

**2012**  
**ANNUAL**  
**JURY**  
**REPORT**

**KATHLEEN A. MADDEN**  
**CLERK OF CIRCUIT COURT**  
**WAUKESHA COUNTY, WISCONSIN**  
**515 W. MORELAND BLVD., C108**  
**WAUKESHA, WI 53187**  
**262-896-8525**

## Waukesha County Circuit Court 2012 Jury Program Report

The right to a trial by jury is the cornerstone of American democracy, guaranteed by both the state and federal constitutions. Jury service is meaningful work. 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 end up on a jury help maintain the system by coming to court.

Jury service can be inconvenient, or even a bit of a burden, but 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 continually working to improve the nature and quality of the services asked of 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 criterion. 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. Improvements to the program achieved in 2012 are highlighted in addition to the program initiatives planned for 2013. 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 will highlight 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. Three (3) years of data involved in developing a list of Waukesha County citizens available to serve as a juror follows:

	2012	2011	2010
# of records on Waukesha County DOT listing	303,811	302,013	302,750
# of Waukesha County records requested from DOT	13,000	13,000	14,000
# 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	1,444 (11.1%)	561 (4.3%)	1,392 (9.9%)
# of prospective jurors	11,556	12,439	12,608

## 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.

Persons 18+ Years Old		Census Data		Jury Year Master List		Prospective Jury List	
		#	%	#	%	#	%
<u>Gender</u>	Male	144,893	48.47%	150,620	49.58%	6,381	49.08%
	Female	154,021	51.53%	153,191	50.42%	6,619	50.92%
		298,914		303,811		13,000	
<u>Age</u>	18-24	27,281	9.13%	36,278	11.94%	1,592	12.25%
	25-44	90,888	30.41%	92,198	30.35%	3,904	30.03%
	45-64	123,191	41.21%	117,182	38.57%	4,996	38.43%
	65+	57,554	19.25%	50,635	16.67%	2,155	16.58%
	Unknown	0	0.00%	7,518	2.47%	353	2.72%
			298,914		303,811		13,000
<u>Race</u>	Hispanic	10,018	3.35%	6,845	2.25%	289	2.22%
	Amer Indian/Alaska Native	767	0.26%	597	0.20%	25	.19%
	Asian/Pacific Islander	7,976	2.67%	7,406	2.44%	357	2.75%
	Black/African American	3,432	1.15%	3,266	1.08%	149	1.15%
	White/Caucasian	276,721	92.58%	285,697	94.04%	12,180	93.69%
	Other	0	0.00%	0	0.00%	0	0.00%
		298,914		303,811		13,000	

## Qualification and Summoning

Citizens on the prospective jury list are sent a qualification questionnaire to further determine their eligibility to serve as a juror. A sample questionnaire follows:

### Juror Qualification Questionnaire

DEAR WAUKESHA COUNTY CITIZEN:

You are being considered as a prospective juror in Waukesha County Circuit Court. **This is not a summons to appear**, but only a questionnaire required by Ch. 756, Wis. Statutes, to determine your eligibility for jury service.

Please complete the following questionnaire and return it within ten days. Alternatively, you may complete this form online at <https://jury.wicourts.gov>.

Juror ID «Juror\_ID»

«FNAME» «MI» «LNAME»

«PRIMARY\_ADDRESS»

«CITY», «STATE» «ZIP»

WAUKESHA COUNTY

Kathleen A. Madden

Clerk of Circuit Court

P.O. Box 1627

Waukesha, WI 53187-1627

Failure to return this form or the willful misrepresentation of a material fact may result in forfeiture not to exceed \$500. If a question does not apply to you, enter "n/a" (i.e., "not applicable"). If you have any questions, contact the Clerk of Circuit Court at 262-548-7504. Thank you for completing this form.

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*Please print all answers. If you are a person with a disability and need assistance in completing this form, please contact 262-548-7504.*

Is the above name and address correct?     Yes     No    (If "no", enter correct information)

Name \_\_\_\_\_ City \_\_\_\_\_  
Address \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
\_\_\_\_\_

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**Wisconsin law requires you to answer questions 1 through 8:**

	Yes	No
1. Are you a citizen of the United States?	<input type="checkbox"/>	<input type="checkbox"/>
2. Do you live in Waukesha County?	<input type="checkbox"/>	<input type="checkbox"/>
3. Are you at least 18 years of age?	<input type="checkbox"/>	<input type="checkbox"/>
4. Can you understand the English language?	<input type="checkbox"/>	<input type="checkbox"/>
5. Have you been summoned for jury service in the past 4 years? If yes, give date(s) – location _____	<input type="checkbox"/>	<input type="checkbox"/>
6. Because of a disability, do you need assistance to serve as a juror?  If yes, please describe the nature of your disability and the accommodation you request _____	<input type="checkbox"/>	<input type="checkbox"/>
7. Have you ever been convicted of a felony? If yes, have you fully satisfied all the conditions of your sentence?	<input type="checkbox"/>	<input type="checkbox"/>
8. What is your race? <input type="checkbox"/> African Am. <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Caucasian <input type="checkbox"/> Hispanic <input type="checkbox"/> Am. Indian or Alaskan Nat. <input type="checkbox"/> Other: _____		

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Home Telephone (\_\_\_\_) \_\_\_\_\_ Work Telephone (\_\_\_\_) \_\_\_\_\_ Cell Telephone (\_\_\_\_) \_\_\_\_\_

Distance in miles from your home to the Courthouse and return: \_\_\_\_\_ miles

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**You must sign the following and return the questionnaire within 10 days:**

I certify the above information is complete and true to the best of my knowledge.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

The qualification questionnaire can be completed online or returned to the Court. Online questionnaires are imported into CCAP and mailed questionnaires are manually entered into CCAP. Citizens may be disqualified, permanently excused, excused or postponed to a new jury year, or qualified. Qualified citizens will make up the jury pool for the year:

Qualification	2012 Jury Year		2011 Jury Year		2010 Jury Year	
	#	%	#	%	#	%
Questionnaires Sent	<b>11,556</b>	<b>100%</b>	<b>12,478</b>	<b>100%</b>	<b>12,608</b>	<b>100%</b>
Questionnaires Returned	<b>11,550</b>	<b>99%</b>	<b>12,238</b>	<b>98%</b>	<b>12,399</b>	<b>98%</b>
Returned Online	<b>4,990</b>	<b>43%</b>	<b>4,798</b>	<b>40%</b>	<b>5,033</b>	<b>41%</b>
Returned Via USPS	<b>6560</b>	<b>57%</b>	<b>7,440</b>	<b>60%</b>	<b>7,366</b>	<b>59%</b>
Jurors Ineligible/Unavailable	<b>3,137</b>	<b>27%</b>	<b>3,008</b>	<b>25%</b>	<b>2,082</b>	<b>17%</b>
Qualified Jurors	<b>8,413</b>	<b>73%</b>	<b>9,230</b>	<b>75%</b>	<b>10,317</b>	<b>83%</b>

Qualified jurors may or may not be summoned for jury service depending on the number of jury trials scheduled in the jury year. Summonses are mailed to potential jurors approximately three (3) weeks prior to their jury term of service.

Court staff determines the number of jurors to *summons* for the term of service and the number of jurors needed to *appear* for jury selection based upon several factors. Generally the type of case or the charges will determine the number of jurors summoned and brought in for jury selection. For example, a specified number of jurors will be required to appear for a criminal misdemeanor trial, but a different number of jurors will be called in for a termination of parental rights or a criminal felony trial. While there are general guidelines applied, each case is also examined carefully for its own unique needs to ensure the proper number of jurors are available for the jury selection process. Factors that will help determine how many jurors are called to appear can include the nature of the crime(s), the complexity of the dispute, the length of the trial, the time of the year, whether it is a high profile case, and many other factors. Individuals in the jury pool who do receive a summons may or may not be required to appear for jury selection. The table below depicts the number of individuals summoned, and juror usage:

	2012 Jury Year		2011 Jury Year		2010 Jury Year	
	#	%	#	%	#	%
# of Citizens Who Received A Summons	<b>8,835</b>	<b>100%</b>	<b>9,257</b>	<b>100%</b>	<b>6,925</b>	<b>100%</b>
# of Citizens Postponed After Summoned	<b>1,846</b>	<b>21%</b>	<b>2,130</b>	<b>23%</b>	<b>1,689</b>	<b>24%</b>
Online Postponement	<b>1,455</b>	<b>79%</b>	<b>1,525</b>	<b>72%</b>	<b>1,360</b>	<b>81%</b>
Postponement Via USPS	<b>391</b>	<b>21%</b>	<b>605</b>	<b>28%</b>	<b>329</b>	<b>19%</b>
Jurors Required To Report for Jury Service	<b>2,450</b>	<b>28%</b>	<b>2,491</b>	<b>27%</b>	<b>2,209</b>	<b>32%</b>
Jurors Sent to Voir Dire	<b>2,100</b>	<b>86%</b>	<b>2,223</b>	<b>89%</b>	<b>1,923</b>	<b>87%</b>
Jurors Questioned in Voir Dire	<b>1,507</b>	<b>72%</b>	<b>1,618</b>	<b>73%</b>	<b>1,396</b>	<b>73%</b>
Jurors Not Questioned in Voir Dire	<b>593</b>	<b>28%</b>	<b>605</b>	<b>27%</b>	<b>527</b>	<b>27%</b>
Jurors Sworn	<b>780</b>	<b>37%</b>	<b>832</b>	<b>37%</b>	<b>756</b>	<b>39%</b>
Jurors Who Reported and Not Used	<b>350</b>	<b>14%</b>	<b>268</b>	<b>11%</b>	<b>286</b>	<b>13%</b>

## Jury Trial Information

Status conferences are held before each jury trial for the purpose of determining whether the case is “trial ready.” Cases can, and occasionally do, settle, are dismissed, or are adjourned on trial day. While the system is designed to avoid this once jurors appear, there are many factors that result in cases not proceeding to jury trials. In 2012, jurors were required to appear for eighty-four (84) jury trials that were scheduled to proceed. Fourteen (14) of those cases did not proceed to a jury trial and were resolved or adjourned the morning the trial was set to begin. Two (2) trials began but were declared mistrials and were not tried to verdict. When this does occur, the respective Judge provides a detailed explanation to the jurors as to why the case did not proceed as planned so the jurors leave with a clearer understanding of the complex nature of their justice system. Jury trials generally run one (1) to three (3) days, but of course some can last longer depending on the nature of the crime(s) involved, the complexity of the civil matters, and other unique case factors. In 2012, we held four (4) week-long civil jury trials.

	<u>2012</u>			<u>2011</u>			<u>2010</u>		
	# OF JURY TRIALS TRIED TO VERDICT	# OF JURY TRIALS SETTLED AFTER JURORS APPEARED OR MISTRIAL	TOTAL TRIAL DAYS	# OF JURY TRIALS TRIED TO VERDICT	# OF JURY TRIALS SETTLED AFTER JURORS APPEARED	TOTAL TRIAL DAYS	# OF JURY TRIALS TRIED TO VERDICT	# OF JURY TRIALS SETTLED AFTER JURORS APPEARED	TOTAL TRIAL DAYS
<b><u>CRIMINAL/ TRAFFIC</u></b>									
Felony	21	6	51	12	1	69	15	2	30
Crim Misd	5	4	10	7	0	7	4	4	11
Crim Traffic	5	2	11	7	4	14	7	1	12
Traffic	4	0	5	2	0	2	3	0	3
Forfeiture	0	0	0	0	0	0	0	0	0
Commitment of Inmate	<u>1</u>	<u>0</u>	<u>4</u>	<u>1</u>	<u>0</u>	<u>2</u>	<u>1</u>	<u>0</u>	<u>3</u>
<b>SUBTOTAL</b>	<b>36</b>	<b>12</b>	<b>81</b>	<b>29</b>	<b>5</b>	<b>94</b>	<b>30</b>	<b>7</b>	<b>59</b>
<b><u>CIVIL</u></b>									
Large Claim	30	3	84	32	3	82	34	5	107
Small Claim	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b>SUBTOTAL</b>	<b>30</b>	<b>3</b>	<b>84</b>	<b>33</b>	<b>3</b>	<b>83</b>	<b>34</b>	<b>5</b>	<b>107</b>
<b><u>PROBATE</u></b>									
Guardianship	<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>
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b><u>JUVENILE</u></b>									
Commitment	1	1	2	3	0	3	0	0	0
Juvenile	1	0	3	0	0	0	0	0	0
TermParRight	<u>0</u>	<u>0</u>	<u>0</u>	<u>3</u>	<u>0</u>	<u>8</u>	<u>1</u>	<u>0</u>	<u>4</u>
<b>SUBTOTAL</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>6</b>	<b>0</b>	<b>11</b>	<b>1</b>	<b>0</b>	<b>4</b>
<b>TOTAL</b>	<b>68</b>	<b>16</b>	<b>170</b>	<b>68</b>	<b>8</b>	<b>188</b>	<b>65</b>	<b>12</b>	<b>170</b>

## Jury Program Costs

Waukesha County operates as a one (1) day or one (1) trial jury system. Jurors must make themselves available for just one (1) day unless they are selected for a jury which they must serve until the trial is completed. The Waukesha County Board has approved a juror per diem of \$15 per half day and \$30 per full day of service plus a flat travel fee of \$7 per day.

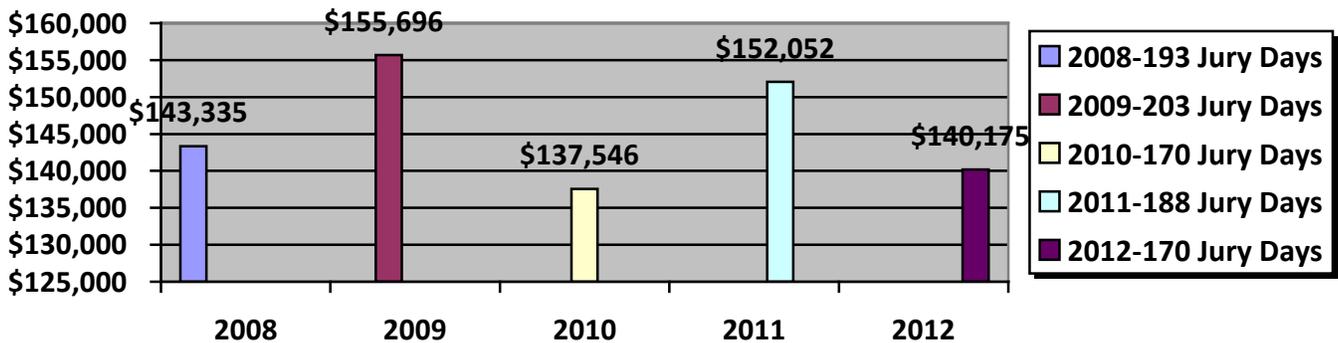
Juror supplies such as beverages and reading materials are provided in the Jury Assembly Room and all deliberation rooms. Meals are also provided to jurors during trial deliberations. Other program expenses include printing, postage and Civilian Jury Bailiffs.

Until 2012, the Waukesha County Sheriff's Department provided courtroom security and sworn jury bailiffs for all criminal / traffic and juvenile courts and this related expense was *not* captured in the jury program expenses. Civilian Jury Bailiffs were only used for civil jury trials and sworn officers were not present unless specifically requested. During the last six (6) months of 2011, civilian jury bailiffs were piloted in two (2) Criminal/Traffic branches. This was done in partnership with the Waukesha Sheriff's Department and the respective judges. Retired law enforcement officers were hired to serve as Civilian Jury Bailiffs in these Criminal/Traffic branches. The idea behind expanding the use of Civilian Jury Bailiffs to the Criminal/Traffic Division was to improve courtroom security by allowing the sworn officers to focus on courtroom security rather than managing the juror needs which often removes the sworn officer from the courtroom. The six (6) month pilot in Criminal/Traffic was deemed successful by all parties and the use of Civilian Jury Bailiffs was thus expanded to all court divisions in 2012. Expenses for wages and benefits for Civilian Jury Bailiffs in 2012 totaled \$18,525.

Sixty-eight (68) jury trials were tried to verdict in 2012, and total trial days were down to 170 days versus 188 days in 2011. Four (4) week-long civil jury trials added 20 days alone. Total jury program expenses for 2012 reached \$140,175, a decrease of \$11,877 over 2011 despite expanding the use of Civilian Jury Bailiffs court-wide.

The overall costs of juror travel continues to decrease due to the transition to the one day or one trial system in 2010 and moving from a mileage reimbursement fee to a daily travel fee. Total travel fees for 2012 reached \$23,968, down \$19,781 from three (3) years ago when jurors were reimbursed \$.55 per mile from their home to the courthouse and back again. A summary of the jury program expenses over a five (5) year period follows:

**Five (5) Year Summary of Overall Jury Program Expenses**



<b>JURY PROGRAM EXPENSES</b>					
	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>
Miscellaneous	\$18,137 (13%)	\$8,584 (6%)	\$17,010 (12%)	\$5,391 (4%)	\$8,239 (6%)
Postage	Incl in Misc	Inc in Misc	Inc in Misc	\$8,872 (6%)	\$4,899 (3%)
Civilian Jury Bailiffs	Incl in Misc	\$15,293 (10%)	\$11,966 (9%)	\$16,964 (11%)	\$18,524 (13%)
Food	\$3,016 (2%)	\$4,045 (3%)	\$2,525 (2%)	\$3,965 (3%)	\$3,110 (2%)
Mileage/Travel Fee	\$44,007 (31%) (.485/mile)	\$43,749 (28%) (.55/mile)	\$23,779 (17%) (\$7/day)	\$26,544 (17%) (\$7/day)	\$23,968 (17%) (\$7/day)
Juror Per Diem	\$78,175 (55%)	\$84,025 (54%)	\$82,245 (60%)	\$90,315 (59%)	\$81,435 (58%)
Annual Cost	\$143,335	\$155,696	\$137,546	\$152,052	\$140,175
Total Jury Days	193	203	170	188	170
Trial Day Cost	\$742.67	\$766.98	\$809.10	\$808.79	\$824.56

-Miscellaneous cost includes beverages, periodicals, postage (until 2011 when we began reporting jury postage separately), printing and civilian jury bailiffs (until 2009 when we begin reporting civilian jury bailiff cost separately). Court security expenses provided by the Waukesha Sheriff's Department are not included in this summary of jury expenses. The use of civilian jury bailiffs rather than sworn Sheriff Deputies was piloted in two Criminal/Traffic branches for six months during 2011 and rolled out court-wide in January 2012 thus contributing to the growth of that line item expense.

-On 1/1/10, the Jury Program was converted to a one day/one trial term of service from a two week term of service. The per diem was increased from \$12.50 per half day to \$15, and from \$25 per full day to \$30. The mileage reimbursement fee was also replaced with a flat \$7 per day travel fee. As a result of this significant change, postage increased due to the need for a larger pool of jurors, however, as expected, travel fees decreased significantly.

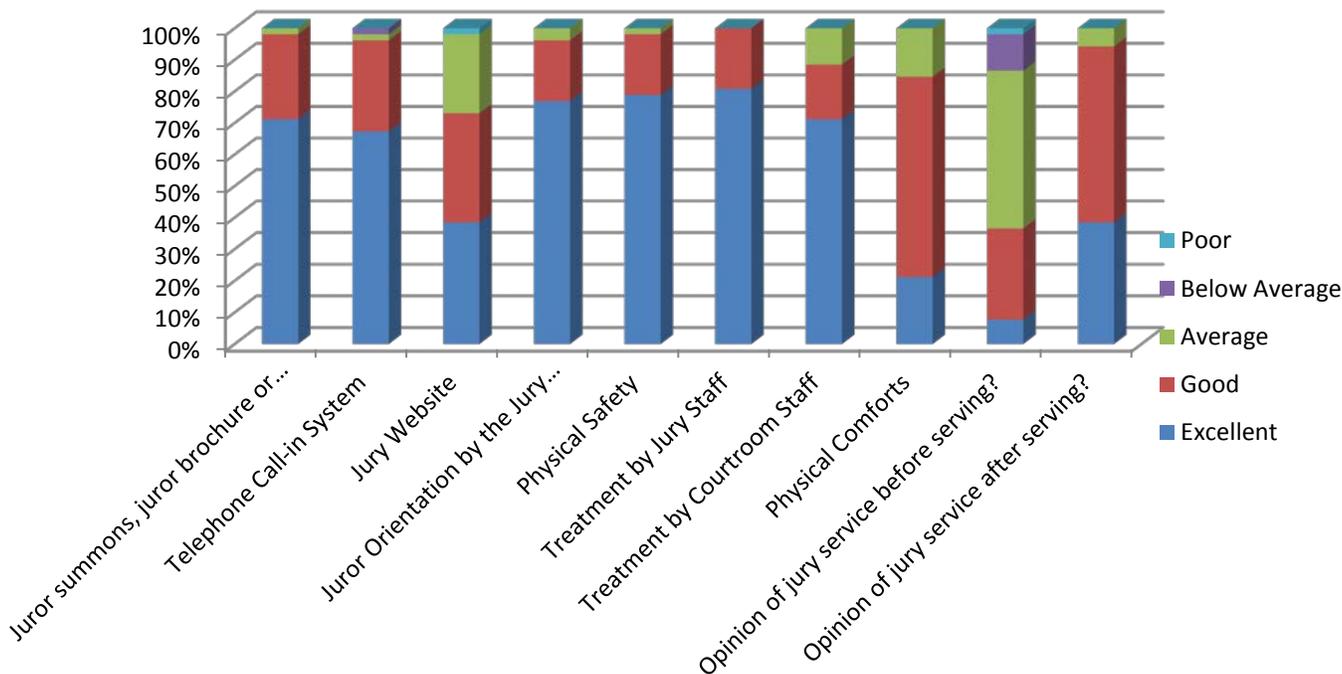
-There were two high profile lengthy murder trials in 2011 contributing 22 jury days and over \$24,000 to the travel, per diem and jury bailiff expenses.

### **NEW – Online Juror Exit Survey**

Historically, exit surveys were given to jurors at the completion of jury service, whether a person served on a jury or not. Jurors were asked to rate their satisfaction on a scale of 1 to 5 in several categories including communication, general courthouse facilities, treatment by various court personnel, whether jury service caused a hardship, and their overall impression of jury service. Waukesha County has consistently received a 97 to 99% overall satisfaction rating from year to year in all categories. Comments collected from the surveys were also used to determine what building improvements or improvements to the written materials were needed and problems were addressed appropriately. While there is tremendous importance in surveying the program to ensure we are meeting the needs of our jurors and providing a high quality program, collecting 700+ surveys each year was not only time consuming, but the value of the information we were receiving was diminishing over time as any problem identified had been addressed and improvements have been made along the way. Therefore a new approach was needed to refresh this process to create not only efficiency, but to gather information that would allow us to make objective decisions on the things we know matter to our jurors.

Therefore, we developed a voluntary online juror exit survey which is now located on the Waukesha County Court's website. Samples of exit surveys were gathered from jury programs across the nation to determine what questions were being asked and a new questionnaire was designed based on what we found. We no longer ask questions about the parking, the eating facilities or the restrooms, all areas in which we have little ability to improve. Instead we narrowed the questions down to nine (9) areas and also gave jurors the opportunity to provide written opinions or suggestions. While we do not anticipate the high number of responses we once collected, we are confident that we can collect an adequate number of surveys each year in order to measure the quality of our program and the service we provide while identifying problems and opportunities to improve the program.

This voluntary online survey was released on September 1, 2012. Fifty-two (52) jurors voluntarily completed the online survey in 2012 and provided dozens of comments that may help us improve the program. The results follow:



Please rate the following by selecting the work that best describes your opinion:

	Excellent	Good	Average	Below Average	Poor
Juror summons, juror brochure or materials provided	71%	27%	2%	0%	0%
Telephone Call-in System	67%	29%	2%	2%	0%
Jury Website	38%	35%	25%	0%	2%
Juror Orientation by the Jury Coordinator	77%	19%	4%	0%	0%
Physical Safety	79%	19%	2%	0%	0%
Treatment by Jury Staff	81%	19%	0%	0%	0%
Treatment by Courtroom Staff	71%	17%	12%	0%	0%
Physical Comforts	21%	63%	15%	0%	0%
Your opinion of jury service <b>before</b> serving?	8%	29%	50%	12%	2%
Your opinion of jury service <b>after</b> serving?	38%	56%	6%	0%	0%

One of the most relevant pieces of data we capture through this survey is the opinion of jurors before they serve versus after they serve. Of the fifty-two (52) jurors who completed the survey in 2012, 64% had an average, below average or poor opinion of jury service before they served. After service, only 6% of those surveyed had an average opinion of jury service while 94% had a good or excellent opinion of jury service.

Another benefit we are seeing with the online survey is the quality of the written comments from jurors. Allowing jurors to voluntarily complete the survey in the comfort of their own home or office at a time convenient to them seems to produce much more detailed and intellectual comments about their experience, problems or suggestions for improvements. These responses are being reviewed carefully and changes that can be made to address issues will be made. Samples of some comments we have received follow:

### **Juror Summons, Juror Brochure or Materials Provided**

- The materials answered your basic questions, plus I went online and it answers in detail the whole process and what to expect.
- This was my first time being summoned so the materials sent were clear and helpful with respect to what to do, what to expect and where to be.
- The overall design of the information appeared “threatening” and unwelcoming. The design of the letter should be inviting, maybe an image of the courthouse or the Justice Statue. Yes, I know it’s our civic duty but it is also an invitation to participate.
- It would be helpful to know about time commitment on any given day. I wasn’t sure if everything wrapped up at the end of the business day (4:30 pm) or later (they said we could go until 8-9 pm if necessary) Knowing the potential for being there late into the evening would have made it easier to plan for the “what if”s” with my family.

### **Telephone Call-in System**

- I liked that the recording was instant. You didn’t need to prompt through different options. It was detailed and specific.
- Repeating the information was helpful so you can be sure to understand it all.

### **Jury Website**

- I requested a postponement and the online portion was easy to use. I received a response relatively soon after my request.

### **Juror Orientation in Jury Assembly Room**

- I feel the jury should be told prior to the witnesses taking the stand that we can only ask questions of each witness while they are on the stand. As the case unfolds, often more detailed information is needed to help the jury make a more educated verdict based on all facts, not just some.
- Information was given clearly without a lot of extra information.
- The Jury Coordinator talked “to us” and not “at us”. She answered any and all questions professionally.

### **Physical Safety**

- The screening at the entrance and the visible sheriff presence was helpful.
- The screening to enter the building appeared sufficient enough to ensure safety.
- Could have used a place to reorganize myself once thru the check point.
- The courthouse entrance security is a bit over the top and not very polite.
- Security at front door could be a little less unfriendly and more helpful.

### **Treatment by Jury Staff**

- The bailiff was so nice and so helpful, he answered any questions we had, we might have had a “few” dumb questions because none of us was ever on a jury before, but he answered all of them without intimidation.
- Courteous and well-trained folks to assist us.
- Being addressed directly by the judge regarding the cancellation of the trial was very nice.

### **Treatment by Courtroom Staff**

- Judge was very relaxed and calming. Easy to understand and took care of my anxiety.
- Instructions were given clearly and we were treated politely and respectfully.
- Judge was thorough. He explained the procedure carefully. He showed kindness and understanding during questioning.
- Everyone was very pleasant and helpful. The judge was very good at making everyone feel welcome and encouraged questions. She explained who everyone was in the courtroom. Again, it's the "talk to me" not "at me" approach.
- The attorneys asked the same questions over and over. Questions that sometimes weren't really applicable.
- The Assistant DA should have taken over the questioning from the intern DA much, much sooner.
- The attorneys were unprepared and repeated questions over and over. I could have done a better job.
- One attorney seemed very unprepared and wasted a lot of time w/exhibits.

### **Physical Comforts**

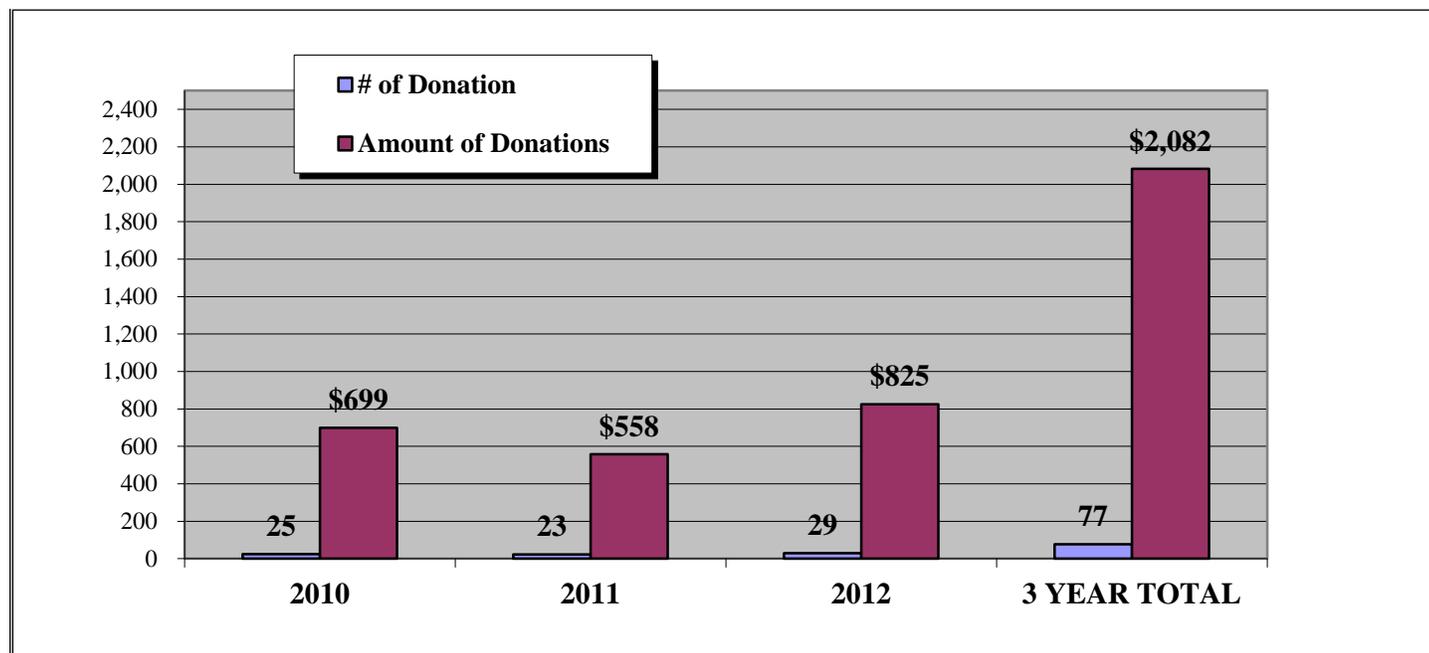
- Coffee would be a nice addition; however I respect the county budget costs and the cafeteria is in close proximity to the jury room.
- The lighting and sound in the courtroom were fine, although others did ask for assistance with hearing devices. Those were provided quickly and seemed to work fine for them.
- In the courtroom we were in, there was a distracting squeal as wind buffeted the building. Someone should look into the window seals or something as I'm sure I wasn't the only one whose concentration was being disrupted.
- The water, soda, etc. in C-G6 room was a nice complimentary touch-ice breaker. I think for a lot of people coming in had this awkwardness that exists when you enter rooms filled with people that you don't know so that helped. If anything, maybe a few local papers on a few tables.
- The windows are very drafty both in the courtroom and jury room.

### **Constructive Feedback**

- To be honest, when I first received the summons, I really didn't want to do it, complained a lot but once I got to the courthouse and everyone was so helpful and I also got picked as a juror, I actually enjoyed it. I wouldn't want to be there for a week or more but a couple of days wasn't bad at all. Thank you.
- Overall, this was a good experience for me. I found all of the people involved, from security at the door all the way up to the judge, to be helpful and pleasant people to work with.
- Thank you for the opportunity to serve and thank you for not selecting me as a juror. I don't know all the facts, however suing a previous homeowner for a flooded basement after the sale of the home..good grief. Next it will be I slipped on a banana peel and want \$\$\$\$\$. Thank you to Honorable Judge Mac Davis...no nonsense guy.
- The jury summons needs a retouch-it has a very dry look. I know when I got mine, it looked official and everything but it appeared as if "I" had done something wrong. I scanned it once quickly and thought "who's summons me for what?!" Then I read it again and understood I was being asked to become a juror. The formatting is the issue. Maybe a separation between the information. What's this about? What is expected of me and what do I do next? Who do I call-can't make it? All of that seemed to run together. Truthfully, when I was done reading it all I cared about was the date I had to call in after 5:00 and the number. Simplify.
- The food was mediocre and expensive given the quality.

## Voluntary Juror Donation Program

A Voluntary Juror Donation Program was introduced in 2010 which 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. Over the past three (3) full years of existence, 77 donations have been made to the Waukesha County Jury Program totaling \$2,082.



## 2012 Accomplishments

Civilian Jury Bailiff Program: The use of Civilian Jury Bailiffs was expanded to the Criminal/Traffic and Juvenile Divisions after a six (6) month pilot was conducted in 2011. We have been successfully utilizing Civilian Jury Bailiffs in the Civil Division for several years. Three (3) new Civilian Jury Bailiffs were hired who have prior law enforcement experience. They utilize the juror phone line each week to determine whether they are needed for a trial and the program has proven to provide many benefits to the courts. One of the benefits is enhanced courtroom security by freeing up the sworn Sheriff Deputies from jury management duties and allowing them to focus solely on courtroom security. Another benefit of the program is reducing the number of sworn Sheriff Deputies we had previously used during a jury trial to ensure both courtroom security and jury management was covered adequately. Sworn Sheriff Deputies are no longer responsible for jury management duties unless all of the Civilian Jury Bailiffs are unavailable to cover jury trials. A secondary benefit of this program is the expense related to sworn Sheriff Deputy versus a Civilian Jury Bailiff, a difference of roughly \$32/hr.

Online Juror Exit Survey: Jury Program staff tested several online juror exit survey tools during 2011 in an effort to transition from the current paper exit survey process to an online exit survey. After months of planning and design, an online juror exit survey was introduced on the Court's website on September 1, 2012, eliminating a tedious and timing consuming manual process. Fifty-two (52) online surveys were voluntarily completed by jurors through year-end.

Jury Assembly Room (JAR) Technology Updates: Updated presentation equipment, a wall screen and three (3) televisions have been added to the JAR as part of the capital project to update and replace aging equipment

in the courts. This was the last phase of the capital project to ensure appropriate dollars were available for these upgrades. Donation dollars from the Volunteer Juror Donation Program were available to offset these upgrades but not needed as some equipment was reused from updated courtroom. The electronic wall screen was moved from an existing courtroom as well as one (1) of the televisions. A projector was reused as well and mounted to the ceiling for ease of use. The JAR is used for juror assembly each week, but also by the courts and other departments for a variety of events and training purposes.

One-Step Jury Program: Planning and work began mid-year to transition from a two-step jury program to a one-step jury program with an effective date of January 1, 2013. A two-step program requires that juror qualification questionnaires are mailed in fall to a large pool of citizens. The citizens answer the questionnaires manually or online to determine if they are eligible to serve as a juror the following year. A one-step jury system requires the Court to mail the juror qualification questionnaire *at the same time* a citizen receives a summons to appear for jury service. A one-step jury program is considered a best practice in jury system management by allowing us to secure an adequate pool of prospective jurors from which to select juries for trials, while operating the jury system in an efficient and effective manner. The one-step process streamlines the jury management process and reduces printing and postage costs. Jury program staff gathered samples from programs around the state and nations, visited one-step jury program counties, and designed new materials for the transition. The first summons/questionnaire mailings were sent in December of 2012 for the first jury pool of 2013. The large qualification mailing which typically occurs in October was not conducted. When converting from a two-step to a one-step process, the court will need to send enough additional summonses/questionnaire mailings to compensate for those individuals who would normally be disqualified or excused from service. However the savings from the elimination of the two-step process will far outweigh the additional summons/questionnaires required for the one-step process.

Cross-Training: During 2012, cross-training for the duties conducted by the Jury Coordinator continued to ensure continuous operation of the jury program in the event of illness or sudden absence. The cross-training is a proactive way to keep our department running smoothly and improves both productivity and encourages collaboration within the office. Efforts are ongoing in 2013.

### **2013 Jury Program Initiatives**

One-Step Jury Program: Data will be captured and evaluated carefully during the first quarters of the year to help us develop parameters from which to work within when determining the number of summons/questionnaires to mail to ensure that adequate pools for jury trials are available. Because the qualification process is now paired with the summons processing, more summons must be mailed than with the old two-step process. During this data collection period, we will determine the average percentage of individuals who are not qualified and who postpone serving and we will use that data to develop comfortable parameters to guide this summons/questionnaire process going forward.

Cross Training/ Training Procedures: Cross training will continue between the Jury Coordinator and the Department Secretary to create a fully trained backup in the event of an extended leave or unexpected absence. The focus of the cross training will shift from the juror management to the office work involved with the summons/questionnaire process, postponement process, payment process and computer entry work. Written training materials will be updated and reorganized for easy reference due to the change from the two-step jury program to a one-step jury program.

Juror Exit Questionnaire Reports: Court staff will continue to market the new online juror exit surveys to ensure we capture an adequate number of survey responses throughout the year to measure the quality of our program. Efforts will be directed at developing useful reports to summarize the survey responses in a useful and comparable fashion from year to year. Reports will also allow the Courts to address problems or consider suggestions for improvements made by jurors.

CCAP Jury Management Rewrite: CCAP will be introducing a new Jury Management program to counties some time in 2013. The improved Jury Management application will have added features designed to make working with jurors easier and more efficient. Staff will work closely with CCAP to get familiar with and optimize the use of new tools. Some of the improvements CCAP has made include a new and improved look and feel, improved navigation through a “home page” with quick links to navigate through the program allowing quick access to commonly performed functions and improved searching. In a single step users will be able to randomly or sequentially select panel members for voir dire, indicate the branch and judge, and print the seating chart, peremptory challenges list, panel member list and voir dire list. These tools create efficiencies for the Jury Coordinator. One new feature we will research and may adopt could allow us to send jurors email and text appearance reminders for those jurors who have opted in via the questionnaire website.

-End-

***The Waukesha County Circuit Court Judges, the Clerk of Circuit Court  
and the entire staff want to recognize every prospective and sworn juror  
and to say "thank you" for your contributions to our justice system.***

