTON FAIRBANKS AK	055350-6	SFA	P	780101	16	
10	ALFORD	HARRY	K	300417	604 54TH NORTH POLE AK	054403-1	SFA	P	780101	21	
10	ALLERS	NIHMA		300010	4034 HARVARD CTR FAIRBANKS AK	053239-0	SFA	P	780101	18	
10	ALPAY	ROBERT	L	470200	2071 LAKEVIEW TERR FAIRBANKS AK	053147-5	SFA	P	780101	26	
10	AMAKER	GEORGE	K	501001	104 0473RD ST FAIRBANKS AK	053051-9	SFA	P	780101	10	
10	AMIDON	CHRISTINA	K	400010	104 10001 FAIRBANKS AK	051600-1	SFA	P	780101	15	
10	AM	MICHAEL	I	400427	3050 AIRPORT RD FAIRBANKS AK	050421-2	SFA	P	780101	22	
10	ANDERSON	ROBERT	I	201100	079 DONNIFIELD FAIRBANKS AK	051700-6	SFA	P	780101	21	
10	ANDERSON	DRUCE		570300	1507 TOWN STREET FAIRBANKS AK	051200-6	SFA	P	780101	07	
10	ANDERSON	CHRISTIAN	G	400200	FAIRBANKS AK	054019-8	SFA	P	780101	02	

LAST NAME	FIRST NAME	MI	JUROR NO					
ADAMS	MARC	W	050113-0	SUMMONS	FOR	73/04/07	CALL	GROUP 39
ADKISON	HARLAN	R	049914-5	SUMMONS	FOR	78/04/07	CALL	GROUP 36
AFFINITO	JOHN		049792-5	SUMMONS	FOR	79/04/07	CALL	GROUP 31
ALECK	R		051041-2	SUMMONS	FOR	73/04/07	CALL	GROUP 33
ALLEN	THOMAS	R	051026-3	SUMMONS	FOR	73/04/07	CALL	GROUP 40
ANDERSON	HARRIHA	L	050172-0	SUMMONS	FOR	78/04/07	CALL	GROUP 28
ANDERSON	ERIC		049644-H	SUMMONS	FOR	73/04/07	CALL	GROUP 27
AREND	GAIL	E	049329-6	SUMMONS	FOR	78/04/07	CALL	GROUP 35
AULIYE	MISCHA	J	051031-J	SUMMONS	FOR	78/04/07	CALL	GROUP 29
AVESUK	M		050435-7	SUMMONS	FOR	78/04/07	CALL	GROUP 29
BADGER II	PAUL	F	050152-8	SUMMONS	FOR	79/04/07	CALL	GROUP 35
BAKER	EDWARD		049198-5	SUMMONS	FOR	73/04/07	CALL	GROUP 28
BAKER	P	P	049146-4	SUMMONS	FOR	78/04/07	CALL	GROUP 35
BALDWIN	BRUCE	D	051203-H	SUMMONS	FOR	78/04/07	CALL	GROUP 30
BALDWIN	RAYMOND	W	050796-2	SUMMONS	FOR	78/04/07	CALL	GROUP 27
BALLOU	RICHARD	E	051433-1	SUMMONS	FOR	78/04/07	CALL	GROUP 39
BANKS	MARY	L	050135-3	SUMMONS	FOR	79/04/07	CALL	GROUP 30
BARDEN	SUSAN	M	049453-4	SUMMONS	FOR	79/04/07	CALL	GROUP 35
BARNETT	DORES	J	049316-J	SUMMONS	FOR	78/04/07	CALL	GROUP 27
BASEL	PATRICIA	M	049322-1	SUMMONS	FOR	73/04/07	CALL	GROUP 30
BAUMANN	ANDREW	E	050802-H	SUMMONS	FOR	78/04/07	CALL	GROUP 31
BEAUGARD	PATRICK	A	050740-0	SUMMONS	FOR	79/04/07	CALL	GROUP 33
BECK	HANDY	W	049251-2	SUMMONS	FOR	78/04/07	CALL	GROUP 32
BERKLEID	CYNTHIA	L	051274-4	SUMMONS	FOR	73/04/07	CALL	GROUP 19
BOETTGER	JUDITH	M	049901-2	SUMMONS	FOR	79/04/07	CALL	GROUP 28
BOWEN	DOUGLAS	H	049615-4	SUMMONS	FOR	78/04/07	CALL	GROUP 38
BRACHER	LARRY		051305-1	SUMMONS	FOR	78/04/07	CALL	GROUP 32
BRAIN	MARY	C	049342-V	SUMMONS	FOR	73/04/07	CALL	GROUP 40

HO1-41K-625M
DATE 03/14/78

JURORS EXCUSED
FOR SAN P 78/04/14

PAGE 21

LAST NAME	FIRST NAME	HI	JUROR NO	
WEGEN	JAMES	E	048934-4	EXCUSED THIS JURY YEAR OUT OF STATE
WEITZ	S	H	047647-3	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WEST	MADA	M	047707-5	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WETZEL	MARK	A	048211-7	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WELTON JR	GEORGE	W	047343-9	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WHITAKER	WILLIAM	H	048871-0	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WHITE	ELLIS	J	048877-7	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WHITE	LINDA	L	048177-0	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WHITE	WILLIAM	L	048172-7	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WHITE III	HAROLD	L	048771-0	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WHITENER	WAYNE	H	048982-5	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WICK	M	H	047205-0	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WIDEMAN	KATHY	I	047415-5	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WIESE	HARRY	C	047949-3	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WILKINGS	KENNETH	H	048199-4	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WILLIAMS	C	M	047939-4	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WILLIAMS	HUTHIE	M	047501-2	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WILLIS	HELEN	K	048160-0	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WILLOIT	RICHARD	H	047930-3	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WILSON	DAVID	L	047410-3	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WILSON	DONALD		047221-7	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WILSON	JENNIFER	L	047574-9	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WILSON	MARY	L	047908-9	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WILSON	WILLARD	G	047197-9	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WINGLHSON	JOHN	H	048982-3	EXCUSED THIS JURY YEAR NON RESIDENT
WINN	G	M	048906-2	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WRIGHT	NEAL	M	047886-3	EXCUSED THIS JURY YEAR RETURNED BY MAIL
WUERTH	MARIA		048871-4	EXCUSED THIS JURY YEAR RETURNED BY MAIL

APPENDIX 4

OPERATING PROCEDURES FOR AUTOMATED
JURY SYSTEM

(To be provided at a later date.)

APPENDIX 5

JURY STATUTE
CODE OF CIVIL PROCEDURES

Chapter 20. Trial.

Article

- 1. Jurors (§§ 09.20.010—09.20.100)
- 2. Witnesses (§§ 09.20.110—09.20.180)

Article 1. Jurors.

Section

- 10. Qualification of jurors
- 20. Disqualification of jurors
- 25. Limitation on jury service
- 30. Exemptions
- 40. Compliance with statute
- 50. Jury list

Section

- 60. Use of jury box
- 70. Public drawing for jurors for panel
- 80. Jury panel
- 90. Impaneling the trial jury
- 100. Verdicts

Sec. 09.20.010. Qualification of jurors. A person is qualified to act as a juror if he is

- (1) a citizen of the United States;
- (2) a resident of the state;
- (3) at least 19 years of age;
- (4) of sound mind;
- (5) in possession of his natural faculties; and
- (6) able to read or speak the English language. (§ 2.01 ch 101 SLA 1962; am § 3 ch 245 SLA 1970)

Cross reference. — See Civ. R. 47(c).

Legislative committee report. — Chapter 245, SLA 1970 (HCSSB 399 am H), was identical to CSHB 406 (Jud.). For report on CSHB 406 (Jud.), see 1970 House Journal Supplement — 6.

To define the qualification of jurors and prescribe the mode of their selection is a rightful subject of legislation. *Tynan v. United States*, 297 F. 177 (9th Cir.), cert. denied, 266 U.S. 604, 45 S. Ct. 91, 69 L. Ed. 463 (1924).

Quoted in *City of Kotzebue v. Ipa-* look, Sup. Ct. Op. No. 588 (File No. 1033), 462 P.2d 75 (1969).

Am. Jur., ALR and C.J.S. refer-

ences.—31 Am. Jur., Jury, §§ 67 to 101, 121 to 145.

Unfamiliarity with English as affecting competency of juror, 34 ALR 194.

Effect of exclusion of women from jury list, 52 ALR 922.

Intelligence or character test of qualifications of juror, 126 ALR 507.

Religious test of qualifications of juror, 126 ALR 526.

Loyalty test of qualifications of juror, 126 ALR 529.

Women as jurors, 157 ALR 561.

Deafness of juror as ground for impeaching verdict; waiver of objection thereto, 15 ALR2d 534, 537.

50 C.J.S. Juries §§ 134 to 152.

Sec. 09.20.020. Disqualification of jurors. A person is disqualified to act as a juror if he

- (1) has served as a juror in the state within one year of his time of examination for service;
- (2) has been convicted of a felony and his civil rights have not been restored. (§ 2.02 ch 101 SLA 1962)

Cross reference. — See Civ. R. 47(c).

ALR and C.J.S. references.—Criminal charge or conviction as disqualifying juror, 126 ALR 518.

Removal by executive of disqualif-

cation resulting from conviction of crime as applicable in case of conviction in federal court or court of another state, 135 ALR 1423.

Governing laws as to existence or character of offense for which one

has been convicted in a federal court or court of another state, as bearing upon disqualification to sit on jury, 175 ALR 805.

50 C.J.S. Juries §§ 153, 154.

Sec. 09.20.025. Limitation on jury service. No person may be required to serve more than three months as a juror during any consecutive two-year period. However, if a person is serving as a juror at the conclusion of the three months period, he shall complete the trial then in progress. (§ 1 ch 147 SLA 1968)

Legislative committee report.—For 548 am S), see 1968 House Journal, report on ch. 147, SLA 1968 (CSHB p. 497.

Sec. 09.20.030. Exemptions. A person may claim exemption and may be excused from service as a juror if it is shown that jury service will cause him to suffer material injury or destruction to his property or to the property entrusted to him, or if his health, the health or proper care of his family, or the sickness or death of a member of his family makes it necessary for him to be excused, or if he is

- (1) a judicial officer;
- (2) any other civil officer of the state or United States whose duties are at the time inconsistent with his attendance or service as a juror;
- (3) an attorney;
- (4) a minister of the gospel or priest of any denomination;
- (5) a teacher in a university, college, academy, or school;
- (6) a practicing physician;
- (7) a practicing dentist. (§ 2.03 ch 101 SLA 1962, am § 1 ch 8 SLA 1964)

Cross reference.—See Civ. R. 47. officers as jurors in criminal cases, ALR and C.J.S. references. — Po- 140 ALR 1183.
lice officers or other law enforcement 50 C.J.S. Juries § 153.

Sec. 09.20.040. Compliance with statute. The selection of jurors shall be made in substantial compliance with the following provisions. A failure in substantial compliance which prejudices the rights of a party is reversible error. (§ 2.04 ch 101 SLA 1962)

Cross reference.—See Civ. R. 47.

Sec. 09.20.050. Jury list. (a) At such times as need may require, but not later than March 15 of each year, the administrative director of courts shall prepare for each judicial district a list of the names of the residents of the district who are qualified by law for jury service. If the superior court is located in different cities in the same judicial district, the administrative director shall prepare for each location of the court a list of the names of the qualified residents of that portion of the district considered by him to be appropriate.

(b) The jury list shall be based on a list of all persons who pur-

chased a resident trapping, hunting or fishing license during the preceding calendar year which showed an Alaskan address (to be prepared by the Department of Fish and Game), a list of all persons who filed a state income tax return during the preceding calendar year which showed an Alaskan address (to be prepared by the Department of Revenue), and a list of all persons who have registered to vote in this state (to be prepared by the lieutenant governor). The departments and the lieutenant governor shall submit their respective files to the Department of Administration not later than January 15 of each year. To the extent that it is available, the files submitted by the departments and the lieutenant governor shall contain the following information for each person on the list for the preceding calendar year: his first name, middle initial, and last name; his residence address as well as his mailing address, including the zip code for each; his social security number; his birth date; and the number of years and months he has been a resident of the state. The files submitted by the departments and the lieutenant governor shall be recorded on magnetic tape compatible with Department of Administration data processing equipment.

(c) A copy of the appropriate portion of the jury list shall be transmitted only to each district judge and each superior court judge, and shall only be used to summon jurors and for other state governmental purposes. A questionnaire for prospective jurors may be adopted and submitted to them by the administrative director of courts. (§ 2.05 ch 101 SLA 1962; am § 3 ch 24 SLA 1966; am § 1 ch 67 SLA 1969; am § 1 ch 10 SLA 1971)

Cross references.—See Civ. R. 47. See AS 22.10.030 and note thereto.

Legislative committee report.—For report on ch. 10, SLA 1971 (SCS CSHB 48 am S), see 1971 House Journal, p. 78.

Constitutionality.—There is nothing to indicate that under the voting list method of selection a fair cross section of the community is not represented, and that there is a systematic and intentional exclusion of a particular, cognizable group of persons. *Green v. State*, Sup. Ct. Op. No. 592 (File No. 1177), 462 P.2d 994 (1969).

Meeting constitutional standard in jury selection.—The constitutional standard in jury selection will be met if prospective jurors are drawn from a fair cross section of the community. *Green v. State*, Sup. Ct. Op. No. 592 (File No. 1177), 462 P.2d 994 (1969); *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

Legislative intent.—If the legislature had intended that a new list be prepared under the 1969 amendment on or immediately after the effective date of that amendment, it could easily have indicated its intent in this regard. *Green v. State*, Sup. Ct. Op. No. 592 (File No. 1177), 462 P.2d 994 (1969).

A determination of the method for selecting juries is a matter within the legislative prerogative. *Green v. State*, Sup. Ct. Op. No. 592 (File No. 1177), 462 P.2d 994 (1969).

Jury selection in Alaska is regulated by statute and rules of procedure. *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

This section provides for expansion of sources from which jury lists are compiled. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The jury is an essential institution

in a democracy. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

As an institution, the jury offers Alaska citizens the opportunity to participate in the workings of government, and serves to legitimize the Alaska system of justice in the eyes of both the public and the accused. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

And it serves multifaceted purposes. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The essential feature of a jury obviously lies in the interposition between the accused and his accuser of the common-sense judgment of a group of laymen, and in the community participation and shared responsibility that results from that group's determination of guilt or innocence. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The very idea of a jury is a body of men composed of the peers or equals of the person whose rights it is selected or summoned to determine; that is, of his neighbors, fellows, associates, persons having the same legal status in society as that which he holds. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The right to a jury trial is a fundamental right, recognized as such throughout the nation by the constitutions of all the states and the federal government. Not only is such a right recognized, but it has been protected against nullification by the improper constitution of juries. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The right to jury trial contained in the 6th amendment is directly applicable to state prosecutions. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

A jury is primarily charged with the task of finding the truth of the facts asserted. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

And the jury fulfills other equally vital political and psychological purposes. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

A jury must be an impartial one. This is an expression of the notion of what a proper jury is—a body truly representative of the community. Such a notion is in keeping with the basic, traditional concept of a democratic society and representative government. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The right to trial before an impartial jury is explicitly secured to individuals accused of crimes by Alaska Const., art. I, § 11. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

Failure to provide accused with an impartial jury constitutes a denial of his constitutional right to due process of law. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The extension to the states of the 6th amendment right to jury trial necessarily comprehends the guarantee that juries shall be impartial. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

Representation of a fair cross section of the community on the jury list is an essential prerequisite to an impartial jury under the Alaska Constitution. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

It is part of the established tradition in the use of juries as instruments of public justice that the jury be a body truly representative of the community. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

A jury will be deemed impartial when the source from which it is drawn reasonably reflects a cross section of the population. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

An individual should not be forced, against his will, to stand trial before a jury which has been selected in such a manner as to exclude a significant element of the population of the community in which the crime was allegedly committed. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The contours of a fair cross section of the community are elusive and, indeed, they may not be susceptible of precise definition. *Alvarado v. State*,