



2024 Annual Jury Program Report

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Waukesha County Circuit Court 2024 Jury Program Report

The right to a trial by jury is the cornerstone of American democracy, guaranteed by both the state and federal constitutions. The decisions made by juries affect people's rights and freedom. The willingness of all who are summoned to serve is essential to ensure representative, impartial juries. Even those who do not eventually serve on a jury help maintain the judicial system by reporting for jury service.

Jury service is a duty of citizenship similar to paying taxes and voting. By employing effective techniques and best practices, Waukesha County strives to administer a fiscally responsible and efficient jury system while continuously working to improve the nature and quality of the services request by and provided for our citizens. We also strive to ensure that our judges, the lawyers, the litigants, and the public have confidence in the fairness and impartiality of the impaneled juries, and that jurors have appropriate tools during trials and deliberations with which to render informed and fair judgments.

Wisconsin Supreme Court Rules require each judicial circuit to analyze the performance of the jury system annually to determine the following:

1. If the department list or master list is representative and inclusive of the population of the circuit;
2. The effectiveness of the summoning and qualification procedures;
3. The responsiveness of prospective jurors to their summonses for jury duty;
4. If jurors and prospective jurors are used efficiently; and
5. The cost-effectiveness of the jury system.

The following report includes specific information related to this criteria. It also provides the details related to the Jury Program operations and highlights many improvements that have been made to the Waukesha County Jury Program over the past several years.

Waukesha County Circuit Courts is dedicated to administering a Jury Program that is efficient and fiscally responsible. We continually look for ways to improve the quality, efficiency and cost-effectiveness of our jury system, and this report highlights these efforts.



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Development of a Prospective Jury List

Every resident in Waukesha County who is at least 18 years of age, a U.S. citizen, and able to understand the English language is qualified to serve as a juror unless that resident has been convicted of a felony and has not had his or her civil rights restored. The annual selection of Waukesha County jurors begins with a request for a specific number of records from the Wisconsin Department of Transportation (DOT). The DOT provides a source list of valid licensed drivers and identification card holders. The table below represents three years of data involved in developing a list of Waukesha County citizens available to serve as a juror:

	2024	2023	2022
# of records on Waukesha County DOT listing	327,018	325,452	318,146
# of Waukesha County records requested from DOT	13,000	16,500	18,000
# of DOT records not loaded into the CCAP database for the following reasons: deceased, previous permanent excusal, four year disqualification, under the age of 18	1,716 (15%)	2,228 (14%)	1,762 (10%)
# of prospective jurors	11,284	14,272	16,238

Note: Due to census data issues, 2021 data was used for the 2022 jury evaluation. The data is from the Intercensal Population Estimate 2020 and is identified as the source year used.

Balance and Inclusiveness

The Wisconsin Supreme Court Rules require that this source list be representative and inclusive of the population of the county. Data from the U.S. census for the county for persons 18 years of age and older by race and gender are compared to the master list to ensure fair representation and inclusiveness exists. The following comparison data confirms the master list and prospective jury list are representative and inclusive of the population of Waukesha County for persons 18 years or older in all areas measured.

Persons 18+ Years Old		Census Year		Jury Year Master List		Prospective Jury List	
		#	%	#	%	#	%
<u>Gender</u>	Male	160,898	49.20%	162,812	48.80%	5,440	48.21%
	Female	166,120	50.80%	170,785	51.20%	5,844	51.79%
		327,018		333,597		11,284	
<u>Age</u>	18-24	30,532	9.34%	34,892	10.46%	1,258	11.15%
	25-44	97,747	29.89%	99,205	29.74%	3,389	30.03%
	45-64	111,776	34.18%	111,001	33.27%	3,805	33.72%
	65+	86,963	26.59%	88,499	26.53%	2,832	25.10%
	Unknown	0	0.00%	0	0.00%	0	0.00%
<u>Race</u>	Hispanic	16,315	4.99%	7,981	2.39%	390	3.46%
	Amer Indian/Alaska Native	761	0.23%	644	0.19%	37	0.33%
	Asian/Pacific Islander	12,993	3.97%	10,507	3.15%	395	3.50%
	Black/African American	5,792	1.77%	6,318	1.89%	242	2.14%
	White/Caucasian	287,725	87.98%	276,084	82.76%	9,668	85.68%
	Other/Unknown	3,432	1.05%	32,063	9.61%	552	4.89%

Qualification and Summoning

Waukesha County uses a one-step qualification and summoning system. Upon receipt of the qualification questionnaire and jury summons, prospective jurors are instructed to complete an online or paper qualification questionnaire and return it to the court. Based on the results of the questionnaires, some citizens may be disqualified, excused, or permanently excused and are notified by court staff. If a citizen does qualify for jury service, they follow the instruction they receive with the summons.

On a weekly basis, court staff determines the number of jurors needed to appear for jury selection based upon a variety of factors. Generally the type of case or the charges and the anticipated length of a jury trial will determine the number of jurors summoned and brought in for jury selection in addition to other factors such as the number of jurors who may not be qualified. For example, a specified number of jurors are required to appear for a criminal misdemeanor trial, but a different number of jurors are summoned for a termination of parental rights or a criminal felony sexual assault trial. While there are general guidelines applied, each case is also examined carefully for its own unique needs such as the nature of the crime(s), the complexity of the dispute, whether it is a high profile case and many other factors to ensure the proper number of jurors are available for the jury selection process. The table below depicts the number of individuals who received a qualification questionnaire and jury summons and our juror usage in the past three years:

	2024 Jury Year		2023 Jury Year		2022 Jury Year	
	#	%	#	%	#	%
# of Qualification Questionnaire & Summons Sent	10,189	-	11,069	-	14,753	-
Questionnaires Returned	9,740	96%	10,655	96%	14,020	95%
Returned Online	6,786	70%	7,344	69%	9,720	69%
Returned Via USPS	2,954	30%	3,311	31%	4,300	31%
Jurors Ineligible/Unavailable	2,725	28%	2,860	27%	3,843	27%
Qualified Jurors	7,015	72%	7,795	73%	10,177	73%
# of Qualified Citizens Postponed	2,454	35%	2,687	34%	3,702	36%
Online Postponement	1,799	73%	2,060	77%	2,761	75%
Postponement Via USPS/Phone	655	27%	627	23%	941	25%
Text Reminders Sent	23,983		24,498		29,891	
Email Reminders Sent	22,971		24,693		31,282	
Jurors Required To Report	2,940	42%	2,866	37%	3,166	31%
Jurors Sent to Voir Dire	2,448	83%	2,413	84%	2,559	81%
Jurors Questioned in Voir Dire	1,918	78%	1,898	79%	1,886	74%
Jurors Not Questioned in Voir Dire	530	22%	515	21%	673	26%
Jurors Sworn	1,050	36%	1,033	36%	954	30%
Jurors Who Reported and Not Used	492	17%	453	16%	607	19%

Jury Trial Information

In 2024, there were 103 jury trials in which jurors were called to report in for service. Status conferences are held before each jury trial for the purpose of determining whether the case is “trial ready.” Occasionally, cases settle, are dismissed, or are adjourned on trial day despite our best attempts to take care of matters at the status conference. While the judicial system is designed to avoid this once jurors appear, there are many factors that result in cases not proceeding to jury trials. In 2024, nineteen (19) cases did not proceed to a jury trial as follows: Eleven (11) trials were adjourned; seven (7) trials did not begin because a plea was entered by the defendant; and one (1) trial did not proceed because the case was dismissed. The following is a breakdown of the trial activity for the past three years:

	<u>2024</u>			<u>2023*</u>			<u>2022*</u>		
	# of Jury Trials Tried	# of Jury Trials that did not begin.	Total Trial Days	# of Jury Trials Tried	# of Jury Trials that did not begin.	Total Trial Days	# of Jury Trials Tried	# of Jury Trials that did not begin.	Total Trial Days
<u>CRIMINAL/TRAFFIC</u>									
Felony	50	15	127	53	12	139	49	14	154
Crim Misd	15	2	22	11*	5*	19	4	3	8
Crim Traffic	7	0	10	3	1	4	5	2	9
Traffic	0	1	1	3	1	4	2*	0*	2
Forfeiture	<u>1</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
SUBTOTAL	73	18	161	70*	19*	166	60*	19*	173
<u>CIVIL</u>									
Large Claim	8	1	34	13	0	28	15*	1*	49
Small Claim	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
SUBTOTAL	8	1	34	13	0	28	15*	1*	49
<u>PROBATE</u>									
Guardianship	0	0	0	0	0	0	0	0	0
Probate	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
SUBTOTAL	0	0	0	0	0	0	0	0	0
<u>JUVENILE</u>									
Commitment	0	0	0	0	0	0	2	1	3
Juvenile	0	0	0	0	0	0	0	0	0
TermParRght	<u>3</u>	<u>0</u>	<u>7</u>	<u>1</u>	<u>1</u>	<u>4</u>	<u>0</u>	<u>2</u>	<u>2</u>
SUBTOTAL	3	0	7	1	1	4	2	3	5
TOTAL	84	19	202	84*	20*	198	77*	23*	227

*Beginning in 2024 our column titles changed from “# of Jury Trials Tried to Verdict” and “# of Jury Trials that did not begin, or began but ended with a dismissal, a plea, a hung jury, or an adjournment., therefore an adjustment in the data for 2023 and 2022 was made,

Jury Program Costs

Over the years, Waukesha County has implemented several significant changes to the Jury Program. Best practices are developed from national trends, research in jury program operations and internally to create efficiencies in program management through the use of technology. These program enhancements can have a beneficial impact on program expenses.

Year-to-year expenses for the Jury Program are impacted by the number of trials and number of trial days each year. The most significant expenses in the program are the daily juror per diem and travel fee. Juror supplies such as beverages are provided in the Jury Assembly Room and all jury deliberation rooms. Meals are provided to jurors during trial deliberations. Other program expenses include printing, postage and Civilian Jury Bailiffs. The cost of sworn officers providing security in the courtrooms is not included in the Jury Program expenses. Below is the three year history of program expenses:

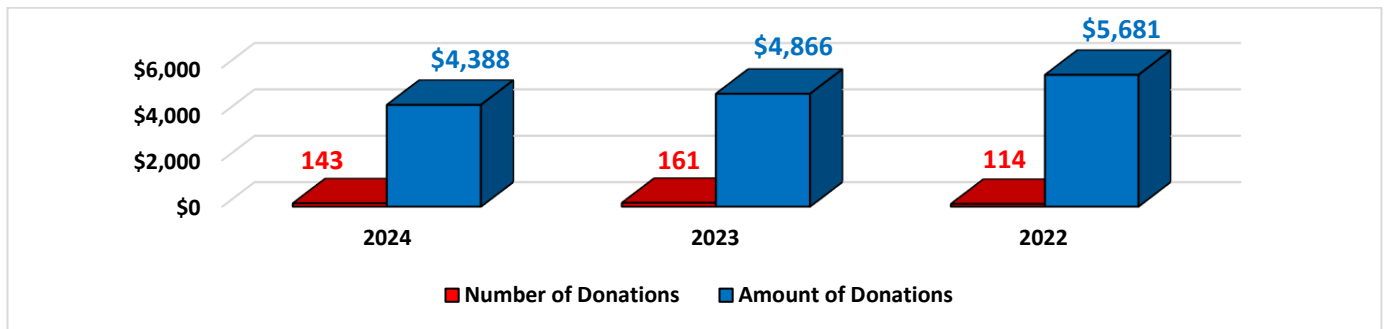
	<u>2024</u>	<u>2023</u>	<u>2022</u>
Miscellaneous*	\$6,645 (3%)	\$4,682 (3%)	\$10,190 (4%)
Postage	\$12,582 (6%)	\$12,342 (7%)	\$17,662 (7%)
Civilian Jury Bailiffs	\$41,133 (21%)	\$41,670 (22%)	\$44,514 (19%)
Food	\$5,740 (3%)	\$5,239 (3%)	\$11,749 (5%)
Travel Fee	\$29,785 (15%)	\$27,776 (15%)	\$33,352 (14%)
Juror Per Diem	\$100,260 (51%)	\$93,516 (50%)	\$120,356 (51%)
Annual Cost	\$196,145	\$185,225	\$237,823
Total Jury Days	202	198	227
Trial Day Cost	\$971	\$935	\$1,048
Costs Assessed to Party**	\$2,532	\$2,352	\$4,050

*Miscellaneous cost includes beverages, printing, and office supplies. Court security expenses provided by the Waukesha Sheriff's Department are not included in this summary of jury expenses.

**Costs assessed by the court due to trial settling/ adjourned the morning of trial. The assessed costs include jury fees and civilian bailiff fees for 2022 and only jury fees for 2023 and 2024.

Voluntary Juror Donation Program

Waukesha County's Voluntary Juror Donation Program allows jurors to voluntarily donate their jury pay and/or travel fee back to the Jury Program. The donated funds cannot be used to offset Jury Program operating expenses, but instead are to be used for improvements to the Jury Program such as snacks for the deliberation rooms. Below is a three year summary of voluntary juror donations:



*Since the inception of the Voluntary Juror Donation Program in 2010, a total of **1,645** donations have been made and **\$50,224** has been received.*

Online Juror Exit Survey

The Voluntary Juror Exit Survey is available on the court's website, the jury assembly room, and the jury deliberation rooms. All jurors are encouraged to provide feedback regarding their jury service experience. 1203 jurors voluntarily completed the survey in 2024 and provided numerous comments about their experience. The results of the 2024, 2023 and 2022 surveys are shown below:

	2024 (1203 Surveys)				2023 (1081 Surveys)				2022 (1074 Surveys)			
	Strongly Agree/ Agree	Neither Agree or Disagree	Strongly Disagree / Disagree	N/A Blank	Strongly Agree/ Agree	Neither Agree or Disagree	Strongly Disagree / Disagree	N/A Blank	Strongly Agree/ Agree	Neither Agree or Disagree	Strongly Disagree / Disagree	N/A Blank
Summons, Brochure, or Materials Provided	99%	1%	0%	0%	98%	1%	1%	0%	95%	1%	1%	4%
Telephone Call-In System	96%	2%	0%	2%	98%	1%	0%	1%	94%	1%	0%	5%
Jury Website	64%	10%	0%	26%	64%	9%	1%	26%	61%	9%	0%	29%
Text/Email	97%	1%	0%	1%	98%	1%	0%	1%	92%	2%	0%	6%
Physical Safety	96%	2%	0%	1%	96%	2%	1%	1%	92%	3%	1%	4%
Treatment by Jury Staff	99%	0%	0%	0%	98%	1%	0%	1%	95%	0%	0%	5%
Jury Video	88%	7%	1%	4%	91%	7%	1%	2%	87%	6%	1%	6%
Juror Orientation	96%	2%	0%	2%	94%	4%	0%	2%	91%	2%	1%	6%
JAR Physical Comforts	92%	4%	2%	1%	90%	5%	2%	2%	88%	4%	3%	5%
Treatment by Courtroom Staff	90%	0%	0%	9%	88%	1%	0%	11%	84%	0%	0%	15%
Treatment by Civilian Bailiff	87%	1%	0%	11%	86%	1%	0%	12%	81%	1%	0%	19%
Courtroom Comforts	82%	4%	2%	12%	80%	4%	3%	13%	75%	3%	4%	18%
Deliberation Room Comforts	68%	2%	1%	30%	65%	2%	1%	32%	61%	2%	1%	36%
Your Overall Opinion of Jury Service	86%	11%	1%	3%	84%	10%	1%	4%	83%	8%	1%	7%

In February of 2022 our Juror Exit Questionnaire was updated to solicit feedback and process improvement from jurors. The information received is analyzed to identify improvements and juror comfort. One of the

most relevant pieces of data captured through this survey is the overall opinion of jury service. Of the 1203 jurors who completed the 2024 survey, 86% strongly agreed or agreed their experience was better than expected. The feedback is very helpful to program management as we are continuously looking for ways to improve. Responses are reviewed carefully and changes are often made to address the expressed concerns. Samples of some comments we have received follow:

- The jury service was very accommodating to my needs and I am very thankful.
- White noise in courtroom more distracting than anything. Try different ones or possibly have a room that discussions are held. Drink holders. Clerk typing was very distracting.
- The Clerk of Court was gracious when approached and her staff was exceptional in their duties & personal interactions!!! Great job by the staff every step of the process!
- Reserve Judge Randy Koschnick did a fantastic job showing amazing restraint and patience with the defendant. The two ladies who were in charge of the jury rooms where we first reported were great. They helped put me more at ease with their human and joking around. My only complaint was the lady who scanned my items before I went through the metal detector. I was very nervous and she seemed in a hurry and irritated that she had to do her job. Maybe it was just my perception??
- Not sure you can change how people feel about jury duty-but you most certainly made the experience as pleasant as possible. Your people are all wonderful. Very relatable would be a phrase I would use! Thank you!!!
- The seating in the within the jury box was uncomfortable to withstand long periods of time the monitor delay displaying exhibits was very slow and significantly impacted the testimonies.
- Mike was amazing! I would serve anytime that he is our bailiff.
- The court room used in this case was tight with the leg room for the jurors. Increasing the pay scale/day from what it was decades ago would be appreciated more and enable people to want to come in - \$30/day is not justifiable, albeit for a duty of service, perhaps increasing that to \$50/day would be better received. Especially since most jurors are sitting there for a full day. Just a thought. Otherwise, it was a well learned experience, I understand the system better because of being there for this duty.
- I personally wouldn't change anything in regards to the jury service. The ladies that organized everything that morning were professional and made things easy to understand!
- Have better food options in the cafeteria. Everything else was fine but the cafeteria should have a veggie burger or some more vegetarian options available. It's a good thing I was allowed to bring my own lunch and drink and I was allowed to use the microwave and fridge.
- The judge at our case was a retired judge returning for selected cases. I believe his last name was Riley (unsure of spelling) and he was not included in the drop down list above. I served on a 1 day civil case on Tuesday, March 19. EVERYONE was amazing. I really appreciated the entire experience. Only issue were some of the screens in the Jury box needed their holder tightened/adjusted. They would not stay tilted up and I saw other jurors needed to hold theirs so they had a reasonable viewing angle (they were tipping down due to gravity). Really, that was the only problem and our screen was fine. Thank you for running an amazing court system and such an accommodating jury support staff. Makes me thankful and proud to live in Waukesha County, Wisconsin!!
- More leg space for jury, those that were handicap or overweight struggled in and out. Shelf or drink holder in the jury box. The foot rests in the jury box were difficult to swing up and down, leading some jurors to leaving them down, causing others to step over them or trip. Limited leg room in jury box.
- Our bailiff Mike was such a rock start! I always felt re-assured and confident he we looking out for us. The beverages and snacks were super- I didn't expect them.
- The seating in the jury assembly room was tight. In the middle of January it would have been nice to have a little more breathing room.

- I have served before in another county and Waukesha County has superior jury service accommodations keep up the great work!
- The initial assembly room was very cramped and very hot. I just wanted to get out of there. During lunch on the first day I went into the hall near the elevators and was surprised to see the defendant standing there. At a minimum, this was uncomfortable. It definitely presented the possibility of interaction between a juror and defendant. I'm no expert but I suspect this is not allowed.
- Can't think of much! You all were awesome! So nice. So friendly. Judges were super informative, friendly and fun! Juror assembly room women were phenomenal! Loved the info and orderly yet fun and comfortable atmosphere.

2025/2026 Jury Program Updates & Initiatives

COURTHOUSE RENOVATION: Due to courthouse construction, the courts will continue to modify logistics for transitioning jurors from the jury assembly area to the proper jury trial courtrooms.

JURY ASSEMBLY ROOM: In July of 2023, jury assembly was moved to G-55 and the cafeteria in the administration center due to courthouse construction. G-55 is reserved Monday- Friday for Jury due to the increase in jury trials and non-Monday starts.

JUROR SUMMONS: The Juror Summons continues to be updated as to important information regarding the impacts of construction.

JUROR EXIT SURVEY: In February of 2022 the online Juror Exit Survey was redesigned to solicit feedback and process improvement from jurors. The data is analyzed to identify what improvements can be made to the Jury Program. Comments have been collected from the courthouse tower and are being considered in the courthouse renovation. In 2024 we added healthier snacks and card/game in the jury deliberation room to be used during down times.