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# COUNTY OF LOS ANGELES CHIEF ADMINISTRATIVE OFFICE

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SALLY R. REED  
CHIEF ADMINISTRATIVE OFFICER

January 6, 1995

To: Each Supervisor

From: Sally R. Reed  
Chief Administrative Officer

Subject: **REVIEW OF CITIZENS' ECONOMY AND EFFICIENCY COMMISSION  
REPORT (ITEM NO. 15 AGENDA OF 1/10/95)**

On the January 10 agenda is the Economy and Efficiency Commission report on "The Management of Juries Within Los Angeles County" (Commission Report). The Chief Administrative Office's (CAO) recommendation is to refer the item to the Board to coincide with your Board's previous action of November 1, 1994 in which:

- I. Supervisor Antonovich requested that the Los Angeles County Citizens' Economy and Efficiency report, "The Management of Juries Within Los Angeles County" be reviewed with a report on how we could improve the system to ensure that the process encourages people to serve, and that those who do serve are treated with respect;
- II. Supervisor Molina requested a review and report back to the Board on Orange County's "One-Day" jury system, if it is not included in the Economy and Efficiency Commission's report, to see whether such a system might function in Los Angeles County; and,
- III. Supervisor Dana requested a review and report back to the Board on the difficult and crowded working conditions under which some jurors serve.

## STATUS OF JURY MANAGEMENT REPORTS

The Commission Report was approved by the Economy and Efficiency Commission on December 7, 1994. It contains 34 recommendations directed to the Superior Court, and the remaining 2 recommendations involve the Internal Services Department and CAO. Independent of the Commission Report, the Superior Court, which administers the jury system for the Superior Court and the 24 municipal courts, has prepared a comprehensive report entitled, "The Jury Report, Los Angeles Superior Court, A Blueprint for Change in the Los Angeles County Jury System" (Jury Report), expected to be approved for release within 30 days. The current Superior Court Presiding Judge, Gary Klausner, has indicated that improving the jury system is one of the Court's top priorities for 1995. The Commission itself recognized that "some recommendations may duplicate improvements which Court management has already planned or initiated."

There is at least one other local group studying the jury system. Former Presiding Superior Court Judge Robert M. Mallano established a Jury Reform Task Force comprised of, among others, the Presiding and Assistant Presiding Judges, other judges in the County court system, the District Attorney, the Presidents of the State and County Bar Associations, the head of the Public Defender office, and a representative from the State Attorney General's Office.

For the purposes of this report, the Commission Report and the draft Jury Report were reviewed in response to the Board's request.

#### **I. ENCOURAGEMENT OF PEOPLE TO SERVE AND RESPECTFUL TREATMENT OF JURORS**

There is no question that the respectful treatment of jurors is a primary ingredient in any program designed to encourage people to serve on juries. The Commission Report calls out a number of good ideas from other jurisdictions on how to encourage people to serve:

- implementation of a comprehensive education and outreach program to promote the value and civic duty of jury service that would involve state and local bar associations, schools, churches, community associations, and a public education program to reach children and teachers beginning in the elementary grades;
- institution of an annual "Jury Appreciation Week";
- use of positive media articles and programs;
- use of live presentations by judges;
- use, publication and distribution of brochures and guides;
- use of multimedia displays in the jury assembly rooms, schools and libraries; and
- use of outreach programs by lawyers and judges.

In general, we support the Commission's recommendations in the section regarding "Treatment of Jurors by Courthouse Personnel." There is a strong emphasis on providing explanations to jurors: What is happening to them and why; and using juror feedback to improve the system. We encourage the Superior Court to consider these recommendations.

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We would also encourage the Court to select individuals who enjoy public contact to work with jurors. This staff ideally should be trained in establishing client/customer relationships with an eye to ensuring that "customers" return. This could be followed with periodic training to update or reinforce skills, and to recognize and handle stressful situations. Training could also focus on identifying solutions to concerns raised by the Juror Exit Questionnaire and role-playing exercises to practice recommended responses to these concerns. We would further recommend that a letter of appreciation from the Court be sent to all jurors, not just those who sit on a jury, as an easy and relatively inexpensive way to demonstrate the important role each juror plays in the success of the juror system.

## **II. REVIEW AND APPLICABILITY OF ORANGE COUNTY'S "ONE-DAY" JURY SYSTEM**

The Commission Report indicates that Orange County has been operating successfully with a one trial/one day system since January, 1993. Fee and expense payments are the same as those in Los Angeles County, but the Commission reports that Orange County may anticipate \$500,000 in annual net savings since the \$5 per day jury fee is not paid to those who report for the first day and who do not serve on a jury and are dismissed at the end of the first day.

The juror fees savings would not be realized in Los Angeles County because jurors are paid for reporting on the first day regardless of whether they are dismissed at the end of the first day without having served on a jury. Based on California law, County Counsel has advised against limiting jury fees and mileage as they do in Orange County.

The Commission Report recommends that the Courts actively work toward the implementation of a shorter term of jury service on a pilot basis in one or more locations within the County recognizing the size and complexity of Los Angeles County's Court system.

Between October 1992 and October 1993, the Superior Court did attempt to reform the jury service term by adopting "One Trial/Five Days". However, the program failed because it was found that trial courts with cases estimated to exceed five trial days could not be adequately covered because jurors expected to serve no more than five days. Most trials average eight to nine days in length. For this reason, the Courts Grand and Trial Jurors Committee changed the term of service to "One Trial/Ten Days". The Jury Report currently suggests that One Day/One Trial may be considered for certain categories of prospective jurors.

### **III. REVIEW OF JURORS' DIFFICULT AND CROWDED WORKING CONDITIONS**

As noted in the Attachment, there are 42 court locations serviced by 30 separate assembly rooms or facilities. As of November, 1994, the Superior Court had inspected a number of jury assembly rooms to determine the need for proposed enhancements. The balance will be reviewed by March 30, 1995 by a facilities specialist who would also coordinate repairs and enhancements. The Court has determined that approximately 14 will require extensive remodeling, repairs and/or upgrade. It is also our understanding that juror comfort and security are the major areas examined in reviewing assembly room conditions.

Minor repairs and enhancements may be able to be absorbed within a court's existing budget, but additional funding will need to be identified if new lease space, relocations, major alterations, or use of modulars is required. Individual needs and cost of space in each court's neighborhood will determine actual costs, but the following may provide an estimated cost per assembly room for ballpark purposes. Based on a need for 4,400 square feet for a jury assembly area with two restrooms, staff office and a vending area, a current estimate to relocate and remodel existing space could range from \$810,000 to \$1,120,000 (both include the cost to relocate an existing function). The purchase of a similar sized modular building (including setup, covered walkway, utilities hookup, and County costs, such as Project Management) could range from \$780,000 to \$820,000 excluding land.

The Superior Court has developed a series of recommendations for jury facilities that begin with development of standards for jury assembly rooms and include repairs to ensure safe and comfortable environments for jurors and staff. Implementation of the recommendations will be delayed until funding is identified. Neither the Criminal Justice Temporary Construction Fund nor the Courthouse Construction Fund have monies available to finance upgrades without major disruption to the current Board-approved project schedule.

Among other recommendations, the Commission Report recommends that the Los Angeles County Courts consider the following funding sources:

- Direct that a percentage of the Court's annual budget be committed to up-grading sub-standard juror assembly room facilities, and to provide for a reasonable degree of amenities for waiting jurors.
- Designate waived juror fees as contributions into a fund to be used to help defray part of the costs of the amenities and facilities improvements.
- Encourage outside funding sources, such as civic-minded companies, to assist in upgrading facilities.
- Investigate the installation of child care facilities in the courthouses, or the possibility of providing a reimbursement for child-care costs to increase and encourage juror participation.
- Utilize persons receiving general relief or other social services assistance to help in the maintenance and repair of facilities.

The Jury Report is supportive of the use of waived juror fees for maintaining and upgrading local juror facilities. The Jury Report's section on "Revenue and Profit-Making Proposals" also notes that new sources of funding and revenue need to be identified and lists other good recommendations such as copyrighting and marketing concepts.

#### **ECONOMY AND EFFICIENCY REPORT RECOMMENDATIONS**

The Economy and Efficiency Commission report refers to the Los Angeles Superior Court 34 of the 36 specific recommendations for the improvement of jury management. We do have some concerns regarding recommendations that have the potential to significantly increase existing costs, such as increasing the \$5 jury fee, without further study and some evaluation that this fee increase will provide a greater benefit.

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Two of the 36 recommendations are directed to the Board of Supervisors and request that the Board:

- **Direct the Internal Services Department (ISD) to immediately repair or replace the water supply equipment, where needed, to ensure acceptable drinking water to jurors (Recommendation No. 21).**

This need will be reviewed and prioritized within the context of total facility needs, available funding and alternative solutions upon conclusion of the Court's review.

- **Direct the Chief Administrative Office (CAO) to conduct an expanded cost/benefit analysis of the economic impact of the issues and recommendations made in this report (Recommendation No. 36).**

The Chief Administrative Office will conduct an expanded cost/benefit analysis of the economic impact of the issues and recommendations once the Court has released its report and determined its priorities for addressing jury system issues.

## **SUMMARY**

We will be working with the Superior Court in their review of the Economy and Efficiency Commission recommendations and provide assistance as the Court develops priorities and plans for improving the jury system in Los Angeles County.

SRR:LMJ  
RUH:bjs7

- c: Executive Officer of the Board of Supervisors  
County Counsel  
Director, Internal Services Department  
Executive Officer of the Superior Court  
Executive Director, Economy and Efficiency Commission

## CHART OF LOS ANGELES COUNTY'S 1993-94 JURY STATISTICS

1. COURT LOCATIONS	42 separate court locations
2. JUDICIAL OFFICERS	188 Municipal AND 238 Superior Court Judges and 130 Court Commissioners
3. SOURCE LISTS FOR JURORS (purged and merged to create a master list)	Department of Motor Vehicles: Drivers license and ID card lists/ Registrar of Voters
4. JUROR-ELIGIBLE RESIDENTS	6.5 million
5. NUMBER RANDOMLY SELECTED	4.0 million to reach 400,000 qualified
6. JURY TRIALS ANNUALLY	6-7,000 requiring 1.2 million juror days and 400-500,000 jurors
7. ASSEMBLY LOCATIONS	30 separate assembly rooms or facilities

Source: "The Jury Report"



**A PROGRESS  
REPORT ON  
RECOMMENDATIONS FOR**

**The Management  
of Juries Within  
Los Angeles County**

**A Report by  
The Citizens Economy and Efficiency Commission  
of Los Angeles County**



# THE MANAGEMENT OF JURIES WITHIN LOS ANGELES COUNTY

A Report by  
The Citizens Economy and Efficiency Commission  
of Los Angeles County

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
<p>1. Review the cost-effectiveness of the use of additional source lists to supplement the lists of registered voters and licensed drivers now in use. Emphasis should be placed on lists providing current addresses.</p>		<p>X (6/30/95)</p>	
<p>2. Rigorous enforcement procedures should be instituted for non-respondents to include:</p>		<p>X (6/30/95)</p>	
<p>a. A follow-up module to track those who do, or do not respond</p>		<p>X (6/30/95)</p>	
<p>b. Failure to appear notices; and</p>	<p>PROCEDURE FOLLOWED FOR YEARS</p>		
<p>c. Serving warrants to appear in selected cases.</p>		<p>X (6/30/95)</p>	
<p>Using certified return-receipt mailings might be tried as a pilot project to determine if the increased response is worth the cost.</p>		<p>X (6/30/95)</p>	
<p>3. Institute educational and outreach programs that emphasize the value of, and civic responsibility for, jury service, and its positive value, that include:</p>			

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
a. Schools and libraries		X 7/31/95	
b. Seminars			X
c. Judicial outreach			X
d. Orientation in citizen naturalization programs			X
e. Employee education programs			X
4. Enlist legal associations to assist with education and outreach programs on the value of jury service to citizens and employers, to include			X
a. The Los Angeles County Bar			X
b. The California State Bar			X
c. The American Bar Association			X
5. Court jury management should proceed in an expeditious manner to achieve their goal of summoning individuals for jury service no more than once every 4 years.		X GOAL IS EVERY TWO YEARS (6/28/96)	

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
6. Install a one-part juror summons containing accurate and essential information and emphasizing:			
a. The positive aspects of jury service to citizens, as well as		X (6/28/95)	
b. The penalties for not responding		X (6/28/95)	
7. While using the current two-part mailing system, the positive aspects of jury service should be emphasized and additional information included, such as:			
a. Available options for location of service and		X (6/30/96)	
b. Type of service (on-call, etc.)		X (6/30/95)	
8. The conversion to a computerized qualification process to replace the current manual Juror Affidavit processing should be implemented as soon as possible.		X (6/28/96)	

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
9. Establish a regularly scheduled review to determine the locations and causes of the 15% undeliverable returns so that corrective actions to decrease this percentage can be taken. Savings from reducing the undeliverable mailings will help pay for the analysis of the problem.	<b>SEVERAL STUDIES COMPLETED</b>		
10. Simplify the notification process to provide citizens some flexibility in choosing the location at which they may serve (close to residence as opposed to the 20-mile limit).			<b>X</b>
11. Communication by the Court with potential or selected jurors should be conducted on an "exception" basis, to the extent possible.	<b>PROCEDURE FOLLOWED FOR YEARS</b>		
12. Use cable TV/local access channels to orient jurors on procedures, parking, etc., before they report.		<b>X</b> (12/29/95)	

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
<p>13. Review current jury facilities with the objective of meeting ABA Standard #14, which states:</p> <p>"The court should make all facilities accommodating to all jurors, including those with disabilities", and "Courts should provide an adequate and suitable environment for jurors.</p>			
<p>a. The entrance and registration areas should be clearly identified and appropriately designed to accommodate the daily flow of prospective jurors to the courthouse.</p>		<p>X (6/28/96)</p>	
<p>b. Jurors should be accommodated in pleasant waiting facilities furnished with suitable amenities.</p>		<p>X (6/28/96)</p>	
<p>c. Jury deliberation rooms should include space, furnishings and facilities conducive to reaching a fair verdict. The safety and security of the deliberation room should be ensured.</p>		<p>X (6/28/96)</p>	

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
d. To the extent feasible, juror facilities should be arranged to minimize contact between jurors, (trial) parties, counsel, and the public."	X PROCEDURES FOLLOWED FOR YEARS		
14. Direct that a percentage of the Court's annual budget be committed to up-grading sub-standard juror assembly room facilities, and to provide for a reasonable degree of amenities for waiting jurors.		X (6/28/96)	
15. Designate waived juror fees as contributions into a fund to be used to help defray part of the costs of the amenities and facilities improvements.			X
16. Encourage outside funding sources, such as civic-minded companies, to assist in upgrading facilities.			X
17. Review current facilities and practices to maintain and ensure a secure environment for jurors in both criminal and civil courts.		X (6/28/95)	

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
18. Establish an efficient means to answer questions or respond to jurors' problems, i.e., a kiosk in the jury assembly room, with a TV monitor that provides responses to the most frequently asked questions.		X (12/29/95)	
19. Investigate the installation of child care facilities in courthouses, or the possibility of providing a reimbursement for child-care costs to increase and encourage juror participation.			X
20. Utilize persons receiving general relief or other social services assistance to help in the maintenance and repair of facilities.			X
21. Direct the Internal Services Department to immediately repair or replace the water supply equipment, where needed, to ensure acceptable drinking water to jurors.	X (4/27/95)		
22. Actively work toward the implementation of a shorter term of jury service on a pilot basis. (Due to the size and complexity of Los Angeles County's Court system, implementing a one trial/one day system in one or more "pilot" locations within the County Superior and Municipal Court system may be a first step.)		X (12/31/96)	

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
23. Insure that the installation of a new telephone system is more efficient and "user friendly" with the capability to receive and send telefacsimile (FAX) information or other similar options.		X (12/29/95)	
24. Include citizens who have recently served on jury duty in groups reviewing the jury management system.		X (6/30/95)	
25. Ensure that jurors are given clear and complete explanations by Court personnel about what is happening to them and why.		X (9/29/95)	
26. Ensure that jurors are given information on jury service requirements which is consistent with established jury management policies. This can be accomplished by establishing "ombudspersons" to provide explanations while jurors are waiting for voir dire and to generally assist them with questions or problems.			X
27. Improve jury management procedures as follows:			



RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
<p>a. Abandon roll call. Instead, station a clerk at the door to check off attendance and to handle other administrative matters.</p>			X
<p>b. Consider reallocation of staff hours in jury management offices so that administrative duties can be completed during off-peak hours and, thus, not interfere with juror processing.</p>		X (9/29/95)	
<p>c. Schedule office hours prior to normal starting and later than normal closing time at least one day per week, so that jurors can deal with court personnel on excusals, deferrals, handicapped accommodations, or similar matters at a time more convenient to them.</p>			X

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
<p>d. Adopt the practice that no juror be sent out for a second voir dire until all jurors have been sent out on their first. Use written juror questionnaires to cover basic background information and to pre-screen jurors for cause.</p>			X
<p>e. To improve juror feed-back, routinely distribute the Juror Exit Questionnaire to everyone upon the completion of jurors' service with the request that it be returned prior to leaving the courthouse. Review the Juror Exit Questionnaires and revise it as needed, to ensure that it gives jurors an opportunity to express reactions to their experience, and make suggestions.</p>	X <b>PRODECURES FOLLOWED FOR YEARS</b>		
<p>28. Adopt a Jurors' Bill of Rights defining the rights and responsibilities of jurors. This document should be distributed to all jurors, posted in jury assembly rooms, and used in Court outreach programs.</p>			X

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
29. Emphasize the policy that jurors are to be treated at all times with courtesy and respect by judges, attorneys and court personnel. All court personnel who have contact with jurors should have incorporated into their training requirements a segment on working with jurors to ensure that the jury experience is productive.	JURY PERSONNEL TRAINED TWO YEARS AGO FOR THE FIRST TIME. (ON-GOING)		
30. The judiciary should minimize the amount of time prospective jurors spend waiting and not hold jurors while completing unrelated court business. Procedures should be reviewed regularly to ensure that jurors experience a minimum amount of physical disruption and inconvenience; when possible, have the judge and attorneys leave the courtroom for conferences rather than the jury.			X
31. Seek support for jury service from public service programs, i.e. Dial-A-Ride. Seeking such organizational interaction may well prove beneficial to all concerned.			X

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
<p>32. The County Court system, using ABA Standard 15 as a guide, should review the compensation paid to jurors. The initial objective should be to cover a reasonable level of daily juror expenses, including lunch, two-way mileage, and child-care expenses where justified.</p> <p>The ABA Standard 15: Juror Compensation states:</p> <ul style="list-style-type: none"> <li>a. Persons called for jury service should receive               <ul style="list-style-type: none"> <li>1. A nominal amount in recognition of out-of-pocket expenses for the first day they report to the courthouse.</li> <li>2. A reasonable fee for each succeeding day they report.</li> </ul> </li> <li>b. Such amounts and fees should be paid promptly.</li> </ul>			<p>X</p>

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
<p>c. State law should prohibit employers from discharging, laying off, denying advancement opportunities to or otherwise penalizing employees who missed work because of jury service.</p>			X
<p>33. Survey large Los Angeles County employers who are not currently paying employees during jury service and based upon these results develop a program to encourage these companies to establish a paid jury leave policy.</p>			X
<p>34. If this voluntary approach does not achieve the expected results, the Courts should consider the impacts of supporting legislation to require employers (with a minimum number of employees) to reimburse employees for jury service.</p>			X
<p>35. Develop a program to collect and accumulate jury fees for those employers who do pay employees while on jury service and who request reimbursement of the jury fee from their employees.</p>			X

RECOMMENDATION	COMPLETED (COMPLETION DATE)	IN PROGRESS (PROJECTED COMPLETION DATE)	IN ABEYANCE
36. Direct the CAO to conduct an expanded cost/benefit analysis of the economic impacts of the issues and recommendations made in this report.	X (2/95)		