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HJ

INTERIM FILES, JURY

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 10 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, cognisable 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*,

Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

Common-law vicinage.—See Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

Vicinage in the historical sense is no longer a formal requirement. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The Alaska Constitution contains no formal provision for a jury of the vicinage. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The source of prospective jurors need not, in all instances, include residents of the place in which the crime was allegedly committed, for it is conceivable that the source of prospective jurors may exclude the scene of the alleged offense, yet still reasonably represent a cross section of the community which includes the scene of the offense. Thus, several decisions imply that selection of prospective jurors from a restricted area within a judicial district, even if the scene of the crime is omitted from that area, will be acceptable if there is no indication that the population of the restricted area differs significantly from the population of entire district. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The traditional starting point for determining the community from which jurors are to be selected is the scene of the alleged offense. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The legislature, has designated Alaska's four judicial districts as outer community boundaries for the purpose of selecting prospective jurors. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

Judicial districts are not necessarily the only acceptable communities for the purpose of jury selection. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The practice of selecting jurors from more limited areas within Alaska judicial districts has been upheld. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

It is the community in which the

crime was committed that the jury must represent. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The area surrounding the location of the crime may be excluded from the source of selection when it appears that an unbiased jury could not be drawn therefrom. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

Selecting jurors for cases arising within urban centers. — For cases arising from crimes allegedly committed within the various urban centers of Alaska, the maintenance of geographical limits currently in force will be acceptable; provided, of course, that selection within the given areas is not itself discriminatorily conducted. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

And for cases arising outside urban and non-native centers.—As for cases arising outside the urban and predominately non-Native centers of Alaska, two acceptable and feasible alternatives may be employed in selecting jurors. First, jurors may be selected from among residents of the entire judicial district in which the crime is alleged to have occurred. A second alternative, one which is perhaps at the same time more desirable and more workable than the first, would be selection of jurors from the senate election district in which the crime is alleged to have occurred. Either of these alternatives would be calculated to produce jury panels satisfying the constitutional requirement of impartiality. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

All differences among individuals need not be recognized. — All differences among individuals, or every conceivable group, in the community need not be recognized for the purpose of representation on juries. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

The exclusion of all daily wage earners is inconsistent with the notion of a jury representing a cross section of the community. Alvarado v. State, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

Systematic exclusion of women effectively negates the possibility of a jury representing a fair cross section

of the community. *Alvarado v. State*, Sup. Ct. Op. No. 704 (File No. 1230), 486 P.2d 891 (1971).

**Selection of grand and petit jurors.**

—The provisions of this section and §§ 60 and 70 of this chapter permit each district to determine for itself questions pertaining to the selection of grand and petit jurors. *Crawford v. State*, Sup. Ct. Op. No. 312 (File No. 637), 408 P.2d 1002 (1965).

**Jury selection procedures designed to insulate process from biases of officials.**—Alaska's random and public jury selection procedures are designed to insulate the selection process from the personal interests and biases of governmental officials. *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

Mere claim of benefit did not sug-

gest officials biased.—The mere claim that officials conducting proceedings for selecting jurors which composed a condemnation trial panel stood to benefit from the construction of a new courthouse in no way suggested that those officials harbored any personal interest or bias against owners whose lots were to be condemned for the construction. *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

**Presumption that official duty has been regularly performed.**—See *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

Stated in *Irwin v. Radio Corp. of America*, Sup. Ct. Op. No. 421 (File No. 744), 430 P.2d 159 (1967).

C.J.S. reference.—50 C.J.S. *Juries* § 157.

**Sec. 09.20.060. Use of jury box.** The clerk of the court shall write the names included in the list on separate pieces of paper or prepare metal, plastic, or other types of pieces to correspond to numbers on the jury list. As directed by the court, he shall deposit the named or numbered pieces in the jury box in a number and manner to assure a fair and impartial drawing of the jury panel. The jury box and the named or numbered pieces may be examined by the parties or by an attorney authorized to practice law in the state within limitations and under conditions prescribed by the court. (§ 2.06 ch 101 SLA 1962)

**Cross reference.**—See Civ. R. 47.

**Jury selection procedures designed to insulate process from biases of officials.**—Alaska's random and public jury selection procedures are designed to insulate the selection process from the personal interests and biases of governmental officials. *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

Mere claim of benefit did not suggest officials biased.—The mere claim that officials conducting proceedings for selecting jurors which composed a condemnation trial panel stood to benefit from the construction of a new courthouse in no way suggested

that those officials harbored any personal interest or bias against owners whose lots were to be condemned for the construction. *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

**Presumption that official duty has been regularly performed.**—See *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

Stated in *Irwin v. Radio Corp. of America*, Sup. Ct. Op. No. 421 (File No. 744), 430 P.2d 159 (1967).

Cited in *Green v. State*, Sup. Ct. Op. No. 592 (File No. 1177), 402 P.2d 994 (1969).

**Sec. 09.20.070. Public drawing for jurors for panel.** Under the direction of the court the clerk shall conduct the public drawing of jurors for the panel by shaking the box to mix the named or numbered pieces. The clerk shall then draw as many names or numbers as are ordered by the court to fill the jury panel. If the name or number of a person is drawn from the box and the person is deceased, unqualified, disqualified, or the person's atten-

dance cannot be obtained within a reasonable time or may involve a large and unnecessary expense, and the fact appears to the satisfaction of the court through the use of questionnaires or otherwise, the court may reject the name of that person and direct that the name or number of another be drawn in his place. (§ 2.07 ch 101 SLA 1962)

**Cross reference.**—See Civ. R. 47.

**Constitutionality.**—This section is not violative of Alaska Const., art. I, § 11. *West v. State*, Sup. Ct. Op. No. 319 (File No. 572), 409 P.2d 847 (1966).

**Names of persons for the jury panel** are randomly selected from the jury list by the court clerk at a public drawing. *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

**Summoning jurors from less than entire judicial district** is discretionary.—The question of how the superior court is to make the decision as to whether jurors should be summoned from less than the entire judicial district is for the court to determine in its discretion. *Crawford v. State*, Sup. Ct. Op. No. 312 (File No. 637), 408 P.2d 1002 (1965).

The legislature has given to the superior court the power to determine whether jurors should be summoned from less than the entire judicial district. *Crawford v. State*, Sup. Ct. Op. No. 312 (File No. 637), 408 P.2d 1002 (1965).

**And expense is standard which guides the court.**—The standard which guides the court in making a determination as to whether jurors should be summoned from less than the entire judicial district is whether a large and unnecessary expense is involved in obtaining jurors from all parts of the district. *Crawford v. State*, Sup. Ct. Op. No. 312 (File No. 637), 408 P.2d 1002 (1965).

**Selecting only jurors residing within 30 miles of trial site held proper.**—See *West v. State*, Sup. Ct. Op. No. 319 (File No. 572), 409 P.2d 847 (1966).

A grand jury selected from the city of Anchorage and an area within a 15-mile radius of the city is a jury which satisfies proper standards of jury selection. *Crawford v. State*, Sup. Ct. Op. No. 312 (File No. 637), 408 P.2d 1002 (1965).

The policy of calling jurors only from an area within a 15-mile radius of the city of Anchorage does not result in the exclusion from jury service of any particular and defined stratum of society so as to detract from the broad base that the jury system is designed to have. *Crawford v. State*, Sup. Ct. Op. No. 312 (File No. 637), 408 P.2d 1002 (1965).

It is not required that there be equal representation on juries of every economic, social, religious, racial, political and geographical group of the entire judicial district in order to maintain the broad base that the jury system is designed to have. *Crawford v. State*, Sup. Ct. Op. No. 312 (File No. 637), 408 P.2d 1002 (1965).

**Jury selection procedures designed to insulate process from biases of officials.**—Alaska's random and public jury selection procedures are designed to insulate the selection process from the personal interests and biases of governmental officials. *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

**Mere claim of benefit did not suggest officials biased.**—The mere claim that officials conducting proceedings for selecting jurors which composed a condemnation trial panel stood to benefit from the construction of a new courthouse in no way suggested that those officials harbored any personal interest or bias against owners whose lots were to be condemned for the construction. *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

**Presumption that official duty has been regularly performed.**—See *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

Quoted in *Irwin v. Radio Corp. of America*, Sup. Ct. Op. No. 421 (File No. 744), 430 P.2d 159 (1967).

Cited in *Green v. State*, Sup. Ct. Op. No. 502 (File No. 1177), 462 P.2d 994 (1969).

**Sec. 09.20.080. Jury panel.** The jury panel for the trial of civil

cases consists of at least 24 jurors or more as determined by the court. If at any time the number of jurors on the panel falls below 24 or the regular panel is exhausted, the court shall order the clerk to complete the panel or secure additional jurors by drawing sufficient names from the jury box. (§ 2.08 ch 101 SLA 1962)

**Cross reference.**—See Civ. R. 47.

The law does not require the drawing of 24 names of those on the jury panel in impaneling a trial jury, but only, as provided by AS 09.20.090, a number "sufficient to name a jury of 12 unless the court directs otherwise." *Irwin v. Radio Corp. of America*, Sup. Ct. Op. No. 421 (File No. 744), 430 P.2d 159 (1967).

**Waiver of right to challenge sufficiency of jury panel.**—Where party participated in the selection of the jury and said nothing as to the panel being insufficient until after the jury had been selected and sworn, this constituted a waiver of whatever right such party may have had to challenge the sufficiency of the jury panel. *Irwin v. Radio Corp. of America*, Sup. Ct. Op. No. 421 (File No. 744), 430 P.2d 159 (1967).

Jury selection procedures designed to insulate process from biases of of-

officials.—Alaska's random and public jury selection procedures are designed to insulate the selection process from the personal interests and biases of governmental officials. *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

**Mere claim of benefit did not suggest officials biased.**—The mere claim that officials conducting proceedings for selecting jurors which composed a condemnation trial panel stood to benefit from the construction of a new courthouse in no way suggested that those officials harbored any personal interest or bias against owners whose lots were to be condemned for the construction. *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

**Presumption that official duty has been regularly performed.**—See *Tallman v. State*, Sup. Ct. Op. No. 862 (File No. 1612), 506 P.2d 679 (1973).

**Sec. 09.20.090. Impaneling the trial jury.** When a civil case which is to be tried by a jury is called for trial, the clerk shall draw from the trial jury box containing the names of those on the jury panel a number of names or numbers sufficient to name a jury of 12 unless the court directs otherwise. The prospective jurors shall be examined, challenged, and sworn as provided by rules of the supreme court. (§ 2.09 ch 101 SLA 1962)

**Cross references.**—See Civ. R. 47. See note to AS 09.20.080.

**C.J.S. reference.**—50 C.J.S. Juries § 192.

**Sec. 09.20.100. Verdicts.** In a civil case tried by a jury in any court, whether of record or not, not less than five-sixths of the jury may render a verdict, which is entitled to the legal effect of a unanimous verdict at common law. Special verdicts need not be concurred in by the same jurors. (§ 2.10 ch 101 SLA 1962)

**Cross reference.**—See Civ. R. 47.

**Legislative committee report.** — For legislative committee report on original bill, see 1969 House Journal, pp. 614, 905.

Stated in *Khalili v. Pan American Petroleum Corp.*, 49 F.R.D. 22 (D. Alas. 1969).

**ALR and C.J.S. references.**—State statute permitting verdicts by less

than twelve jurymen as applicable to action under Federal Employer's Liability Act, 12 ALR 713; 36 ALR 919.

Quotient verdict, 52 ALR 41.

Verdict as affected by agreement in advance among jurors to abide by less than unanimous vote, 73 ALR 93.

89 C.J.S. Trial §§ 486, 487.

# THE PETIT JURY SYSTEM IN ALASKA

## PART II

### JUROR UTILIZATION

ABSTRACT: Eighteen percent of jurors called to the Anchorage courthouse fail to show up. Forty percent of scheduled jury trials fold after the jurors are called to the courthouse. Only 26 percent of Anchorage jurors called to duty actually sit on a jury panel. We are not effectively using our jurors. By adopting utilization techniques used in other jurisdictions, we can save almost \$200,000 a year in jury costs and greatly reduce juror inconvenience.

Merle P. Martin  
Manager of Technical Operations  
Office of the Administrative Director  
Alaska Court System

November, 1977

THE PETIT JURY SYSTEM IN ALASKA

PART II JUROR UTILIZATION

<u>Section</u>	<u>Title</u>	<u>Page</u>
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## A. OBJECTIVES, METHODOLOGY, AND CONCLUSIONS

### Objectives:

This is the second of three reports evaluating juror management in the Alaska Court System. The first report dealing with juror selection, qualification and payment was published in September of 1977. The third report dealing with a juror information system will be published in December of 1977. This report speaks to utilization of jurors once they are called to the courthouse.

This study necessarily concentrates on the Anchorage trial courts -- that was the only court for which sufficient data was available. But the problems with and recommendations towards absenteeism, panel sizes, folding trials, and unused jurors should serve as a guide to all trial courts throughout Alaska.

### Methodology:

We used juror attendance sheets and in-court juror challenge rosters to develop a complete picture of juror usage for the first three months of 1977. We also used data and recommendations provided by Bird Engineering in Vienna, Virginia through a technical assistance visit. That report is included in the appendix.

### Conclusions:

Juror utilization in Anchorage is poor. Fairbanks juror utilization could be improved in the area of panel size. Specific conclusions and recommendations are as follows:

- Eleven percent of jurors called to the courthouse in Anchorage were absent. No followup is made by the jury clerk. This looseness in handling jurors not only leads to a poor image of the court system, but makes prediction of the number of jurors who will show up almost impossible. As a result, the jury clerk tends to call more jurors than she needs, resulting in increased juror costs and inconvenience.
- But followup on absent jurors does not seem to lead to a lower absenteeism rate. We suggest that the Anchorage trial courts randomly select a certain number of absent jurors and apply sanctions (e.g., fines) to them.
- Only 58 percent of those jurors who showed up (48 percent of those called) were actually sent to a courtroom. The remainder were dismissed for the day because of a scheduled trial folded. The trial fold rate was 40 percent. Juror fees expended for folding trials amount to \$63,000 a year.

- We recommend that the Anchorage Trial Court coordinate with the District Attorney's and Public Defender's office to attempt to decrease the jury trial fold rate. Sanctions should be imposed for those attorneys or offices with continually high fold rates. One suggested sanction is charging jury costs for folding trials.
- We further recommend that the Anchorage trial courts implement probabilistic scheduling of jury service as set forth in the Bird Engineering report.
- We also recommend that the Anchorage trial courts experiment with staggered trial start times so as to decrease the numbers of jurors called.
- Trials in Anchorage (particularly in the District Court) are not starting on time. We recommend that this situation be corrected.
- Too many jurors are being sent to the courtroom. We recommend that felony panel sizes be reduced to 29 in Anchorage and 34 in Fairbanks, and that six-person jury panel sizes be reduced to 14 in Anchorage and 12 in Fairbanks. This will result in an annual reduction in juror costs of \$17,000.
- Implementation of the above recommendation will save the the Anchorage trial courts an estimated \$189,000 a year in jury costs. It will also greatly decrease waiting time inconveniences to our citizen jurors.

## B. JUROR UTILIZATION PROCESS

The juror selection process provides courts with a pool of qualified jurors. All or a portion of this pool is then called in to meet daily jury trial requirements.

In Anchorage and Fairbanks, a "codaphone" call system is used between 3 and 4:30 p.m. of the day preceding the beginning of trials. The jury clerk records on the codaphone system a message indicating which specific panels of jurors are needed for trials scheduled to begin the following day. All jurors are instructed to call the codaphone number each evening to determine if they are to report to the jury waiting room the next morning. If a panel group or individual names are included in the pre-recorded message, then those jurors must appear for jury service the next morning. Otherwise, they resume their normal occupations and call the next night.

In other locations throughout the State, the call procedure varies. Jurors required may be contacted by telephone or mail. Rarely is the full pool of qualified jurors required to assemble together at any one time.

Whatever the method of call-in, not all prospective jurors called show up for jury duty. Absences are dealt with differently depending upon the court location.

In addition to absences, there are those prospective jurors who show up as called but request an excusal for that day due to personal hardship. The percentage of these requests that are granted varies from court to court.

The number of jurors ready to serve on any one day is thus the number of prospective jurors called in minus those absent and those temporarily excused. This group, if it is their first time called to jury service, is then given an orientation session. This session includes:

- Introduction to the juror handbook
- An orientation film
- An address by a judge, jury clerk, or other court official.

The prospective jurors wait for the case for which they are assigned to start. If that case folds, they are dismissed for that day. If the case does indeed go to trial, the panel is escorted to the courtroom.

In the courtroom, voir dire is conducted. The categories of jurors involved in voir dire are as follows:

- (1) Those whose names are randomly drawn, are questioned, and
  - are challenged for a specific cause;
  - are subject to a peremptory (without reason) challenge by plaintiff or defendant; and
  - are qualified and impaneled on the jury;
- (2) Those who never are randomly called to the jury box, listen to the entire voir dire, but are "not reached" by the process.

Those impaneled undergo the trial process and are then released from jury duty for that day. The others are immediately released for the remainder of the day after voir dire is concluded. The juror utilization process is summarized in Figure B-1.

### Absenteeism:

Table B-1 shows waiting room data for Anchorage for the first three months of 1977. There were an average of 318 jurors called per week. The actual number of individuals called is less than that since an individual juror could be called more than once in one week.

Of those called, only 82 percent actually showed up. Four hundred and forty-three (443) were absent and 302 were excused. The absentee rate was 11 percent. There was no time for jury clerk followup on absent jurors.

During the month of October we conducted an experiment to provide more insight into the absenteeism rate. Of the 26 panels called for that month, we selected six as a control group. Two of these groups were comprised of jurors who had been granted deferral of service to October. The jury clerk believes that such deferred jurors are "poor jurors" in that they tend to be absent more. The remaining four panels were comprised of new, or non-deferred, jurors.

Whenever one of the six control panels were called to service and a juror on the panel was absent, we telephoned or sent a letter to him or her and asked for the reason for the absence. At the end of the month we compared the absenteeism rates for the control group and for the other groups. The result was disappointing. The absenteeism rate for the control group was higher than for the uncontrolled group. It does not appear that this treatment of absent jurors will prove beneficial without some sanctions attached. We suggest that the Anchorage Trial Courts randomly select a certain number of absent jurors and apply sanctions (e.g., fines).

Table B-1  
Anchorage Trial Courts Juror Utilization  
(First Quarter 1977)

Week	Jurors Called	Absent	Excuse	Jurors Show	Show Rate	Sent to Court	Sent to Court Rate	Used in Court	Used in Court Rate
1/3-1/6	345	72	22	251	.728	106	.422	54	.215
1/10-1/13	299	56	17	226	.756	111	.491	48	.212
1/17-1/20	342	30	29	283	.857	182	.643	92	.325
1/24-1/28	179	13	15	151	.844	68	.450	31	.205
1/31-2/4	403	59	30	314	.779	115	.366	64	.210
2/7-2/10	352	34	16	302	.858	155	.513	64	.212
2/14-2/17	436	30	32	374	.858	227	.594	92	.246
2/22-2/25	148	3	15	130	.878	130	1.000	62	.477
2/28-3/4	431	55	26	350	.812	240	.686	94	.269
3/7-3/10	318	33	20	265	.833	184	.695	84	.317
3/14-3/17	278	27	18	233	.838	161	.692	60	.258
3/21-2/25	492	28	41	423	.860	264	.624	116	.274
3/28-4/1	106	3	21	82	.774	34	.415	14	.171
<b>Total</b>	<b>4129</b>	<b>443</b>	<b>302</b>	<b>3384</b>	<b>.820</b>	<b>1972</b>	<b>.583</b>	<b>875</b>	<b>.259</b>
<b>Weekly Av.</b>	<b>317.6</b>	<b>24.1</b>	<b>23.2</b>	<b>260.3</b>		<b>151.7</b>		<b>67.3</b>	

Sent to Courtroom:

Note from Table B-1 that only 58 percent of those who show up (48 percent of those called) were actually sent to a courtroom. The remainder were dismissed for the day because a scheduled trial folded (Table B-2). The reason for the folding included change of plea, civil parties settling and judge disqualification.

Table B-2  
Anchorage Trial Courts Trials Folded  
(First Quarter 1977)

Week	Trials Scheduled	Trial Folded	Fold Rate	\$ Spent for Jurors Not Sent to Courtroom
1/3-1/6	18	8	.444	1,027.50
1/10-1/13	18	6	.333	1,080.00
1/17-1/20	16	6	.375	963.75
1/24-1/28	6	3	.500	622.50
1/31-2/4	20	12	.600	1,492.50
2/7-2/10	16	8	.500	1,102.50
2/14-2/17	23	10	.435	1,327.50
2/22-2/25	4	0	0	0
2/28-2/4	19	6	.316	1,065.00
3/7- 3/10	18	4	.222	705.00
3/14-3/17	15	5	.333	540.00
3/21-3/25	22	8	.364	1,410.00
3/28-4/1	4	3	.750	360.00
<b>Total</b>	<b>109</b>	<b>79</b>	<b>.397</b>	<b>11,756.25</b>

With the new 20 dollar a day juror fee, we will lose almost \$63,000 in 1977 in Anchorage alone due to the trials folding after the jurors have been called in.

Forty (40) percent of the trials folded. The fold rate for District Court was almost 50 percent. A typical day was January 12th when all four misdemeanor trials folded.

There are two methods of dealing with this practice. The first is to decrease the fold rate. Table B-3 shows projected savings from such a decrease.

Table B-3  
Effects of Decreasing  
Trial Fold Rates in Anchorage

<u>Fold Rate</u>	<u>Projected Annual Dollar Savings</u>
.397	\$ 0
.35	7,458
.30	15,393
.25	23,327
.15	39,196
.10	47,131

We recommend that the Anchorage Trial Court coordinate with the District Attorney and Public Defender's office to attempt to decrease the jury trial fold rate. Sanctions should be imposed for those attorneys with a continually high fold rate. One suggested sanction is charging jury costs for folded trials.

The second method is to better anticipate the folding trial problem and schedule jurors accordingly. This method, referred to as probabilistic scheduling, was suggested by Mr. Munsterma in the Bird Engineering study (Appendix I). He showed that, by using the call-in guidelines shown in Table B-4 below, the number of people called in the first quarter in Anchorage would have been decreased by 42 percent. This would have saved about \$20,500 (at \$15 a juror day).

Table B-4  
Suggested Call-In Guidelines  
(If Superior Court Cases Begin in Afternoon)

No. Scheduled Trials in District Court	<u>Number Scheduled Trials in Superior Court</u>		
	0	1	2
0	0	29	29
1	14	35	35
2	14	35	35
3	28	41	41
4	42	47	47
5	56	56	56
6	56	56	56
7	56	56	56

At the new rate of \$20 per jury day, this would equate to about \$109,000 a year. We recommend that the Anchorage trial courts implement probabilistic scheduling of jury service as set forth in the Bird Engineering report.

Such scheduling can only be successful if trial start times are staggered. Mr. Munsterman particularly recommends starting Superior Court trials in the afternoon and using jurors that have been challenged or not reached in morning District Court trials.

We further recommend that the Anchorage trial courts experiment with staggered trial start times so as to more effectively use jurors called.

Data from Anchorage juror exit questionnaires reveal that jurors spend an average of 4.3 hours waiting in the jury assembly room for every time they reported to the cases. But a qualitative review of jury attendance sheets shows that, in the District Court, almost all trials were scheduled for nine o'clock in the morning. Few started before 10 o'clock as demonstrated in Table B-5.

Table B-5  
Anchorage District Court Trial  
Starting Times (For Those Trials in Which  
Trial Start Times Were Available)

<u>Case No.</u>	<u>Trial Start Time (A.M.)</u>
76-7321	10:06
76-7107	11:18
76-7627	10:04
76-9158	10:09
76-7727	9:45
77-29	10:30
77-23	10:15
77-1515	10:10
77-883	10:00

Although the above data is scanty, there was no data available that showed any trial starting on time. It then appears that, of the jury waiting time, more than an hour is tied to late trial starts.

Juror dissatisfaction over this type of wait is considerable. In Anchorage only 43 percent of the juror's questioned rated scheduling of their time good; 17 percent rated it as poor. The figures were 40 percent and 14 percent respectively for Fairbanks. We recommend that the Trial Courts make concentrated effort to start their trials at the time stated so juror's won't have to wait so long in the assembly area.

Referring again to Table B-1, we see that, of the 1972 jurors subsequently sent to court, only 875 actually sat on a jury. Comparing this figure to the number of jurors called, only 26 percent of those called actually sat on trials. Let us analyze in more detail the reasons for this low figure.

Challenges: Tables B-6 and B-7 shows challenge data for felony jury trials in Anchorage and Fairbanks.

Table B-6  
Juror Challenges for Anchorage  
Felony Trials

Date	Case Number	Panel Size	Challenges			Total	Percent of Panel
			Plain-tiff	Defen-dent	For Cause		
1/17	76-6908	33	1	6	1	8	24.2
1/31	76-7390	30	2	3	1	6	20.0
2/1	76-6372	34	1	2	0	3	8.8
2/7	76-7557	35	2	10	1	13	37.1
2/14	76-7748	28	1	3	0	4	14.3
2/16	76-8204	37	3	7	1	11	29.7
2/23	76-7389	33	2	3	2	7	21.2
2/28	76-6088	33	3	2	2	7	21.2
3/8	76-8210	32	5	9	0	14	43.8
3/26	76-7558	35	3	10	4	17	48.6
4/6	77-1306	30	1	7	2	10	33.3
4/4	76-7904	51	4	9	2	15	29.4
5/9	77-1338	28	2	5	1	8	28.6
5/11	76-15928	30	1	6	2	9	30.0
6/1	77-1090	30	0	3	1	4	13.3
<b>Total</b>		<b>499</b>	<b>31</b>	<b>85</b>	<b>20</b>	<b>136</b>	<b>27.3</b>
<b>Average</b>		<b>33.3</b>	<b>2.1</b>	<b>5.7</b>	<b>1.3</b>	<b>9.1</b>	

Table B-7  
Juror Challenges for Fairbanks  
Felony Trials

Date	Case Number	Panel Size	Challenges			Total	Percent of Panel
			Plain-tiff	Defen-dent	For Cause		
4/19	76-3173	47	4	9	7	20	42.5
4/26	77-152	29	5	6	2	13	44.8
5/4	76-2924	39	5	9	2	16	41.0
5/2	77-81	32	1	3	2	6	18.8
5/9	76-2990	42	4	9	8	21	50.0
5/16	77-535	30	5	7	2	14	46.7
5/23	75-313J	32	2	1	3	6	18.8
5/23	77-334	32	4	4	3	13	40.6
5/31	76-2	27	0	3	0	3	11.1
6/20	77-692	35	3	5	0	8	22.9
Total		345	33	56	29	120	34.8
Average		34.5	3.3	5.6	2.9	12.0	

Anchorage averaged nine challenges per case; Fairbanks twelve. The rate of defendant preemptory challenges was the same in each court. The difference was more District Attorney preemptory challenges and more challenges for cause in Fairbanks. Fairbanks had two cases with challenges totalling 20 or more. But the high panel sizes in these two cases indicates that a high rate of challenges was expected.

It is difficult to suggest ways by which challenges can be decreased. A separate study is underway to determine if the number of preemptory challenges can be reduced. We can state, however, that based on the data shown above, preemptory challenges for felony trials in Anchorage will cost the system approximately \$9,000 a year.

Six person jury challenges are shown in Tables B-8 and B-9.

Table B-8  
Challenges for Anchorage  
Six Person Juries

Date	Case Number	Panel Size	Challenges			Total	Percent of Panel
			Plain-tiff	Defen-dent	For Cause		
1/4	76-5937	11	1	3	0	4	36.7
1/25	76-1279	18	0	1	0	1	5.6
1/31	76-7356	17	0	2	1	3	17.7
2/7	76-7321	15	1	0	0	1	6.7
2/9	76-6963	13	0	2	1	3	23.1
2/9	76-6816	13	0	0	0	0	0.0
2/14	76-7867	15	2	2	1	5	33.3
2/15	74-12223	29	1	1	2	4	13.8
2/15	76-7673/ 7674	16	2	2	2	6	37.5
3/1	76-7101	16	1	1	3	5	31.3
3/2	76-7627	16	1	3	1	5	31.3
3/2	76-7869	19	3	2	0	5	26.3
3/7	76-7161/ 7162	13	3	3	1	7	53.9
3/8	76-9158	20	2	1	2	5	25.0
3/8	76-7161/ 7162	15	2	1	4	7	46.7
3/8	76-7630	14	2	4	1	7	50.0
3/14	76-6334	17	2	1	0	3	17.7
3/15	76-8389	15	0	0	0	0	0.0
3/15	76-7456	14	0	0	0	0	0.0
3/15	77-238	11	0	0	0	0	0.0
3/15	76-7623	14	2	1	0	3	21.4
3/16	76-7727	15	2	3	2	7	46.7
3/21	77-29	15	0	0	1	1	6.7
3/22	77.23	14	1	0	0	1	7.1
3/22	76-8218	14	1	2	1	4	28.6
3/22	76-8191	14	2	1	1	4	28.6
3/23	77-1515/16	16	1	1	2	4	25.0
3/25	76-571/ 7037	34	1	1	0	2	5.9
4/4	77-748	17	0	3	0	3	17.7
4/4	77-280	16	1	3	0	4	25.0
4/4	76-8289	16	0	0	0	0	0.0
4/4	76-8268	16	0	0	0	0	0.0
4/5	72-1945	14	3	0	0	3	21.4
4/5	76-7143	14	0	1	0	1	7.1
4/6	77.374	15	0	1	0	1	6.7
Total		561	37	46	26	109	19.4
Average		16.0	1.1	1.3	0.7	3.1	

Table B-9  
Fairbanks Six Person Jury Challenges

Date	Case Number	Panel Size	Challenges			Total	Percent of Panel
			Plain-tiff	Defen-dent	For Cause		
4/21	77-98	21	3	2	0	5	23.8
4/25	77-30	16	1	2	0	3	18.8
4/26	77-529	19	0	1	0	1	5.3
4/27	77-107	18	1	3	0	4	22.2
4/28	77-144	14	1	3	0	4	28.8
5/4	76-2762	16	0	0	0	0	0.0
5/2	76-2726	19	3	3	0	6	31.6
5/3	77-437	18	1	3	0	4	22.2
5/13	76-2842	18	2	0	1	3	16.7
5/19	77-447	18	1	3	1	5	27.8
5/17	77-296	15	1	2	1	4	26.7
5/26	77-252	16	2	2	1	5	31.3
6/2	77-472	15	1	2	3	6	40.0
6/7	77-350	15	2	1	2	5	33.3
<b>Total</b>		<b>238</b>	<b>19</b>	<b>27</b>	<b>9</b>	<b>55</b>	<b>23.1</b>
<b>Average</b>		<b>17</b>	<b>1.4</b>	<b>1.9</b>	<b>0.6</b>	<b>3.9</b>	

Six Person Jury challenges in Anchorage and Fairbanks will cost the State approximately \$10,000 a year. The meager data we have on civil trials suggests an annual cost of approximately \$2,300 a year. So the total cost of challenges for Anchorage and Fairbanks will be about \$21,000. This is less than five percent of total jury costs.

However, the effect of peremptory challenges on jury attitudes is quite negative. Responses on exit questionnaires and conversations with many jurors have convinced me that the average juror is confused and often insulted when he or she is asked to leave the jury box with no reasons stated. For that reason alone, I recommend that we study the whole concept of peremptory challenges.

Panel Size: Tables B-10 and B-11 show the effects of panel size on juror costs for felony cases in Anchorage and Fairbanks.

Table B-10  
Panel Sizes Effects for Anchorage  
Felony Jury Trials

Date	Case Number	Panel Size	In Jury Box			Not Reached		
			Challenged	Seated	Total	No.	% of Panel Size	\$ Paid to not Reached
1/17	76-6908	33	8	14	22	11	33.3	247.50
1/31	76-7390	30	6	13	19	11	36.7	165.00
2/1	76-6372	34	3	13	16	18	52.9	270.00
2/7	76-7557	35	13	13	26	9	25.7	202.50
2/14	76-7748	28	4	13	17	11	39.3	82.50
2/16	76-8204	37	11	13	24	13	35.1	97.50
2/23	76-7389	33	7	13	20	13	39.4	97.50
2/28	76-6088	33	7	13	20	13	39.4	195.00
3/8	76-8210	32	14	13	27	5	15.6	112.50
3/26	76-7558	35	17	12	29	6	17.1	90.00
4/6	77-1306	30	10	14	24	6	20.0	90.00
4/4	76-7904	51	15	13	28	23	45.1	345.00
5/9	77-1338	28	8	13	21	7	25.0	105.00
5/11	76-15928	30	9	13	22	8	26.7	180.00
6/1	77-1090	30	4	13	17	13	43.3	97.00
Total		499	139	195	331	168	33.7	2,377.50
Average		33.3	9.1	13.0	22.1	11.2	N/A	150.50

Table B-11  
Panel Size Effects for Fairbanks  
Felony Jury Trials

Date	Case Number	Panel Size	In Jury Box			Not Reached		
			Challenged	Seated	Total	No.	% of Panel Size	\$ Paid to not Reached
4/19	76-3173	47	20	13	33	14	29.8	105.00
4/26	77-152	29	13	13	26	3	10.3	72.50
5/4	76-2924	39	16	13	29	10	25.6	150.00
5/2	77-81	32	6	13	19	13	40.6	97.50
5/9	76-2990	42	21	13	34	8	19.1	120.00
5/16	77-535	30	14	13	27	3	10.0	22.50
5/23	75-313J	32	6	13	19	13	40.6	195.00
5/23	77-334	32	13	13	26	6	18.8	90.00
5/31	76-2	27	3	13	16	11	40.7	82.50
6/20	77-692	35	8	13	21	14	40.0	105.00
Total		345	120	130	250	95	27.5	1,072.00
Average		34.5	12.0	13.0	25.0	9.5	N/A	107.20

Thirty-four (34) percent of the panel size in Anchorage and 28 percent in Fairbanks were "not reached"; they never sat in the jury box during voir dire and, of course, the trial itself. The costs of sending these excess jurors to the courtroom were \$158.50 per trial in Anchorage and \$107.20 per trial in Fairbanks. This projects to over \$16,000 a year with the new \$20 a day jury fee. Tables B-12 and B-13 show what the savings would be if felony panel sizes were decreased. Projected yearly savings are based on the new \$20 a day jury fee.

Table B-12  
 Projected Savings by Decreasing Anchorage  
 Felony Panel Size

<u>Maximum Panel Size</u>	<u>Not Reached Cost Per Case*</u>	<u>Projected Yearly Savings</u>	<u>Projected Yearly Judge Waits</u>
None	\$ 211.33	\$ 0	0
30	140.66	3,321.25	0
29	122.66	4,167.23	0
28	104.66	5,013.21	3
27	84.66	5,953.18	6
26	64.6	6,893.16	9

\*Based on \$20 a day juror fee.

Table B-13  
 Projected Savings by Decreasing Fairbanks  
 Felony Panel Size

<u>Maximum Panel Size</u>	<u>Not Reached Cost Per Case*</u>	<u>Projected Yearly Savings</u>	<u>Projected Yearly Judge Waits</u>
None	\$ 142.93	\$ 0	0
34	100.93	1,805.95	0
33	96.93	1,977.95	4
32	92.80	2,149.95	8
31	83.80	2,542.67	8
30	74.80	2,929.66	8
29	64.80	3,359.65	13
28	53.80	3,832.64	13
27	42.80	4,305.63	13

\*Based on \$20 a day juror fee.

Thus Anchorage could cut its maximum panel size to 29, save \$4,000 a year, and never run out of jurors - thus incurring no judge waits. Fairbanks could cut its maximum panel size to 34, save almost \$2,000 a year, and never run out of jurors. If the trial courts were willing to experience only one judge wait per judge per year while additional jurors were sought, the savings in Anchorage and Fairbanks for felony trials would be \$7,000 a year.

Tables B-14 and B-15 show panel sizes for six person trials in Anchorage and Fairbanks.

Table B-14  
Panel Size Effects for Anchorage  
Six Person Jury Trials

Date	Case Number	Panel Size	In Jury Box			Not Reached		
			Challenged	Seated	Total	No.	% of Panel Size	\$ Paid to not reached
1/4	76-5937	11	4	6	10	1	9.1	7.50
1/25*	76-1279	18	1	6	7	11	61.1	82.50
1/31	76-7356	17	3	6	9	8	47.1	60.00
2/7	76-7321	15	1	6	7	8	53.3	60.00
2/9	76-6963	13	3	6	9	4	30.8	30.00
2/9	76-6816	13	0	6	6	7	53.9	52.50
2/14	76-7867	15	5	6	11	4	26.7	60.00
5/15	74-12223	29	4	6	10	19	65.5	570.00
2/15	76-7673/ 7674	16	6	6	12	4	25.0	60.00
3/1	76-7101	16	5	6	11	5	31.3	37.50
3/2	76-7627	16	5	6	12	5	31.3	37.50
3/2	76-7869	19	5	7	12	7	36.8	105.00
3/7	76-7161/ 7162	13	7	6	13	0	0	-
3/8	76-9158	20	5	6	11	9	45.0	135.00
3/8	76-7161/ 7162	15	7	6	13	2	13.3	30.00
3/8	76-7630	14	7	7	14	0	0	-
3/14	76-6334	17	3	6	9	8	47.1	60.00
3/15	76-8389	15	0	6	6	9	60.0	135.00
3/15	76-7456	14	0	6	6	8	57.1	60.00
3/15	77-238	11	0	6	6	5	45.5	37.50
3/16	76-7727	15	7	6	13	2	13.3	15.00
3/21	77-29	15	1	6	7	8	53.3	60.00
3/22	77-23	14	1	6	7	7	50.0	52.50
3/22	76-8218	14	4	7	11	3	21.4	22.50
3/22	76-8191	14	4	6	10	3	28.6	30.00
3/23	77-1515/ 1516	16	4	6	10	6	37.5	45.00
3/25	76-571/ 7087	34	2	7	9	25	73.5	187.50
4/4	77-748	17	3	6	9	8	27.1	60.00
4/4	77-280	16	4	6	10	6	37.5	45.00
4/4	76-8289	16	0	6	6	10	62.3	75.00
4/4	76-8268	16	0	6	6	10	62.3	75.00
4/5	72-1945	14	3	7	10	4	28.6	30.00
4/5	76-7143	14	1	6	7	7	50.0	52.50
4/6	77-374	15	1	6	7	8	53.3	60.00
Total		561	109	215	324	237	42.3	2,467.50
Average		16.0	3.1	6.1	9.3	6.8	N/A	70.50

Table B-15  
Panel Size Effects for Fairbanks  
Six Person Jury Trials

Date	Case Number	Panel Size	In Jury Box			Not Reached		
			Challen- ged	Seated	Tot- al	No.	% of Panel Size	\$ Paid to not Reached
4/21	77-98	21	5	6	11	10	47.6	75.00
4/25	77-30	16	3	6	9	7	43.8	52.50
4/26	77-529	19	1	6	7	12	63.2	90.00
4/27	77-107	18	4	6	10	8	44.4	60.00
4/28	77-144	14	4	7	11	3	21.4	22.50
5/4	76-2762	16	0	6	6	10	62.5	75.00
5/2	76-2726	19	6	6	12	7	36.8	52.50
5/3	77-437	18	4	6	10	8	44.4	60.00
5/13	76-2842	18	3	6	9	9	50.0	90.00
5/19	77-447	18	5	6	11	7	38.9	52.50
5/17	77-296	15	4	6	10	5	33.3	37.50
5/26	77-252	16	5	6	11	5	31.3	37.50
6/2	77-477	15	6	6	12	3	20.0	22.50
6/7	77-350	16	5	6	11	4	25.0	30.00
Total		238	55	85	140	98	41.2	757.50
Average		17	3.9	6.1	10.0	7.0		54.11

Over 40 percent of jurors sent to the courtroom for six person juries in Anchorage and Fairbanks were "not reached". The cost of these jurors was \$70 a case in Anchorage and \$50 a case in Fairbanks. Adjusting for the new \$20 a day juror fees, the annual cost of these excess jurors for these two courts is \$27,000.

Tables B-16 and B-17 shows potential savings by cutting down these panel sizes.

Table B-16  
 Projected Savings by Decreasing Anchorage  
 Six Person Jury Panel Size

<u>Maximum Panel Size</u>	<u>Not Reached Cost Per Case*</u>	<u>Projected Yearly Savings</u>	<u>Projected Yearly Judge Waits</u>
Present	\$ 94.00	\$ 0	0
14	60.27	8,567.79	0
13	51.69	10,608.19	7
12	42.27	12,851.68	27
11	32.84	15,095.17	41

\*Based in \$20 a day jury fee.

Table B-17  
 Projected Savings by Decreasing Fairbanks  
 Six Person Jury Panel Size

<u>Maximum Panel Size</u>	<u>Not Reached Cost Per Case*</u>	<u>Projected Yearly Savings</u>	<u>Projected Yearly Judge Waits</u>
Present	\$ 72.14	\$ 0	0
12	22.15	2,383.27	0
11	13.57	3,807.17	9
10	8.57	4,132.16	33
9	5.72	4,317.63	46

\*Based on \$20 a day jury fee.

If Anchorage cut its panel size to 14, it would save over \$8,500 a year in jury fees and never run out of jurors in the courtroom. Fairbanks could cut its panel size to 12, save over \$2,000 a year, and never run out of jurors. If both courts would allow an average of one judge wait a year per judge, the annual savings would be \$11,000.

Tables B-18 and B-19 summarize possible reduction strategies for felony and six person jury trials in Anchorage and Fairbanks.

Table B-18  
 Maximum Panel Size With No  
 Projected Judge Waits Per Year

<u>Location</u>	<u>Type Jury</u>	<u>Maximum Panel Size</u>	<u>Estimated Annual Savings</u>
Anchorage	Felony	29	\$ 4,167.23
	Six Person	14	8,567.79
Fairbanks	Felony	34	1,805.95
	Six Person	12	<u>2,383.27</u>
Total			\$16,924.24

Table B-19  
 Maximum Panel Size With One or Less  
 Projected Waits Per Judge Per Year

<u>Location</u>	<u>Type Jury</u>	<u>Maximum Panel Size</u>	<u>Estimated Annual Savings</u>
Anchorage	Felony	28	\$ 5,013.21
	Six Person	13	10,608.19
Fairbanks	Felony	33	1,977.95
	Six Person	12	<u>2,383.27</u>
Total			\$19,982.62

The annual savings are \$17,000 with no judge waits and \$20,000 with an average of less than one wait per judge per year. It is doubtful whether the additional \$3,000 is worth judges waiting. Therefore, we recommend that felony panel sizes be reduced to 29 in Anchorage and 34 in Fairbanks, and that six person jury panel sizes be reduced to 14 in Anchorage and 12 in Fairbanks. This will result in an annual reduction in juror costs of \$17,000.

### C. JUROR ATTITUDES

We analyzed juror service exit questionnaires for 186 Anchorage and 72 Fairbanks jurors. The results are summarized in Figures C-1 and C-2. We have discussed the impact of some of these findings in our preceding report on jury selection, qualifications and pay, and in this report. They are included in this section as documentation for future research.

FIGURE C-3

## Categorization of Anchorage Comments

<u>Category</u>	<u>Number</u>
It's a Good System	18
Need Better Facilities (e.g., chairs)	18
Improve Parking	13
Reduce Voir Dire Time	12
More People Should Have Chance to Serve	8
Too Many Cases Folding	11
Didn't Get Chance to Sit as Juror	5
Call-in System is Good	5
Start Earlier in Day	5
Need More Pay	4
Give More Advance Notice	3
Better Treatment by Judges	2

FIGURE C-4

Categorization of Fairbanks Comments

<u>Category</u>	<u>Number</u>
It's a Good System	4
Need Better Facilities (e.g., clock in jury room)	9
Improve Parking	2
Decrease Waiting Time	1
Faster Processing of Cases	3
Start on Time	1
More Thorough Orientation	1
Use Volunteer Jurors	1
Allow Jurors to Ask Questions in Court	2
Make Employees Reimburse Jurors	1

A PERFORMANCE REVIEW OF  
THE JURY SELECTION PROCESS  
THE ALASKA COURT SYSTEM

**PRELIMINARY REPORT**

Chief Justice  
Administrative Director

Robert Boochever  
Arthur H. Snowden II

# STATE OF ALASKA

## THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

JUNEAU 99801

AUDIT DIVISION  
POUCH W — ALASKA OFFICE BUILDING

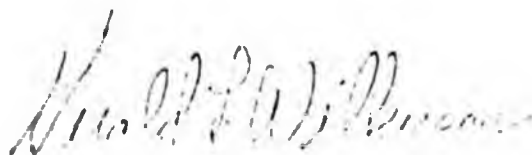
FINANCE DIVISION  
POUCH WF — STATE CAPITOL

September 15, 1977

Members of the  
Legislative Budget and Audit Committee:

In accordance with the provisions of Title 24 of the Alaska Statutes, the attached report, is submitted for your review.

A PERFORMANCE REVIEW OF  
THE JURY SELECTION PROCESS  
THE ALASKA COURT SYSTEM



Gerald L. Wilkerson, CPA  
Legislative Auditor  
Division of Legislative Audit

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## PURPOSE OF THE REVIEW

In accordance with the provisions of Title 24 of the Alaska Statutes, a review of the Jury Selection Process of the Alaska Court System was conducted to determine if the Jury System is operating in an economic, efficient, and effective manner.

## ORGANIZATION AND FUNCTION

The Alaska Court System is the Judicial Branch of State Government, separate and distinct from the Executive and Legislative Branches. Under this system, the judicial power of the State is vested in the Supreme Court, with the Chief Justice serving as the administrative head of the Court System.

To carry out its responsibilities, the Court System is divided in the following manner:

### Supreme Court

The Supreme Court is the final Court of Appeals on matters of law raising a Federal question in Alaska and, through the Chief Justice, is responsible for setting policy regarding the administrative procedures of the Judicial Branch.

### Judicial Districts - Trial Courts

The Superior and District Courts respectively are the constitutional and legislative bodies that form the trial courts.

### Administrative Services

This function supports the administrative operation of the Trial and Supreme Courts as well as provides certain services directly to the public.

The Judicial Districts have primary responsibility for the identification, selection, qualification and use of jurists as defined in AS 9.20.010-100. Responsibility for the administration of the jury selection system has been delegated to the Technical Operations Section of Administrative Services.

## THE JURY SELECTION PROCESS - AN INTERVIEW

A state-wide computer venire listing is prepared each year on March 15, which lists prospective jurors for each judicial district. This information is obtained from State Income Tax rolls, voter registration and resident hunting, fishing and trapping licenses.

Since each judicial district has individual control over jury selection, there are system differences between the courts. The following information explains the jury selection process for the Anchorage trial courts (the model system for the State). The attached analysis (see Supplemental Information) show how effectively people were used by the Anchorage jury system for the first three months of 1977.

### THE ANCHORAGE JURY SYSTEM

About 1,000 people are randomly selected from the venire listing each month. The computer lists their names on a jury selection run which prepares a jury questionnaire for mailing.

Returned questionnaires are reviewed by the Jury Clerk to qualify or to excuse people. The presiding judge makes the final decision on excusing or deferring people to another month.

All qualified people are assigned to a call-in group (control group of 20 people) and are summoned for one month of jury service. The summons instructs the people on how to telephone the Jury Clerk each day and explains the purpose of the call-in groups. A recorded message tells what groups must report for jury service the next morning.

Superior and District Court calendaring (trial scheduling) inform the Jury Clerk of the number and types of cases scheduled the next day. With this information the Jury Clerk knows the number of people to call in to fill each jury panel. People are randomly assigned to jury panels from the call-in groups.

The size of each panel depends on the types of cases scheduled. A Superior Court panel consists of 20-30 people; 12 will be selected for the jury. District Court panels are 15-20 people from which 6 will be selected for the jury.

The selection of a jury from the panel is conducted in the courtroom. If the case goes to court, the bailiff escorts that panel to the courtroom for questioning by the judge and attorneys. Those people not picked for a jury are excused or held to fill absences on other panels. Frequently, cases fold and the need for the panel no longer exists. These

jurors are sent home or assigned to another panel scheduled for that day.

Jurors are now paid \$10.00 for each half day and \$20.00 for each full day of jury service, at the end of each month.

## FINDINGS AND RECOMMENDATIONS

The Court System has identified and has taken steps to improve several aspects of its own operations. As one of them, the Jury Selection Process is now being studied and revised by the Technical Operations Section. This self-determination by Administration and the goal to improve the jury process is commendable.

However, many of Administration's plans will not be operational for another year or more; the following recommendations are applicable now and should be part of the new jury selection process.

### Recommendation No. 1

The Court System is not using people's time efficiently. Better jury utilization should be the primary objective for the jury system; cost savings should result.

The Court System is not responding to problems in its jury selection process. Because of an attendance problem and scheduling difficulties (calendarizing), the Anchorage courts are bringing in twice as many people as they should. During our three month review (see Supplemental Information), 902 people showed up an average of 4 times each to fill 797 jury positions.

In addition, almost one half of scheduled jury cases folded after people had been paneled in the court building.

Good jury usage requires a responsive court system. The system must bring enough people into the court building to meet jury needs, however, excessive numbers waste money and people's time.

The Court System should address and improve the following conditions:

1. Improve the Calendarizing Process - The Anchorage courts should determine why so many jury cases are folding and should consider staggering jury cases so unused people can be reassigned to later cases.
2. Require Better Attendance for Jury Panels - When 18% of scheduled jury panels do not come in, the system is forced to call in extra people.
3. Develop Standard Jury Panel Sizes - The best size for jury panels should be determined from court room experience. This standard size should be increased only when the judge feels more people are needed.

4. Develop an Acceptable Jury Usage Plan - The courts should be willing to accept minor delays in putting jury panels together when better jury usage will result.

Recommendation No. 2

The Court System should develop written guidelines and instructions for its personnel responsible for selecting, processing, and paying jurists.

Legislative Audit conducted separate reviews of how the jury system works in Anchorage, Fairbanks, Bethel and Juneau. None of these courts had complete written instructions on how the jury selection process should work or what court records should be produced or maintained.

Instructions on the jury system and training of new personnel has been verbal. As a result, some court personnel show a lack of understanding on how to perform all of their duties. In one court we observed duplications of a time consuming clerical operation, while another court had poor controls over its screening and qualification of prospective jurists.

Written procedures and instructions would improve control over the Jury Selection Process. Review of these procedures by court administration and the training of new people would then be easier.

Recommendation No. 3

The Court System should prepare statistical reports on the jury system. Administration would then be in a position to evaluate how effectively the jury process is working.

The Court System had not developed a data collection and reporting system for the jury process. To control any system, feedback information is needed. This is especially true when the process is dealing with the public and is expending \$580,000 annually.

The U.S. Department of Justice has conducted some excellent studies that show step by step plans for developing complete jury management information. Technical Operations is very knowledgeable of these studies and in the long term plans to use much of this information.

Legislative Audit feels that the entire Court System should cooperate with this effort and should make a jury management system an immediate goal. With good jury system information, the Court System could then develop performance standards for evaluating how court personnel are administering this system and related areas such as calendaring.

#### Recommendation No. 4

The quality of information on the venire listing (state-wide listing of people available for jury service) should be improved.

The jury master file contains a high percentage of information that is not correct or up-to-date. Our review showed that the Anchorage and Fairbanks courts both have 30% of the questionnaires mailed returned by the post office. In addition, 17% and 15%, respectively, of the people reached were not eligible and should not have been on the list.

There are two main factors causing this situation. Obtaining correct or current addresses for people is difficult due to the transient nature of our population. In addition, the jury master file is not updated for people who have recently served or who have been permanently excused from jury service.

The smaller courts are more adversely affected by this situation because they have fewer people from which to select juries.

A quarterly review and update of the jury master file or a computer edit of each jury selection run against a current name and address file (such as motor vehicles), could increase jury service yields by reaching more eligible people.

#### Recommendation No. 5

The Court System should develop a flexible but consistent excusal policy from jury service. When the presiding judges are active in the jury qualification process, the system works better.

Our review at Anchorage showed that 80% of the people questioned are excused or deferred from jury service for various reasons. There is an attendance problem throughout the entire jury selection process. This juror reluctance to serve is the result of poor usage of time, low payment and too long of a service period. In addition, because some judicial districts have such poor follow-up procedures, there is little fear of the consequence of ignoring legal notices to appear for jury service.

This situation creates unnecessary paperwork, wastes court time and shifts the burden of jury service to those willing to serve.

The Court System should develop a plan to address this problem. In the Bethel and Fairbanks courts, the presiding judges have become more involved in the jury selection process; increased jury yields have resulted.

Recommendation No. 6

In the larger court districts such as Anchorage, the Court System should consider reducing the length of jury service. Cost savings and better citizen involvement could result.

Legislative Audit has already discussed the benefit of good jury attendance and the need for good jury usage.

The Court System could improve both these aspects of jury service by assigning 100 to 125 people to weekly jury pools. These people could then service one week or on one jury.

People's involvement and attendance would improve; they should respond to shorter jury service and better use of their time. The Court's qualification and selection process would be the same, but easier to control. The Jury Clerk could better control an account for 125 people a week than 500 people for a month.

Jury usage would improve by having more people serve on a jury more efficiently. Nationwide studies have shown that this process works. In our review of the Anchorage courts, we observed that this change would have worked even with the present jury selection process.

Recommendation No. 7

The payment process for jury duty should be improved and brought under control of a second party review.

In each judicial district, the Jury Clerk keeps and reconciles all payment records for jury service. Payment for people's time and vendor service are processed through a jury payment card. No other person in the Court System reviews or approves the accuracy of the information on these payment cards to jury attendance listings or vendor billings.

There are other operational problems with the jury payment process which should be addressed. They include timeliness of payments, incomplete coding of accounting information and duplication of clerical work.

To strengthen internal control, the certifying officer signing jury service warrants should review the supporting documentation for jury warrants, allowing at least a sample review to ensure that the warrants are properly prepared.

SUPPLEMENTAL INFORMAT.

Analysis of Jury System Activity - Anchorage  
Three Months Ending March 31, 1977

Information on how many people were involved in the jury process.

<u>Step 1: Questioning &amp; Qualification Stage</u>	<u>Three Month</u>	
	<u>Total</u>	<u>%</u>
Questionnaires Mailed	2900	100%
<u>Less:</u> People Not Reached (Note A)	1071	
People Excused (Note C)	<u>1019</u>	<u>72%</u>
People Qualified for Jury Service	810	<u>28%</u>
People Rescheduled From Other Months	<u>617</u>	
Total People Available to Serve	<u>1427</u>	
<u>Step 2: Summons &amp; Usage Stage</u>		
People Summoned for Jury Service	1427	100%
<u>Less:</u> People Excused/Rescheduled or Did Not Appear (Notes B & C)	<u>525</u>	<u>37%</u>
People That Appeared for Jury Service	<u>902</u>	<u>63%</u>
People Placed on a Jury	<u>540</u>	

Information on how people appearing for jury service were used by the Court System.

	<u>Total Number of</u>	
	<u>Times During These</u>	<u>Three Months</u>
		<u>%</u>
People Called in for Jury Service	4241	100%
<u>Less:</u> People Absent	453	
People Excused	<u>316</u>	<u>18%</u>
People That Appeared for Jury Service	<u>3472</u>	<u>82%</u>
People Placed on Jury Panels (Note E)	3472	100%
<u>Less:</u> People Not Used Because Jury Case Folded	<u>1657</u>	<u>48%</u>
People Sent to Courtroom for Trial	<u>1815</u>	<u>52%</u>
People Placed on Jury (Note D)	<u>797</u>	<u>22%</u>

Analysis of Jury System Activity - Anchorage  
Three Months Ending March 31, 1977

NOTES

(Note A) The people not reached are:

860 Questionnaires Returned by Post Office  
 211 Questionnaires Never Heard From  
1071 Total Not Reached

(Note B) The system loses track of people during this stage of the process. Follow-up is poor on those people that do not show up; some of them are excused or rescheduled. Only 190 of the 525 excusals were documented, the remainder could not be identified.

(Note C) People are excused during both phases of the Jury Selection Process. A total of 1209 (1019 in Step 1 and 190 in Step 2) were excused as follows:

Hardship	232
Out of State	233
Live Outside of Boundary	91
Medical	61
Child Care	61
Profession	58
Non-Resident	53
Rescheduled	322
Other	<u>98</u>
Total Excused	<u>1209</u>

(Note D) During these three months, the people appearing for jury service were used as such:

	<u>People</u>	<u>Percentage</u>
Not Placed on a Jury	362	40%
Placed on a Jury:		
One Time	326	36%
Two Times	175	19%
Three Times	35	4%
Four Times	4	1%
	<u>902</u>	<u>100%</u>

(Note E) During these three months the Anchorage Court System called in people for these jury cases:

	<u>Number of Cases</u>	<u>Percentage</u>
Cases Scheduled	204	100%
Cases that Folded	<u>95</u>	<u>47%</u>
Cases Sent to Court	<u>109</u>	<u>53%</u>



## Alaska Court System

State of Alaska

303 "I" STREET  
ANCHORAGE, ALASKA  
99501

ARTHUR H. SNOWDEN II  
ADMINISTRATIVE DIRECTOR

(907) 274-8611

November 22, 1977

Gerald L. Wilkerson, CPA  
Legislative Auditor  
Division of Legislative Audit  
Pouch W  
Juneau, AK 99801

Dear Mr. Wilkerson:

Attached is our response to your Preliminary audit of our jury selection process. We wish to thank you for your assistance.

Sincerely,

*Arthur H. Snowden, II*  
Arthur H. Snowden, II  
Administrative Director

Enclosures:

1. Response to "A Performance Review of the Jury Selection Process".
2. Juror Utilization in the Superior and District Courts, Anchorage, Alaska.
3. Alaska Court System Accounting Policy and Procedures Manual.
4. The Petit Jury System in Alaska, Part I.

## STATE OF ALASKA

AUDIT DIVISION  
POUCH W—ALASKA OFFICE BUILDING

## THE LEGISLATURE

FINANCE DIVISION  
POUCH WF—STATE CAPITOL

BUDGET AND AUDIT COMMITTEE

JUNEAU 99801

October 25, 1977

OCT 25 1977

Mr. Arthur H. Snowden, II  
Administrative Director  
Alaska Court System  
303 "K" Street  
Anchorage, Alaska 99501

Dear Mr. Snowden:

Enclosed is a copy of our Preliminary Audit:

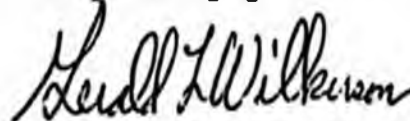
A Performance Review of the Jury Selection Process,  
The Alaska Court System

We request that you submit a written response to this report within thirty days. Your response will become an integral part of our final report. Please review the attached memorandum from Governor Hammond before transmitting your response.

This report is confidential in nature and is not for public release pending final review and approval by the Legislative Budget and Audit Committee.

Additional copies of this report have been distributed to the Governor and the Department of Administration for their review.

Very truly yours,



Gerald L. Wilkerson, CPA  
Legislative Auditor  
Division of Legislative Audit

Enclosures

RESPONSE TO "A PERFORMANCE REVIEW OF  
THE JURY SELECTION PROCESS"

We began an internal audit of jury selection and management in the Alaska Court System the second week of March 1977. Our phase one report dealing with jury selection, qualification and payment is enclosed as Appendix 1. The phase two report on juror utilization is currently being typed. The phase three report on juror information requirements will be completed by the end of this calendar year. We will specifically address each of these recommendations. Part of our reply is based upon (1) a memorandum from the Presiding Judge of the Third Judicial District to the Administrative Director of the Alaska Court System (Appendix 2), and (2) a technical assistance visit report from Bird Engineering and Associates (Appendix 3).

Recommendation No. 1

The Court System is not using people's time efficiently. Better jury utilization should be the primary objective for the jury system; cost savings should result.

The Court System should address and improve the following conditions:

1. Improve the Calendaring Process - The Anchorage courts should determine why so many jury cases are folding and should consider staggering jury cases so unused people can be reassigned to later cases.
2. Require Better Attendance for Jury Panels - When 18% of scheduled jury panels do not come in, the system is forced to call in extra people.

3. Develop Standard Jury Panel Sizes - The best size for jury panels should be determined from courtroom experience. This standard size should be increased only when the judge feels more people are needed.
4. Develop an Acceptable Jury Usage Plan - The courts should be willing to accept minor delays in putting jury panels together when better jury usage will result.

Discussion: Thomas Munsterman of Bird Engineering investigated the folding case problem and found that it was caused by (1) last minute changes of plea on the part of the Public Defender, and (2) last minute dismissals by the District Attorney's office due to lack of sufficient prosecutor staff to handle scheduled trials. Both of these conditions are largely beyond the control of the courts. However, Anchorage's implementation of a 3:30 p.m. trial start time the day prior to calling in the jury panel should cause more cases to fold prior to calling in the panel. Some trials are now staggered in Anchorage.

Anchorage will be implementing a stricter excusal policy and followup on absent jurors upon implementations of the one-day one-trial test in Anchorage. In addition, both Anchorage and Fairbanks have reduced panel sizes to those recommended in our phase one report. Finally, the judges in Anchorage have agreed to accept a five percent delay factor in order to make jury utilization more efficient. This five percent figure is one commonly used by other jurisdictions and was recommended to us by Bird Engineering.

#### Recommendation No. 2

The Court System should develop written guidelines and instructions for its personnel responsible for selecting, processing, and paying jurors.

Discussion: A manual for jury clerks is being developed with two chapters already completed. This manual is forecast to be completed by the end of this calendar year. We will send you a copy when it is completed.

Recommendation No. 3

The Court System should prepare statistical reports on the jury system. Administration would then be in a position to evaluate how effectively the jury process is working.

Discussion: Our revised automated jury management system was implemented in October 1977. This system, in conjunction with reporting requirements contained in the above referenced jury clerk manual, will provide us with statewide statistics on juror usage. This automated system provides information on excusals and payment information that we have not had before.

Recommendation No. 4

The quality of information on the venire listing (statewide listing of people available for jury service) should be improved.

Discussion: A quarterly update of our venire list would increase data processing costs significantly. We did improve the currency of this year's addresses by the use of the AJIS name file. Finally, when we compared one month's Anchorage questionnaires to the Anchorage telephone directory, (see page 34 of the report in Appendix 1), we found only 47 of 301 (15.6%) with changed addresses. Thus the problem is primarily one of transience.

As for those people who "...were not eligible and should not have been on the list.", this is a classic problem when multiple source lists are used. If selection is restricted to only the voter registration list, then a high percentage of those on the list are eligible for jury duty. When you add other lists, the percent of

those eligible for jury duty decreases due to non-residency and other factors. Bird Engineering has judged our multiple list selection process to be among the best in the country. The cost of a few more questionnaires being sent out to those non-eligible persons is a small price to pay for this excellent selection process.

With our new system implemented in October, the jury venire file is updated for people serving, deceased, permanently handicapped, or with an address change.

#### Recommendation No. 5

The Court System should develop a flexible but consistent excusal policy from jury service. When the presiding judges are active in the jury qualification process, the system works better.

Discussion: Thomas Munsterman of Bird Engineering has recommended that we not tighten up our excusal policy until we make jury service less inconvenient to our jurors. As shown in Judge Moody's memorandum, (Appendix 2), a tighter and more consistent excusal policy will be implemented in January 1978 at the same time as the one-day one-trial policy is begun.

In addition, our jury clerk's manual will speak to statewide guidelines on excusal criteria and policy.

#### Recommendation No. 6

In the larger court districts such as Anchorage, the Court System should consider reducing the length of jury service. Cost savings and better citizen involvement could result.

Discussion: This recommendation was discussed by the areawide administrators and the Manager of Technical Operations in the March 1-4, 1977 Juror Usage and Management workshop conducted by the National Institute of Law Enforcement and Criminal Justice. It was

planned at that time to test a shorter period of service. This test was approved by the Supreme Court in September 1977 based on the recommendations of our phase one report (Appendix 1). Since then, Judge Moody has decided to go even further and test a one-day one-trial process beginning in January 1978. The delay to January is necessitated by the two-month lead time required to mail out qualifications questionnaires.

#### Recommendations No. 7

The payment process for jury duty should be improved and brought under control of a second party review.

Discussion: Jury accounting instructions have been developed (Appendix 4). In addition, we plan to have all payments processed through our new automated system for audit and control purposes. We began doing this for the Kodiak Court beginning in November. This was not a feasible concept until the implementation of our revised automated system in October. Now Administrative Accounting in Anchorage will function as a second party review. Our revised automated system produces reports more amenable to audit of our jury payment process.

# Memorandum

Alaska Court System

TO:

Mr. Arthur H. Snowden, II  
Administrative Director

DATE : November 1, 1977

FROM: Ralph E. Moody  
Presiding Judge 

SUBJECT: Proposed Jury  
Management System

Having had the opportunity to review several recent studies conducted by both Court System personnel as well as an outside consultant and the legislative auditor, Jim Arnold, Ted Moninski and I met last week to review some proposed changes to the jury management system at Anchorage. The following items represent an initial list of recommendations for changes to be implemented in Anchorage at the earliest possible time:

1. Continued progression from the original thirty day petit juror service period to the interim two week juror service period and finally to a one day/one trial system. The one day/one trial system would have qualified jurors on stand-by for increments of one week. During this week, jurors would call in to the Anchorage telephone message number. If called to duty, service would be limited to a single day of service or a single trial if actually impaneled. If not called to duty, jurors would continue to call in until the one week increment had expired. No further service would then be required of this juror. Under this system, jurors would continue to be eligible for service again in the future after the statutory one year period had elapsed.
2. The jury pay system should be amended to permit the payment of a \$5.00 stipend for parking in the event that a juror is called into the Court facility but is not actually seated on a jury. If seated, however, the juror would then be paid the established \$20.00 service fee.
3. In an effort to reduce the number of cases that do not go to trial after a jury has been called in, the District Court calendaring system should be amended to provide for actual trial start time in the afternoon prior to the scheduling of voir dire.

4. A new, strictly adhered-to excusal policy should be established as a result of the limited juror service being provided for citizens. The goal of this policy would be to excuse only those jurors who could demonstrate a bona fide emergency situation.

Included as part of this policy would be the restricted use of deferred juror service.

Also included in this policy would be the implementation of a follow-up procedure for jurors who are called in but fail to appear for jury duty. (i.e. supplemental summons, order to show cause, etc.)

5. The Court System should utilize an extensive mass media campaign to both inform the community of the specific changes that have been implemented as well as to elicit a desired response from prospective jurors.

While these recommended changes do not purport to resolve all issues regarding jury management in Anchorage, they certainly represent a radical change and improvement over past practices. In addition to the discussion noted above, these changes also have been briefly reviewed by Mr. Mel Martin, Manager of Technical Operations, who advises that there appears to be no technical difficulties in implementing these recommendations. It should be noted, however, that implementation of a one day/one trial system will generate a significant increase in administrative workload prior to jurors being called into the Court facility. Since it is anticipated that these proposed changes will result in not only an increase in juror convenience but also a real dollar savings to the Court System, it is further recommended that a liberal policy be established to permit the addition of needed resources in the office of the Jury Clerk to satisfy this increased demand.

Your favorable consideration of these recommendations would be appreciated.

REM:TSM/cl

**JUROR UTILIZATION IN THE  
SUPERIOR AND DISTRICT COURTS,  
ANCHORAGE, ALASKA**

**23 September 1977**

**Prepared by**

**BIRD ENGINEERING-RESEARCH ASSOCIATES, INC.  
Post Office Box 37, Vienna, Virginia 22180**

JUROR UTILIZATION IN THE  
SUPERIOR AND DISTRICT COURTS,  
ANCHORAGE, ALASKA

23 September 1977

1. INTRODUCTION

In developing a report on the jury system in Alaska, the Office of the Administrative Director gathered data on the utilization of citizens' time when called to serve the court in Anchorage.<sup>1</sup> The results show that in an effort to ensure that enough people are available for scheduled trial activity, the court calls in far too many. This is the classic juror utilization problem. Efficient management of the jury system is not easy; it requires an adaptive call-in procedure, the knowledge of past efficiencies, and the support of the court.

An efficient pool, as discussed in A Guide to Juror Usage,<sup>2</sup> productively utilizes the time of those called and results in more favorable attitudes toward the courts and the criminal justice system. An inefficient system causes citizens to withdraw from service (by excusal or simply by "not showing"), resulting in poor representation and, in extreme cases, an indefensible system. The waste of juror fees is also apparent to the taxpayers who serve.

The use of a juror pool offers four advantages over calling in a separate panel to each courtroom:

- (1) If a specific jury trial does not begin as scheduled, then the prospective jurors are available to other courts.
- (2) Since all voir dices will not occur simultaneously and all scheduled trials will not commence, then fewer people should be needed, with attendant economies.
- (3) Those persons challenged or not reached in a voir dire in one court can be made available for trial activity in others.
- (4) If the voir dire examination exhausts the number of people sent from the pool, the pool is a source of more prospective jurors.

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<sup>1</sup>"The Juror System in Alaska," Office of Administrative Director (in preparation).

<sup>2</sup>U. S. Department of Justice, LEAA, December 1974.

It appears that the Anchorage court has not been able to achieve these advantages. Recommendations for their achievement are the subject of this paper.

## 2. THE CURRENT SITUATION

The Anchorage court has provided a call-in system under which prospective jurors call in the evening prior to each day's service to find out whether they should appear. Because of the determination of whether a case will go to trial may be made at any stage of the case flow process, the panel needs may be unknown on the day prior to trial. The uncertainty causes the court to call in enough people to handle all expected trials. A great number of cases are resolved at the calendar call. Trials may not begin because of rescheduling, dismissals, settlements, and plea changes at the last moment when the parties come together for resolution, witnesses fail to appear, or there are not enough prosecutors or courts. Yet an exact determination of which trials will begin would require a massive diplomatic and time-consuming effort by the court.

For the first three months of 1977, the situation was:

- (1) During an average week, 318 persons were called in.
- (2) Of those called, 82% showed; the rest were absent. This high absentee rate reflects citizen withdrawal and should be examined.
- (3) Of those who showed up, only 58% went to a courtroom. It would be interesting to learn if these people not sent to a court for voir dire are the ones absent on subsequent days.
- (4) Of those sent to a courtroom 44% were selected to be jurors. This reflects the usual selection process.
- (5) A person seldom goes to more than one voir dire on a given day.

### 3. ANALYSIS

#### 3.1 Panel Sizes

In an efficient juror pool operation, the size of the panel sent to each court is nearly optimum; that is, it is just large enough to allow all challenges for cause and peremptory challenges. The analysis of felony trials in Anchorage indicates an average panel size of 33 persons, with an average of 16 persons for a six-member jury. Continuing the analysis to those "not reached" on each panel reveals that all needs for the first six months of 1977 would have been met by panels of 29 persons for felony cases and 14 persons for six-member juries.

The panel sizes of 14 and 29 persons represent savings of 2 and 4 persons per panel and at first may seem small. However, if all panels were so reduced, an annual savings of \$28,200 (at \$15 per juror day) would result.

This emphasizes the need for using optimal panels, with the understanding that some mechanism must be available for providing larger panels when required. This could easily be accommodated with prior notification using the code-a-phone, or by sending additional persons from the pool if the need occurs during voir dire.

#### 3.2 Number of Persons Needed

The jury trial records for the first quarter of 1977 were examined to determine the number of persons needed by the trials which started. The distribution by day of the week is shown in Table 1. As indicated, the need for jurors fluctuated widely on Mondays, Tuesdays, and Wednesdays. Any call-in based on the maximum number of people needed on previous days as given in this tabulation would bring in far too many jurors. This suggests that some adaptive call-in method should be developed.

Table 1. Distribution of Daily Juror Requirements in Anchorage Courts, 1st Quarter 1977

Number of Persons Needed	Number of Times Needed, by Day				
	Mon	Tue	Wed	Thu	Fri
0 - 10	2	1	3	7	10
11 - 20	1	-	-	3	-
21 - 30	2	2	2	1	2
31 - 40	2	1	1	-	-
41 - 50	1	2	1	-	-
51 - 60	1	1	2	1	-
61 - 70	1	-	2	-	-
71 - 80	1	2	1	-	-
81 - 90	1	1	-	-	-
91 - 100	-	1	-	-	-
> 100	-	1	-	-	-

### 3.3 Trial Rates

Prior to each jury trial day, the jury clerk learns the number of jury trials scheduled in the District and Superior Courts, and calls in enough people to provide the panels for these scheduled trials. Table 2 compares the number of jury trials scheduled versus the number which actually began, tabulated in number of days, during the first quarter of 1977.

Table 2. Panels Called vs Panels Used, 1st Quarter 1977

No. of Trials Started (Panels Used)	No. Days With Scheduled Cases (Panels Called) by No. Cases												
	Superior Court				District Court								
	0	1	2	3	0	1	2	3	4	5	6	7	
0	27	8	7	-	4	-	3	1	2	-	-	-	
1	-	7	1	1	-	8	1	3	3	1	-	-	
2	-	-	-	-	-	-	1	6	3	2	-	-	
3	-	-	-	1	-	-	-	3	4	-	-	-	
4	-	-	-	-	-	-	-	-	3	1	1	1	
5	-	-	-	-	-	-	-	-	-	1	1	-	

In the Superior Court, 37 cases were scheduled but 12 actually began. For the 15 days when one case was scheduled, none was begun on 8 days and the scheduled case began on 7 days. On one day three cases were scheduled and all began; otherwise only one or no case began. In the District court, the same type of situation is seen, suggesting that some guidelines might be developed to estimate the number of persons to call in.

### 3.4 Adaptive Call-In Rates

Based on the data in Table 2, the following ratio of cases scheduled and begun per day might be expected in the District Court:

<u>Number of Daily Trials</u>	
<u>Scheduled</u>	<u>Expected To Start</u>
1 . . . .	1
2 . . . .	1
3 . . . .	2
4 . . . .	3
5 . . . .	4
6 . . . .	4
7 . . . .	4

If this ratio had been used during the first quarter of 1977 to determine the number of people to call in, then on 40 of the 49 trial days there would have been enough prospective jurors to start all District Court cases simultaneously. The variation in the trial start times and the relatively short District Court voir dieres (one hour or less) would have compensated on the other 9 days. If the advantage of "re-using" people on a given day is to be achieved, it must be weighed against the necessity of starting all trials simultaneously.

Since there is an almost two-to-one ratio in Superior and District Court panel sizes (29 to 14), a call-in of 14 persons per unit might be tried with the above call-in table modified to call in two units any time a Superior Court jury trial is scheduled. For example, if four District Court cases and one Superior Court case are scheduled, the  $3 + 2 = 5$  units of 14 people, or 70 people, would be called in. This number should be increased on the basis of experienced yield to take into account the absentee rate.

### 3.5 Changes in Scheduling

If both Superior Court and District Court trials start in the morning, the chance of using a prospective juror more than once on any given day is nearly zero. District Court juries are usually chosen in an hour or less. Therefore, on a day when 3 units (or 42 people) are called in and 3 District Court trials are started in the morning, by noon 24 people would be available -- almost enough for a Superior Court felony trial panel. This suggests that improved juror utilization could be achieved by scheduling Superior Court cases in the afternoon, using the morning for pretrial motions, sentencing, or other judicial activities. In addition, there is a good chance that last minute settlement or plea changes in the morning might allow prospective jurors to be dismissed at noon.

Table 3 suggests call-in guidelines which might be used if the Superior Court cases were started in the afternoon. In the first quarter of 1977, the Anchorage courts used 107 panels (12 in the Superior Court and 95 in the District Court). If these guidelines had been in use during that period, the number of people called in would have been reduced by 42%, with a savings of about \$82,000 (at \$15 per juror day). It would have been necessary to wait a short time for about 5 of the 107 panels (or about 20 waits per year), representing a risk of 5% waiting. Most waits would have been in the morning in the District Court because of its greater trial activity, but would have been resolved by late morning.

Table 3. Suggested Call-in Guidelines  
(if Superior Court Cases Begin in Afternoon)

No. Scheduled Trials in District Court	Number Scheduled Trials in Superior Court		
	0	1	2
0	0	29	29
1	14	35	35
2	14	35	35
3	28	41	41
4	42	47	47
5	56	56	56
6	56	56	56
7	56	56	56

#### 4. PLAN OF ACTION

The foregoing analysis indicates that a better juror utilization rate and attendant financial savings would be achievable in the Anchorage courts by utilizing experience data to predict jury pool requirements with some accuracy, calling in only the number of people to fill those requirements, reducing panels to optimal size, and possibly rescheduling trial starting times. The Superior Court Administrator has taken the first step by obtaining approval to accept a 5% risk of having to wait for a panel.

To assist in achieving the potential operational efficiency, the following steps are recommended:

- (1) Examine recent data and formulate call-in guidelines which can be easily implemented by the jury clerk (see Table 3).
- (2) Establish recordkeeping to monitor the efficiency of the pool and to allow further refinements in the call-in guidelines. Records (daily) should include:
  - Number called in
  - Number appearing
  - Trials anticipated
  - Trials started
  - Peak demand for jurors (minimum in pool)
  - Number of waits
- (3) Reduce call-in to level determined in Step (1)
- (4) Review and report operation monthly to the court, using data from Step (2) to show:
  - Number called in
  - Percent absent
  - Minimum in pool
  - Number of waits
  - Recommended call-in adjustment

Also distribute this report to all those involved in the jury trial schedule uncertainty, such as District Attorney's Office, Public Defenders Office, and the Bar.

- (5) Increase accuracy of call-in guidelines by soliciting refined estimates of expected jury trial activity from calendar office and District Attorney's office. If predictions prove feasible, incorporate into call-in guidelines.
- (6) Examine absentee records to determine reasons. Call a sample of those absent if reason is not apparent.
- (7) Periodically review panel sheets to ensure that panel sizes are adequate.
- (8) Revise the call-in guidelines as needed.

**ALASKA COURT SYSTEM  
ACCOUNTING POLICY AND PROCEDURES MANUAL**

**PROCEDURE: JURY SYSTEM DISBURSEMENTS**

**SECTION: CD7-1**

**LEVEL AFFECTED: TRIAL COURTS -  
BOOKKEEPER**

**EFFECTIVE DATE:  
ORIGINAL RELEASE**

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**DEFINITION AND OVERVIEW**

Making jury system disbursements is defined as the process of issuing field warrants to pay jury costs. Jury costs are defined to include only those expenses that are necessary for the procurement and maintenance of jurors. Service fees, transportation, food and lodging are typical costs. All other costs of operating the courts are submitted to the Administrative Accounting Office for payment. The rate of payment for jury service is set by Administrative Rule 17.

Payments to jurors and vendors providing jury related goods and services are initiated by the submission of an approved attendance card or invoice to the bookkeeper. A jury service field warrant, which is similar to a check in its use, is used to pay jury costs. The maximum amount a warrant can be written for is \$500. Costs in excess of that limit must be submitted to the Administrative Accounting Office for payment. The \$500 limit allows the courts to pay the majority of their jury costs. Minor expenses of juries can be paid out of the court's petty cash fund rather than with a jury warrant. Certain expenses must be paid by the Administrative Office regardless of amount. Included in this category are the costs of hiring temporary bailiffs and interpreters. Employees of the State of Alaska are not paid for jury duty, except under certain circumstances. Nevertheless, they are paid for transportation and subsistence costs in accordance with the Administrative Rule 17.

In staffing the jury function, the primary goal is to segregate the major duties to the extent that no employee is involved in all phases of the process from beginning to end. In the typical situation one employee would be responsible for the approval of juror attendance cards and vendor invoices. Another employee would be responsible for the control and preparation of warrants, and a third employee would be responsible for signing jury warrants. Only designated employees, known as certifying officers,

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are authorized to sign jury warrants. The Administrative Accounting Office strictly controls the number of authorized signers. Court bookkeepers should not be certifying officers.

It is the policy of the court system to minimize the delay in payment of jurors and vendors. These payments must be made at least monthly. Some courts use the computerized jury disbursement system for issuing warrants. Regardless of payment method, the controls and procedures are the same.

Extreme care must be exercised in the preparation of field warrants. The warrants, after clearing the banking system, are entered into the State of Alaska's computerized accounting system. Errors in the preparation of warrants result in a delay in processing and a notification of the Administrative Accounting Office. In the event a warrant is lost after issuance, upon notification, the court must immediately issue a stop pay request. Warrants automatically become stale dated, that is void, ninety days after issuance. A stop pay should still be issued in this situation. Upon approval of Administrative Office a replacement warrant can be issued.

**FORMS USED**

The JURY SERVICE FIELD WARRANT is a four-part prenumbered form used for the purpose of making jury disbursements. The original is given to the payee. The duplicate (yellow) is the court copy. The triplicate (blue) is the Administrative Accounting Office copy. The quadruplicate (orange) is used in the computerized disbursement system.

The issuance of field warrant forms is tightly controlled. Procedures for requisitioning a supply of warrants is contained in the Section AF 3-1: Ordering Accounting Forms. The usage of warrants is monitored by the Administrative Accounting Office.

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**PROCEDURE: JURY SYSTEM DISBURSEMENTS**

**SECTION: CD7-3**

**LEVEL AFFECTED: TRIAL COURTS -  
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Quarterly, the courts are required to account for all warrants issued to them. Instructions for this are included in the procedural section entitled Summarizing Warrant Usage.

The STOP PAY REQUEST is a single part form used for the purpose of requesting the payor bank to dishonor the payment of a jury service field warrant. After preparation, the request is forwarded to the Administrative Accounting Office for processing.

The INTERPRETER FEES is a single part form used for the purpose of reporting interpreter hours. The form is sent to the Administrative Accounting Office for payment.

Samples of the completed forms are contained at the end of this section. Reference is made to these samples throughout this procedural section. It may be helpful to review the forms prior to reading the following instructions. More information on these and other forms is contained under the title of Ordering Accounting Forms.

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PROCEDURE: JURY SYSTEM DISBURSEMENTS

SECTION: CD7-4

LEVEL AFFECTED: TRIAL COURTS -  
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INSTRUCTIONS

1. Obtain and review the "JURY ATTENDANCE CARD" or "VENDOR INVOICE." (Exhibit, Section CD7-11)  
Determine that:
  - a. Each attendance card or vendor invoice is properly prepared and is approved by an officer of the court.
  - b. For vendor invoices, the goods or services have been received.
2. Segregate attendance cards for employees of the State of Alaska. State employees are not paid jury service fees except under special circumstances. They are paid transportation and subsistence costs.
  - a. Temporary status employees without jury leave benefits and permanent status employees on annual leave are paid for jury service.

(STEPS 3 THROUGH 5 ARE COURTS USING MANUAL PREPARATION OF WARRANTS)

3. Using the attendance card, calculate and enter on the card the total amount due to the juror for current service.
  - a. The service fees are \$10 for each half day and \$20 for each full day of service.

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**PROCEDURE: JURY SYSTEM DISBURSEMENTS**

**SECTION: CD7-5**

**LEVEL AFFECTED: TRIAL COURTS -  
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- (1) Half day service credit is earned for having to appear at the court-house either in the morning or afternoon.
  - (2) Full day service credit is earned for having to appear at the court-house both in the morning and afternoon.
- b. Transportation costs are paid at the rate of 12 cents a mile, if the juror's residence is more than 30 miles from the courthouse.
  - c. Cash expenses incurred by the juror for transportation must be supported by a receipt. Attach the receipt to the attendance card.
  - d. If the total amount due is more than \$500, send the documents to the Administrative Accounting Office for payment.
4. Using the lowest numbered "JURY SERVICE FIELD WARRANT" available, type in the applicable portions of the form using the information on the attendance card or invoice: (Exhibit, Section CD7-12)
- a. Dates and duration of service for jury fees or nature of expenditure and invoice number for vendor invoices. (A)
  - b. Total amount due. (B)
  - c. Accounting code and amount due under each code. (C)

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**PROCEDURE: JURY SYSTEM DISBURSEMENTS**

**SECTION: CD7-6**

**LEVEL AFFECTED: TRIAL COURTS -  
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**EFFECTIVE DATE:  
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- 
- (1) The numbers must be entered exactly in the spaces provided.
  - (2) For a listing of codes, see Exhibit, Section CD7-13.
  - d. Accounting total. (D)
  - e. Date the warrant is prepared. (E)
  - f. Amount paid. (F)
  - g. Name of juror or vendor. (G)
    - (1) The payee must be an individual or firm. Warrants must not be made payable to "CASH" or "BEARER."
  - h. Verify that the amounts entered under (B), (C), (D) and (E) agree.
  5. Using an adding machine, add up and total the amounts to be paid on the attendance cards and vendor invoices. Then, add up and total the amounts paid on field warrant. The totals must agree. If not, compare the entries on the tapes with the cards, invoices and warrants until the error is found.
  6. Stamp each attendance card or vendor invoice with the paid/date stamp.
  7. Once the warrant has been completed except for the signature, submit the warrant and supporting attendance card or vendor invoice to the certifying officer for signature.

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**PROCEDURE: JURY SYSTEM DISBURSEMENTS**

**SECTION: CD7-7**

**LEVEL AFFECTED: TRIAL COURTS -  
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8. After receiving the voucher copies of the warrant, the card or invoice back from the certifying officer, separate the court copy of the warrant from the other copies. Then, file:
    - a. The court copy of the warrant in numerical sequence.
    - b. The attendance cards and vendor invoices in alphabetical sequence.
  9. Send the other copies of the warrant to the Administrative Accounting Office.
  10. If the warrant is improperly prepared or mutilated during preparation:
    - a. Write "VOID" across the front of the warrant in ink.
    - b. Cross out the signature block with ink.
    - c. Separate the court copy from the warrant and file in accordance with the instructions above.
    - d. Send the original and other copies to the Administrative Accounting Office.
  11. If a juror or vendor loses a warrant and requests a replacement warrant, a stop pay request must be prepared and time allowed for it to process prior to issuing the replacement warrant. Type in the applicable portions of the "STOP PAY REQUEST" for the lost warrant:  
(Exhibit Section CD7-16)
    - a. Date prepared. (A)

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**PROCEDURE: JURY SYSTEM DISBURSEMENTS**

**SECTION: CD7-8**

**LEVEL AFFECTED: TRIAL COURTS -  
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- 
- b. Warrant number. (B)
  - c. Date issued. (C)
  - d. Amount. (D)
  - e. Name of payee. (E)
  - f. Address of payee. (F)
12. Send the completed stop pay request to the Administrative Accounting Office for signature and processing. Indicate if a replacement warrant is requested.
- a. The Accounting Office will notify the requesting court when a replacement warrant can be issued.
13. If the warrant is no lost but merely stale dated or mutilated, obtain the warrant from the juror or vendor. A stop pay request does not need to be prepared. A replacement warrant may be issued immediately.
14. Submit the hours worked of temporary bailiffs to the Administrative Accounting Office. The standard court system timesheet should be used to report these hours. These disbursements are made through the State's payroll system.
- a. If the bailiff has not worked for the court before, submit the necessary hiring papers along with the timesheet.
15. The costs of court interpreters are paid by the Administrative Accounting Office.
- a. State purchasing regulations require individuals providing services to state agencies to have a valid Alaska Business License.

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**PROCEDURE: JURY SYSTEM DISBURSEMENTS**

**SECTION: CD7-9**

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- b. Interpreter fees are set by Administrative Rule 8.
  - (1) The fees are \$15 per hour for each hour or fraction of an hour spent interpreting.
  - (2) Standby time (defined as time spent in court but not actually interpreting is paid at the rate of \$7.50 per hour or fraction thereof)
  - (3) The minimum fee is \$30 per day regardless of time spent interpreting or standing by.
  - (4) Interpreters are not paid for time during lunch breaks or other recesses of the court lasting over one half an hour.
  
- 16. Complete the applicable portions of the form "INTERPRETER FEES" in ink: (Exhibit, Section CD7-17)
  - a. Court location. (A)
  - b. Case number. (B)
  - c. Name and address of interpreter. (C)
  - d. Interpreter's social security number (D)
  - e. Interpreter's business license number. (E)
  - f. Dates of appearance. (F)
  - g. Interpreting and standby time. (G)
    - (1) If possible list beginning and ending times for each category.

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PROCEDURE: JURY SYSTEM DISBURSEMENTS

SECTION: CD7-10

LEVEL AFFECTED: TRIAL COURTS -  
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- h. Total hours per day. (H)
  - i. Date and signature. (I)
17. Send the completed interpreter fee form to the Administrative Accounting Office for payment.
- a. A direct payment will be made to the interpreter.

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EXHIBIT: JURY ATTENDANCE CARD/  
VENDOR INVOICE

SECTION: CD7-11

LEVEL AFFECTED: TRIAL COURTS -  
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**ALASKA COURT SYSTEM  
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**EXHIBIT: JURY SERVICE FIELD WARRANT**

**SECTION: CD7-12**

**LEVEL AFFECTED: TRIAL COURTS -  
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**EFFECTIVE DATE:  
ORIGINAL RELEASE**

STATE OF ALASKA		ALASKA COURT SYSTEM		CHECK NO. 41		072486		PAYABLE THROUGH THE B. M. BEHRENS BANK ANCHORAGE, ALASKA	
FIELD WARRANT (JURY SERVICE ONLY)		FW		41		072486		PAY TO THE ORDER OF:	
QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL						
<b>(A)</b>			<b>(B)</b>						
DEPT.	ACCOUNT	OBJECT	ACTIVITY	PROJECT	CONTRIBUTOR				
1			<b>(C)</b>						
2						<b>(C)</b>			
VENDOR NUMBER	ACCOUNT DATE	ACCOUNT NUMBER	ACCOUNT DESCRIPTION	TOTAL					
1				<b>(D)</b>					

DATE: **(E)**  ~~FOR DEPOSIT ONLY~~  
 AMOUNT \$ **(F)**  ~~NO DEPOSIT REQUIRED~~  
 PAY TO THE ORDER OF: **(G)**  
 TOTAL \_\_\_\_\_  
 DEBIT CREDITING OFFICER \_\_\_\_\_

⑆ 252 000 ⑆ ⑆ 3000000000 ⑆

**ALASKA COURT SYSTEM  
ACCOUNTING POLICY AND PROCEDURES MANUAL**

**EXHIBIT: ACCOUNTING CODES FOR  
JURY DISBURSEMENTS**

**SECTION: CD7-13**

**LEVEL AFFECTED: TRIAL COURTS -  
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The accounting code for jury disbursements is divided into two components: (1) the location code and (2) the object of expenditure code. Listed below by court in alphabetical sequence are the location codes. Following that is a listing of object of expenditure codes:

<u>COURT</u>	<u>LOCATION CODE</u>
Anchorage Trial	41-65-1-310
Barrow Service Area	41-65-1-475
Barrow Trial	41-65-1-470
Bethel Service Area	41-65-1-465
Bethel Trial	41-65-1-460
Fairbanks Trial	41-65-1-410
Homer District	41-65-1-340
Juneau Trial	41-65-1-110
Kenai Trial	41-65-1-320
Ketchikan Trial	41-65-1-115
Kodiak Trial	41-65-1-315
Kotzebue District	41-65-1-220
Nome Trial	41-65-1-210
Palmer District	41-65-1-325
Petersburg District	41-65-1-130

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**EXHIBIT: ACCOUNTING CODES FOR  
JURY DISBURSEMENTS**

**SECTION: CD7-14**

**LEVEL AFFECTED: TRIAL COURTS -  
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<u>COURT</u>	<u>LOCATION CODE</u>
Seward District	41-65-1-330
Sitka Trial	41-65-1-120
Valdez District	41-65-1-335
Wrangell District	41-65-1-125
Other First Judicial District Courts	41-65-1-150
Other Second Judicial District Courts	41-65-1-250
Other Third Judicial District Courts	41-65-1-350
Other Fourth Judicial District Courts	41-65-1-450

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EXHIBIT: ACCOUNTING CODES FOR  
JURY DISBURSEMENTS

SECTION: CD7-15

LEVEL AFFECTED: TRIAL COURTS -  
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<u>EXPENSE DESCRIPTION</u>	<u>OBJECT OF EXPENDITURE CODE</u>
<u>Petit Jury Travel</u> : Includes the cost of transportation and subsistence for trial juries. Mileage, lodging, meals and transportation are typical charges.	294
<u>Grand Jury Travel</u> : Includes the cost of transportation and subsistence for grand juries.	295
<u>Coroner Jury Travel</u> : Includes the cost of transportation and subsistence for coroner and presumptive death juries.	296
<u>Other Jury Travel</u> : Includes the cost of transportation and subsistence for witnesses, expert witnesses, interpreters and other jury related travel not covered above.	293
<u>Petit Jury Fees</u> : Includes service fees for trial jurors.	371
<u>Grand Jury Fees</u> : Includes service fees for grand jurors.	372
<u>Coroner Jury Fees</u> : Includes service fees for coroner and presumptive death jurors.	373
<u>Witness Fees</u> : Includes appearance fees for witnesses and expert witnesses.	374
<u>Interpreter Fees</u> : Includes attendance fees for interpreters and translators.	375
<u>Other Jury Costs</u> : Includes costs related to juries not covered above. Other costs include jury room supplies, refreshments, subscriptions, cleaning services, etc.	379

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EXHIBIT: STOP PAY REQUEST

SECTION: CD7-16

LEVEL AFFECTED: TRIAL COURTS -  
BOOKKEEPER

EFFECTIVE DATE:  
ORIGINAL RELEASE

STATE OF ALASKA  
DEPARTMENT OF ADMINISTRATION  
Pouch C - Juneau, Alaska

Date: (A)

STOP PAYMENT REQUEST - STATE OF ALASKA WARRANT

TO: B. M. Behrends Bank, Juneau, Alaska  
National Bank of Alaska, Juneau Branch  
First National Bank of Anchorage, Juneau branch  
Treasury Division, Department of Revenue  
Pre-Audit Section, Division of Finance, Department of Administration  
Payroll Section, Division of Finance, Department of Administration

Stop payment order is requested on the following State of Alaska Warrant:

Payroll Series No. \_\_\_\_\_ General Warrant Series No. \_\_\_\_\_  
Gross Amount \_\_\_\_\_  
Net Amount \_\_\_\_\_  
Employee SSN \_\_\_\_\_ Field Warrant Series No. (B)  
Reissue Yes \_\_\_\_\_ No \_\_\_\_\_  
Issue Date of Warrant: (C) \_\_\_\_\_ Amount: (D) \_\_\_\_\_  
Payee: (E) \_\_\_\_\_  
Payee Mailing Address: (F) \_\_\_\_\_  
City and State: \_\_\_\_\_

The above warrant has been reported lost, stolen or undelivered. You are respectfully requested to take necessary action to stop payment on the above warrant and to return it to the payee.

Please hold this stop payment order for a period not to exceed six (6) months. If this matter is cleared during this time, you will be notified to cancel the stop payment order.

To the Payee: Please take notice of the above action. You are directed not to cash the State of Alaska Warrant reported above. A replacement warrant is in process for you. If the original warrant is located, it must be mailed immediately to: Director, Division of Finance, Department of Administration, Pouch C, Juneau, Alaska 99901.

Your cooperation will be appreciated.

For the Department Involved:  
Signature

For the Division of Finance:  
Signature