

WASHINGTON STATE CENTER FOR COURT RESEARCH
ADMINISTRATIVE OFFICE OF THE COURTS

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Juror Research Project
Report to the Washington State Legislature

Washington State Center for Court Research

December 24, 2008

Acknowledgement

We gratefully acknowledge the assistance provided by the Clerks,
Administrators, and Jury Managers in the participating courts.

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Purpose

The Judicial branch relies solely on citizen participation to enable the critical cornerstone of the justice system—the right to a trial by jury. Prospective jurors must be selected at random from a fair cross section of the population of the area served by the court. However, most jurors in Washington State are paid \$10 per day,¹ a rate set by lawmakers in 1959, and it is believed this rate of pay may inhibit certain segments of the community from participating in jury duty. (A comparison of Washington’s juror pay rate with that of other states is available in Appendix C.) In 2000, the Washington State Jury Commission listed increasing juror pay as the foremost jury reform needed in the state.

The goal behind increasing juror pay is to broaden citizen participation in the jury system. In particular, the pay increase—from \$10 to \$60 per day—is aimed at citizens who normally would not comply with a juror summons because they face economic pressure through lost wages, transportation costs, child care expenses, and other costs. For citizens whose non-compliance is related to lower levels of civic engagement or less experience with participating in government, increased juror pay may bolster interest in serving. The focus of this juror pay research is to measure how the likelihood of complying with a jury summons is affected by an increase in juror pay—to see whether the level of participation can be increased for those who normally would not participate.

The juror-pay research project was conducted by the Washington State Center for Court Research (WSCCR), within the Administrative Office of the Courts (AOC). It is anticipated that the project will add significantly to the body of data available not just in Washington State, but also nationally, regarding juror pay and how it affects the quantity and diversity of juror participation.

¹ A few local jurisdictions pay more than the \$10 minimum set in RCW 2.36.150 up to a maximum of \$25 per day.

Project Summary

In 2000, the Washington State Jury Commission identified increased pay as the foremost jury reform needed in the state. In 2006, the Washington State Legislature funded a study to answer the following: Would increased juror pay broaden citizen participation (yield, race, ethnicity, education, and income)? For 12 months beginning in November 2006, the study piloted a pay increase from \$10 to \$60 per day in courts in Clark County, Franklin County, and the city of Des Moines.

The effect of the juror pay increase was tracked with three data sources: information drawn from the participating courts’ jury management systems pertaining to jury yield; responses to an in-court demographics survey administered to citizens appearing in response to a jury duty summons; responses to a telephone/Internet survey that probed summons recipients’ attitudes toward the courts, jury service, and juror pay.

Little impact was seen on jury yield—yield increased moderately in Clark County, but was unchanged in Des Moines and actually declined in Franklin County. Nor was demographic representativeness of people responding to summonses much affected by the pay increase. The telephone/Internet survey highlighted the information barrier to be overcome by any jury reform: during the period of increased pay, only 1 out of every 12 persons receiving summonses but not meeting their obligations was aware that juror pay had been raised to \$60 per day.

Analysis of the project data supports four broad conclusions: 1) juror compensation is one of several factors affecting juror participation, 2) there is no clear association of increased pay with higher juror yield, 3) increased pay is noticed and appreciated by those who serve, and 4) expanded public awareness efforts may enhance the impact of increased juror pay.

Research Project Overview

The 2006 state Legislature appropriated \$569,000 for a juror pay research project. In 2007, the Legislature appropriated an additional \$325,000. Beginning November 2006, jurors were paid \$60 per day in three pilot jurisdictions—(1) Clark County Superior and District courts; (2) Franklin County Superior and District courts and Pasco Municipal Court; and (3) Des Moines Municipal Court. This daily amount approximates minimum wage.

Evaluative data were collected from three sources: (1) juror-yield data drawn from the courts' jury management software, (2) demographic data drawn from an in-court survey of jurors who reported for service, and (3) a telephone survey of both complying and non-complying jurors who were summoned in the study sites [a] prior to implementation of the pay raise, and [b] during the period of increased pay.

Juror Yield

A primary goal of the study was to determine if increasing pay contributes to greater overall citizen participation on juries. The measure for this test is juror yield, defined as the percentage of summonses sent to valid addresses that result in individuals reporting for duty. The effects of pay rate were examined by comparing juror yield for the 12-month pre-raise period to yield during the 12 months of increased pay. Comparison data for control sites (Kitsap and Spokane Counties) were also analyzed to examine possibility of coincidental, non-study factors influencing participation trends in the study sites.

Demographic Representativeness

Another goal of the study was to determine if a pay raise enhances the jury pool's representativeness in respect to racial, ethnic, education, and income characteristics of the community served by the court. Jurors who reported for duty at the inception of the pay raise and those who reported during the final weeks of the \$60/day study period were surveyed at all three study sites to determine

What we know:

Juror pay in Washington was set at \$10 - \$25 per day by the 1959 State Legislature. This is paid entirely by counties and cities. The state does not contribute toward juror pay.

If juror pay in Washington State today had the same purchasing power as \$10 did in 1959, we would pay our jurors \$70.14 a day.

Research across the U.S. suggests that between 66 and 80 percent of citizens who have appeared for jury service or failed to respond to a summons believe that jury service is an important civic duty.

Jurors who earn more are more likely to be paid by their employer to serve while on jury duty, meaning that those least able to afford jury duty are hit the hardest when they do serve.

Research across the U.S. also indicates that residents of low-income neighborhoods are less likely to appear for jury duty than residents of white middle-class neighborhoods.

A 1998 study which included King County found that 70% of self-employed citizens who received a summons either failed to respond or were excused from service.

What available research does not tell us:

The specific role juror pay plays in a citizen's ability and decision to respond to a summons or request to be excused from service.

While two studies outside Washington State show increased juror response rates following an increase in jury pay, other concurrent jury system reforms make it impossible to assess the impact of jury pay increases as an independent variable.

gender, age, race, Hispanic ethnicity, birthplace (United States or foreign), marital status, number of children in the home, age of youngest child, level of education, employment status, and income. Comparisons of the aggregate make-up of the available jury pools for the two periods were analyzed to determine whether jury pools became more representative of the community as public awareness of the increased remuneration grew.

Citizen Attitudes, Attributes, and Jury Service

The remaining major goal of the study was to determine the impact of a pay increase on citizen attitudes toward jury duty. The Social and Economic Sciences Research Center (SESRC) at the Washington State University (WSU) was engaged to conduct telephone surveys (with an Internet option) of citizens summoned in each of the study sites before and after the raise to \$60/day. Results were compared for those who complied with the jury summons and those who did not comply (although their summonses were categorized as “deliverable”²), as well as for those summoned during the \$10-per-day rate with those summoned during the period of \$60-per-day juror pay. This analysis focused on citizen attitudes and motivations to assess changes in attitude attributable to the pay increase.

Selection of Pilot Sites

The goal was to select three or four courts to pilot the juror pay raise. The project team set out some general criteria for courts to be considered for participation in the project.

- The courts should be large enough to achieve a sufficient sample size for the juror survey, but small enough to control the costs of implementing the project.
- The courts should not have recently implemented, nor have plans to implement in the near future, other jury reforms that could impact summons response rates, as it is important for this study to isolate the effects of the juror pay raise.

² They were not returned as “undeliverable”.

- To minimize the data-collection burden on the courts, the courts should have jury management systems capable of producing: (1) components of the juror yield calculation necessary for analyzing summons response rates before and after implementation of the pay raise, and (2) sampling frames for the telephone surveys.
- Overall, the courts should represent a good mix of eastern and western Washington and—to the extent possible, bearing in mind the above size parameters—more urban and more rural jurisdictions. Additionally, both superior and limited-jurisdiction courts should be represented.
- Although not critical, it would be ideal for the courts to represent a mix of longer and shorter terms of service.

In order to assess whether courts met these criteria, a jury manager survey was distributed in October 2005 via several listservs (JuryInfo, County Clerks, Superior Court Administrators, District and Municipal Court Managers). The jury manager survey data were supplemented by information from a survey of FY 2003 jury costs (used in support of a fiscal note).

Three sites emerged from around Washington State, based on the balancing of these criteria: (1) Clark County Superior and District Courts, (2) Franklin County Superior and District Courts and Pasco Municipal Court, and (3) Des Moines Municipal Court³. A jury profile of each is available in Appendix B.

Responsibilities of Participating Courts

The pilot courts were responsible for the following activities over the course of the study:

- Ensuring no other jury reforms or changed procedures which could cloud the impact of the pay raise were introduced during the study period.

³ Clark and Franklin Counties draw potential jurors from a single pool, making assignments to a specific court after the juror appears for duty.

- Providing input and feedback on data-collection instruments and project summaries.
- Revising summons (and, if applicable, websites) to indicate the new rate of pay.
- Providing juror yield-statistics one time prior to implementation (for the 12-month period preceding the pay increase) and again at conclusion of the study (for the period during which jurors were paid \$60 per day).
- Administering demographic surveys to all jurors reporting for service, for the first and final three months of the study.
- Providing lists, including names and contact information, of responding and non-responding jurors for the telephone survey, one time prior to implementation and one time at project completion.
- Monthly billing for reimbursement of the \$50/day pay difference for all jurors reporting for service.

Results

Juror Yield

A primary goal of the study was to determine if increasing pay contributes to greater overall citizen participation on juries. The measure for this test is juror yield, defined here as the percentage of summonses sent to valid addresses that result in individuals reporting for duty. The effects of pay rate on juror yield was measured by comparing numbers from before the pay raise with those during as well as those after the end of the pay raise (see Figure 1).

- Franklin County juror yield was 35% prior to the pay increase. During the pay increase juror yield declined to 27%, a pattern contrary to expectations. It should be noted that the Franklin County data included three months of unusually low summons compliance during the summer of 2007. If the data are edited to exclude these outlying data points, juror yield during the period of increased pay was about 32%, still below the “before” rate. Following the study, after juror pay returned to the original amount,

juror yield continued to decrease to 25%. The continued decrease in juror yield may indicate external factors other than the pay increase that are driving this trend. A site visit and interview with the juror administrator did not reveal any particular reason, including a change in jury management conditions or procedures, which would account for the declining level of summons response.

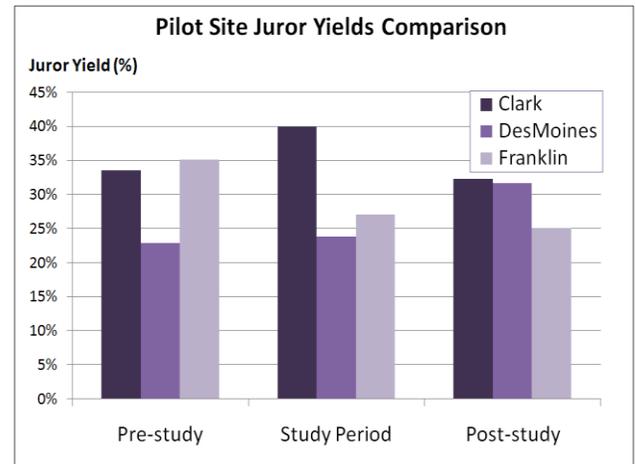


Figure 1.

- The Des Moines jury management system reported a pre-increase jury yield of 23%. During the period of increased pay jury yield was 24%, nearly unchanged from the pre-increase period. In the period following the end of the pay increase jury yield was 32%. Data quality issues (a report of no summonses issued) arose from functionally limited jury administration software in Des Moines Municipal Court, prompting the January 2007 data (from the period of increased pay) to be omitted from analysis.
- In Clark County, juror yield before the pay increase was about 34%. During the pay increase jury yield increased to 40%. In the period following the end of the pay increase, yield declined to 32%, a level comparable to that before the study.

To examine the possibility of coincidental, non-study factors as having generated the participation trend seen in Clark County, juror-yield figures from two non-study control sites

(Kitsap and Spokane Counties) were analyzed. Neither experienced any significant change in juror yield when comparing the periods prior to, during, and after the analysis, suggesting Clark's increased participation rate was attributable to the pay increase (See Figure 2).

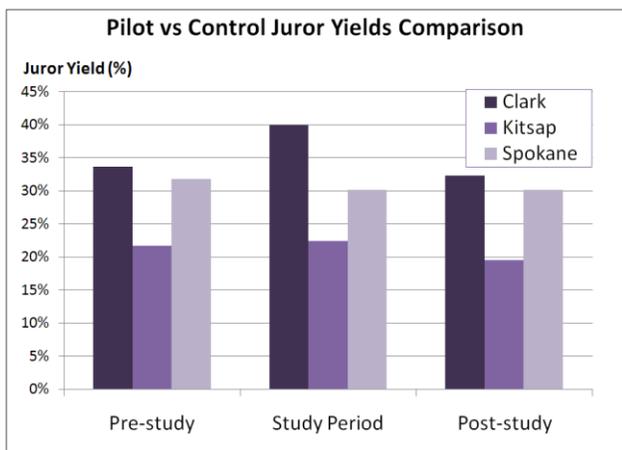


Figure 2.

Demographic Representativeness

The demographic characteristics of jurors were obtained using two methods: the telephone/Internet survey method and questionnaires administered at the courthouse. The telephone/Internet survey provided demographic data of jurors during both the standard pay period and the increased pay period for the Clark, Des Moines, and Franklin sites. The courthouse questionnaires were administered during both periods in Clark County and during the increased pay period in Des Moines and Franklin County. The demographic characteristics of jurors for each site, pay period, and method of data collection are presented in Appendix D. Census data, when available, is also presented for the population age 18 and over for comparison.

Analyses were conducted within each method and site to determine if the demographic characteristics of jurors differed during the pay periods. Results indicated no consistent differences on any of the demographics that were measured during the standard versus increased pay periods. Chi-square tests indicated no statistically significant differences for any site using either survey method with

respect to age, race, ethnicity, employment status, schooling, or age of youngest child in the home (p-values for Chi-square tests >.15).

With respect to household income of jurors, statistically significant differences were detected in Clark and Franklin Counties, but the differences were in the opposite direction and not consistent across survey methods. In Clark County, the courthouse questionnaires completed by jurors indicated that the increased pay resulted in a greater percentage of jurors with a household income *less* than \$75,000 per year⁴. However, the telephone/Internet surveys in Clark indicated no difference. In Franklin County, the telephone/Internet surveys suggested that the increased pay resulted in a greater percentage of jurors with household incomes *greater* than \$75,000⁵.

In sum, the increased juror pay had no clear impact on any of the demographic characteristics of those who responded to the jury summons. By and large, the demographics of those who responded were similar to those of their respective city or county population during both pay periods with a few exceptions (see Appendix D). Individuals who responded, regardless of compensation, were more likely to be older, have higher annual household incomes, and have a college or advanced degree. In Franklin County, significantly fewer jurors were Hispanic or Latino in comparison to the county population.

Citizen Attitudes, Attributes, and Jury Service

The Social & Economic Sciences Research Center (SESRC) at Washington State University (WSU) was engaged to conduct a telephone/Internet survey of citizens summoned in each of the pilot sites before and after the raise to \$60/day. The survey instrument was designed to determine the attitudes of potential jurors with respect to coming to court when called for jury duty. Two samples were drawn from each study site in both pre- and post-raise periods: (1) those who complied, and (2) those who, although their summonses were

⁴ X² significant at p<.05

⁵ X² significant at p<.05

deliverable, did not comply. A prior-notification letter was mailed to all survey recipients introducing the study and offering an Internet alternative.

The survey instrument was identical across all groups and timeframes. The telephone/Internet questionnaire was also translated to facilitate completing interviews with respondents for whom Spanish is their primary language. The project design and questionnaire were approved by the Institutional Review Board at Washington State University for compliance with federal regulations for human-subject research. Interviews were monitored by the SESRC for quality assurance and to minimize interviewer effects.

Of respondents contacted for all jurisdictions in phase 1 (the pre-study period of standard \$10-per-day remuneration), 1,063 completed a questionnaire, resulting in an overall response rate of 29%. Across all jurisdictions in Phase 2 (the study period of \$60-per-day remuneration), 913 completed a questionnaire, resulting in an overall response rate of 29%. The number of respondents by site:

Clark County	891
Franklin County	706
City of Des Moines	380

Of the persons contacted, about 46% had completed the requirements of jury service—they had responded to the summons, and, if called, had appeared in court. The other 54% were persons whose summonses were deliverable, but who did not comply with the summons by completing the juror information form or by calling in or by reporting for jury duty.

It is important to note that the survey sample is not a random sample, but intended to provide a sufficient number of respondents who either complied or did not comply so that the attitudes and characteristics of the two groups can be compared. The impact of juror pay to summons compliance is addressed with the yield data from the sites' automated jury administration systems.

Readers should also note that the telephone/Internet survey sample was confined to three separate and distinct jurisdictions. Survey results are not intended to represent the attitudes and characteristics of all summoned individuals across the State. Nevertheless, results from each site tend to resemble results from the other two. Therefore, for ease of presentation, survey results are presented for the aggregate of all three sites rather than for each site separately. Although this obscures differences across sites, it supports identification of larger patterns.

Survey Results

The key comparisons to be made with the telephone/Internet survey are, first, between those who completed jury obligations (“completers”) and those who did not (“non-completers”), and, second, between those who were sent summonses before the pay increase and those sent summonses during the period of pay increase. The two sets of groups are compared with regard to attitudes toward courts, attitudes toward jury service, and attitudes toward juror pay.

Attitudes toward Courts

The survey asked for responses to statements pertaining directly to respondents' attitudes toward the courts. In general, completers were more positive in their views of courts than were non-completers. Significant differences were seen with regard to courts protecting constitutional rights of everyone, a statement agreed to strongly by 49% of completers and 37% of non-completers, and with regard to courts treating people with dignity and respect, a statement with which 62% of completers and 42% of non-completers agreed strongly. For no indicator or site were attitudes toward the courts significantly related to the study period—whether respondents were summoned before or during the period of increased pay.

Table 1: Perceptions of Courts

Percentage of respondents who “strongly agree”		
	Completers	Non-completers
Local courts are unbiased in their case decisions	36%	24%
Local courts have judges who are honest and fair in their case decisions	49	34
Local courts are protecting the constitutional rights of everyone	49*	37
The courts treat people with dignity and respect	62*	42
The average citizen cannot understand what takes place in the courts	18	26

*X² significant at p<.05, corrected for survey design effects

Attitudes toward Jury Service

Several survey questions pertain to the attributes of jury service in terms of penalties, burdens and rewards. A small but significant difference emerged in perception of penalties: 86% of completers, compared to 81% of non-completers, said there was a penalty for failure to report for jury duty. However, there was no significant difference between the groups with regard to whether the penalty is strictly enforced or severe. With regard to burdens of jury service, completers (at 34%) were significantly less likely than non-completers (at 44%) to state that trials are too long. The largest percentage differences were seen with getting jury duty information, described as easy by 74% of completers and 59% of non-completers, and with reporting to the courthouse for jury duty, “easy” for 75% of completers and 61% of non-completers.

Table 2: Perceptions of Jury Service

Percentage of respondents saying		
	Completers	Non-completers
...jury service would be very interesting	56%	47%
... trials are too long	34*	44
... jury duty information easy to get	74*	59
... courts give people an opportunity to reschedule if there is a conflict on the day they were called to appear	91*	83
... the court excuses some people from jury duty if there is a reason why they cannot serve	96	93
... there is a penalty for failure to report for jury duty	86*	81
... it is easy for you to report to the courthouse for jury duty	75*	61

*X² significant at p<.05, corrected for survey design effects

Of the 1,912 people responding to the question of whether it is easy or difficult to report to the courthouse for jury duty, 1,288 replied that it was “easy”. The remaining 624 respondents received follow-up questions about what makes jury duty burdensome or difficult. The follow-up questions ask about a series of impediments, from parking problems to disability/health reasons. For one reason alone—difficulty in getting time off work—was there a significant difference between completers and non-completers. Readers should note that getting time away from work was the reason most likely to be cited by both completers and non-completers.

Table 3: Difficulties in Jury Service

Percentage of respondents who cite particular reasons making jury duty difficult		
	Completers	Non-completers
Lack of access to a vehicle	9%	18%
Lack of public transportation	10	17
Not sure where to go	14	21
Long distance to travel	25	35
Difficulty getting child care	26	33
Parking problems	28	30
Disability/health issues	28	33
Difficulty getting time off of work	49*	66
*X ² significant at p<.05, corrected for survey design effects		

The group of all respondents was asked about other barriers to jury service. The percentages in the table below support two observations: first, there are generally modest differences between completers and non-completers with regard to whether they can take time away from daily activities, afford to lose pay from work, and have problems in paying for care for children or other relatives; second, about one-half of both completers and non-completers cite “too much waiting around” as a barrier to jury service.

Table 4: Further Difficulties in Jury Service

Percentage of respondents citing as “very much” or somewhat” a reason to not serve		
	Completers	Non-completers
... problems paying for care for children or other relatives	10%	18%
... don't like to judge other people	27	34
... could not afford to lose pay from your work	31	39
... too much time away from daily activities	43*	51
... too much waiting around	53	51
*X ² significant at p<.05, corrected for survey design effects		

There were no significant demographic differences between completers and non-completers with regard to gender, household income, race, education, being employed full time, or being retired. Small but significant differences emerged with marital status (78% of completers and 69% of non-completers were married at the time of the interview) and unemployment status (4% of completers, 9% of non-completers were unemployed). Larger differences in the language spoken at home and in self-identified Hispanic ethnicity appeared in the Franklin County sample, with non-completers significantly more likely than completers to speak a language other than English at home and to self-identify as Hispanic. About one-half (51%) of Franklin County Hispanic respondents requested the Spanish language version of the survey.

Table 5: Demographic Comparisons

	Completers	Non-completers
Female gender	55%	54%
Household income less than \$75,000	56	64
Currently married	78*	69
Race is white	92	82
Speak a language other than English at home	7	16
Franklin County: language other than English at home	8*	41
Hispanic	4	12
Franklin County: Hispanic	8*	39
Education: some college or college degree, incl. graduate	74	68
Employment: employed full time	54	53
Employment: unemployed	4*	9
Employment: retired	25	19
*X ² significant at p<.05, corrected for survey design effects		

Juror Pay

An increase in juror pay would likely only impact juror response if it resulted in increased income. For some jurors an increase in pay is irrelevant because it will not affect income—a situation arising when the prospective juror is employed and the employer continues to pay wages or salary during the period of jury service. This set of circumstances applied to 29% of all respondents.

Employed respondents (64% full or part-time) were also asked if their employer would pay all, part, or none of wages or salary for time spent on jury duty. Differences between completers and non-completers were statistically significant for each site. The largest difference was seen in Franklin County, where employed completers were twice as likely, at 64%, to receive full pay while serving on jury duty than were non-completers, at 32%.

Table 6: Employer Policies toward Compensation for Jury Duty Time: Employed Respondents

	Completers	Non-completers
Employer reimburses all wages or salary	59%	42%
Clark County: Employer reimburses all wages or salary	53*	44
Franklin County: Employer reimburses all wages or salary	64*	32
City of Des Moines: Employer reimburses all wages or salary	64*	50
*X ² significant at p<.05, corrected for survey design effects		

Given the relationship between Hispanic ethnicity and the probability of summons compliance seen in Franklin County, a logical question is whether underrepresentation of Hispanics on jury panels could be addressed by reducing the impact of wages/salary lost as a result of time spent on jury duty. Therefore, the analysis addressed the question: Does the relationship between employer reimbursement of wages and compliance with jury summonses seen in Franklin County hold for Hispanics in

Franklin County? The answer is “yes.” Hispanics in Franklin who said their employers would reimburse fully lost wages/salary were significantly more likely (at 65%) than other Hispanics in Franklin (at 14%) to comply with summons requirements.

The impact of an increase in juror pay will also be limited to the extent that prospective jurors are not aware of the increase. During the “before increase” period, 31% of completers and 59% of non-completers said they did not know how much jurors were paid; similarly, during the period of increased pay, 33% of completers and 52% of non-completers did not know how much jurors were paid. As could be expected, completers were more likely to correctly state the amount of juror pay—during both study periods, completers were about twice as likely as non-completers to state the correct amount. Readers must note that during the period of increased pay, only 18% of completers and 8% of non-completers could correctly state juror pay at \$60 per day.

Table 7: Responses to Juror Pay Amount Question

	Completers	Non-completers
Before increase		
“Don’t know”	31%	59%
Correct response, \$10	42	23
During increase		
“Don’t know”	33	52
Correct response, \$60	18	8

Despite respondents’ general inability to correctly state the amount of juror pay, it may be inferred that some respondents were aware of an increase even if they did not know the exact amount, and that awareness was greater among completers than non-completers. For both completers and non-completers, there was an increase, from the “before pay increase” to the “during pay increase” period, in the dollar amount assigned to jury pay.

Table 8: Average Amounts for Responses to Juror Pay Amount Question

	Completers	Non-completers
Before increase	\$19	\$14
During increase	\$42	\$22

Only respondents who offered to state an amount of juror pay were asked the follow-up question of whether the stated amount was “too little”, “about right”, or “too much”. In Clark County and the City of Des Moines, survey respondents who were completers were more likely to say that pay was “about right” (59% in Clark County, 54% in Des Moines) during the period of increased pay in comparison to those during the period of standard pay (28% in Clark County, 31% in Des Moines). In contrast, in Franklin County, 38% of completer respondents during the period of increased pay said pay was “about right”, nearly unchanged from the 35% who described pay as “about right” during the pre-increase study period.

Three other factors showed robust, statistically significant relationships with perception of pay adequacy: 1) support for positive statements about the courts, 2) inability to lose pay from work, and 3) the opinion that jury duty involves too much waiting around. In a multivariate estimation of whether respondents would describe juror pay as “about right,” those who disagreed with the statement that courts “treat people with dignity and respect,” who said that they would not want to serve on a jury because they “could not afford to lose pay,” and who agreed with the statement “There’s too much waiting around” were more likely to describe juror pay as “too little” rather than “about right”.

The pattern of responses to the telephone/Internet survey is consistent with findings reported by Cutler & Hughes (2001). Their description of results from a North Carolina Administrative Office of the Courts juror survey mentioned notably lower levels of satisfaction with “economic and convenience” factors than with other aspects of jury duty.

Given that lost pay is important to at least some summons recipients, it is likely that the impact of juror pay on yield could be enhanced with wider publicity given to a change in pay. Although the juror pay amount appeared in bold red text on the jury summonses for the period of increased pay, font and color were not enough to bring the pay change to the attention of summons recipients. Future attempts to change the behavior of summons recipients should be informed by the results of this study, and by the findings of research into the effectiveness of public education programs to change health-related behaviors. For example, a 2006 review, conducted by Ehiri and associates, of public health research showed that attempts to motivate drivers to use booster seats were more likely to succeed if distribution of free booster seats was combined with public education about the effect of booster seats on reduction of injury for child passengers—an approach of incentives plus public education is more likely to be effective than incentives alone.

What we learned

Juror compensation is one of several factors affecting juror participation.

There is no clear association of increased pay with higher juror yield.

There is no evidence that increased pay increases juror representativeness.

Increased pay is noticed and appreciated by those who serve.

Expanded public awareness efforts may enhance the impact of increased juror pay.

For further information, contact: Dr. Carl McCurley
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Appendix A

Definitions

Inclusiveness

Percentage of the entire population in the jurisdiction that is included in the jury source lists.

Jury

A body of persons temporarily selected from the qualified inhabitants of a particular district.

Jury Source List

List of all registered voters for any county, merged with a list of licensed drivers and identocard holders who reside in the county.

Jury Service

Period of time a juror is required to be present at the court facility. This period of time may not extend beyond the end of the jury term, and may not exceed two weeks, except to complete a trial to which the juror was assigned during the two-week period.

Jury Term

Period of time of one or more days, not exceeding one month, during which summoned jurors must be available to report for juror service.

Master Jury Source List

List of prospective jurors from which jurors summoned to serve will be randomly selected. The master jury list shall be either randomly selected from the jury source list or may be an exact duplicate of the jury source list.

One Day/One Trial

Juror service in which prospective jurors are required to serve either one day or until the completion of one trial.

Panel

Group chosen from the pool for jury selection.

Pool

Group of prospective jurors reporting for jury duty in a given term and awaiting assignment to a panel for jury selection.

Pooling

Sharing of prospective jurors among several judges or courts.

Prospective Juror

An individual who has been qualified and summoned for jury duty but has not yet been sworn as a juror for a trial.

Random Selection

Requirement that persons selected for jury service be selected at random from a fair cross section of the population of the area served by the court.

Representativeness

Degree to which cognizable groups in the population are reflected in the juror source lists.

Summons

Legal notice delivered to people stating that they are required to report to the courthouse for jury duty.

Yield

The number of qualified jurors that are available at the courthouse to be sent to the courtroom.

According to the National Center for State Courts a reasonable yield goal is 40% of the total number of people summoned. It is understood anecdotally that many jurisdictions in Washington State experience a juror yield that is less than 40%.

Between the summons being sent to a potential juror and that person showing up at the courthouse, there are several things that can happen:

Undeliverable summons

Returned by the post office.

Non-response

The recipient ignores the summons (or did not receive it in the first place).

Unqualified

The recipient is less than eighteen, is not a citizen of the United States, is not a resident of the county in which he/she has been summoned to serve, is not able to communicate in English, or is a convicted felon without his/her civil rights restored. (RCW 2.36.070).

Excused

Excused by the court for a variety of reasons at the court's discretion.

Number told not to report

Persons assumed to be available but instructed not to report (often through a telephone call-in system) because the court has a sufficient number of potential jurors.

No show

Those not reporting as instructed.

Deferred

Those who have their service postponed to another date.

Subtracting the number of people who do not report from the number of summons originally sent, and adding the number of people deferred from a previous term (when they were unable to serve) produces the yield. Non-response numbers usually average about 20% nationally, and available statistics show that Washington is probably close to that number.

Note:

Because of the constraints imposed by the pilot courts' jury management software, for the purpose of this study yield is defined as:

The number responding to summonses as qualified, available and ready to be seated

divided by

The number receiving summonses and presumed qualified to serve.

That is, the number of undeliverable summonses has been eliminated from both sides of the equation.

Appendix B

Pilot Court Jury Information (as of 2006 when selected for the study)

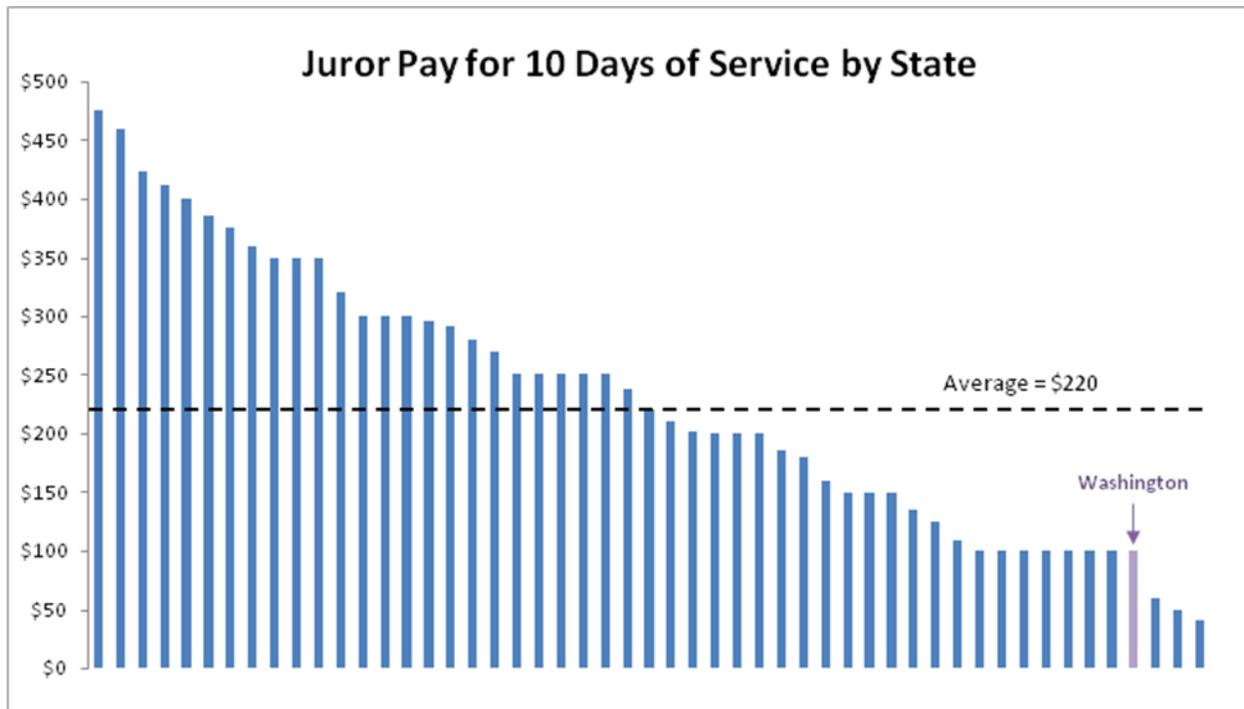
	Des Moines Municipal Court	Clark County Superior Court	Franklin County Superior Court
All courts for which summoning is done	Des Moines Municipal Court	Clark County Superior Court and Clark County District Court	Franklin County Superior Court; Franklin County District Court; and Pasco Municipal Court
Annual summonses mailed	2,400	18,000	7,800
Jury management system	Jury Master	Jury Master	Jury Master
Jury term (the maximum period a summoned juror must be available to report for service)	2 days	2 weeks*	1 month
Length of Jury service (the maximum period a summoned juror is required to be present at the court facility)	2 days	1 trial	1 day/1 trial
Jury trials 2006			
Criminal	16	71	19
Civil	0	30	1
Jury trials 2007			
Criminal	16	78	26
Civil	0	40	3
Estimated average trial length	1 day criminal N/A civil	3 days criminal 4-5 days civil	3 days criminal 3 days civil

* In 2008 (following conclusion of the study) Clark Superior Court reduced the jury term to 1 week.

Appendix C

Juror Pay by State

Currently, 17 states pay lower daily juror fees than those of Washington; however, the state's rank drops as the number of days served increases.⁶ For a five-day trial, only five states pay less than Washington, and for a ten-day trial, only three do.



⁶ 11 of those states do not pay for the first day of service.

Appendix D

Demographics

	Clark					Des Moines					Franklin					
	\$10		\$60		2006	\$10		\$60		2000	\$10		\$60		2006	
	T	C	T	C	Census	T	C	T	C	Census	T	C	T	C	Census	
N	204	660	151	1181		46	--	91	117		252	--	157	688		
Gender:																
Female	51	52	50	53	51	70	--	50	50	53	59	--	54	54	48	
Male	49	48	50	47	49	30	--	50	50	47	41	--	46	46	52	
Age:																
18-24	2	5	3	7	13	0	--	1	9	11	2	--	1	7	17	
25-34	11	14	13	12	18	2	--	4	11	19	13	--	15	18	20	
35-44	17	23	19	23	21	11	--	10	14	22	16	--	19	18	18	
45-54	29	29	29	27	21	17	--	19	17	18	20	--	27	24	18	
55-64	28	21	21	22	15	30	--	29	24	11	30	--	19	22	13	
65+	13	9	15	10	13	39	--	37	25	19	19	--	19	11	13	
Race:																
Asian/Pacific Islander	0	4	2	3	4	0	--	3	5	8	1	--	0	2	2	
Black/African-American	1	1	1	1	2	0	--	1	2	7	1	--	3	2	2	
Native Am/Eskimo/Aleut	2	1	1	1	1	0	--	3	2	1	0	--	0	1	1	
White	95	93	95	94	91	98	--	92	90	74	91	--	88	95	94	
Other	3	2	1	1	2	2	--	0	2	5	7	--	9	0	1	
Hispanic or Latino	2	3	1	2	4	2	--	2	3	7	7	--	8	15	47	
Employment Status:																
Full-time	55	66	58	63	--	44	--	51	54	--	55	--	54	66	--	
Part-time	14	9	7	12	--	4	--	4	7	--	11	--	8	9	--	
Unemployed	5	7	3	7	--	2	--	1	7	--	3	--	6	5	--	
Not looking for work	2	3	2	2	--	2	--	1	2	--	2	--	1	2	--	
Student	1	1	1	1	--	0	--	0	2	--	0	--	1	1	--	
Retired	19	13	22	13	--	40	--	41	27	--	22	--	27	13	--	
Other	5	2	7	2	--	7	--	2	2	--	7	--	3	2	--	
Household Income:																
< \$25,000	6	11	9	13	21	5	--	10	20	20	9	--	3	11	33	
\$25,000 - \$49,999	19	22	20	24	31	45	--	20	27	32	24	--	19	29	31	
\$50,000 - \$74,999	27	23	28	27	24	18	--	25	28	24	29	--	28	31	18	
\$75,000 - \$99,999	25	22	18	16	12	21	--	21	14	13	22	--	26	15	9	
\$100,000+	23	23	26	21	12	11	--	24	11	12	15	--	24	14	9	
Highest Level of Schooling:																
No HS diploma or GED	1	3	1	4	12	5	--	10	6	13	2	--	8	6	36	
HS Grad/GED	20	18	25	17	27	45	--	20	23	26	23	--	16	24	24	
Some College/AA	37	46	37	47	39	18	--	25	42	39	39	--	42	48	26	
BA	23	21	21	23	15	21	--	21	21	16	21	--	19	15	9	
Advanced Degree	15	13	13	10	8	11	--	24	9	7	11	--	14	8	5	
Age of Youngest Child in Home:																
0 - 5	7	14	9	13	--	2	--	9	17	--	14	--	15	18	--	
6 - 12	12	14	13	15	--	4	--	8	7	--	15	--	12	16	--	
13 - 17	15	12	11	12	--	7	--	2	7	--	5	--	8	7	--	
No children in home	65	59	68	59	--	87	--	81	69	--	66	--	66	59	--	

Notes: T = Telephone/Internet survey method, C = Courthouse questionnaire method.
 Census percentages are for the population age 18 and over.

Appendix E

Bibliography

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