

# WAUKESHA COUNTY CIRCUIT COURT



## 2013 ANNUAL JURY REPORT

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## Waukesha County Circuit Court 2013 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 2013 are highlighted in addition to the program initiatives planned for 2014. 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:

	2013	2012	2011
# of records on Waukesha County DOT listing	305,417	303,811	302,013
# of Waukesha County records requested from DOT	13,000	13,000	13,000
# 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	1,268 (9.75%)	1,444 (11.1%)	561 (4.3%)
# of prospective jurors	11,732	11,556	12,439

## 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	146,668	48.55%	151,128	49.48%	5,005	48.09%
	Female	<u>155,427</u>	51.45%	<u>154,289</u>	50.52%	<u>5,402</u>	51.91%
		302,095		305,417		*10,407	
<u>Age</u>	18-24	28,479	9.43%	36,034	11.80%	1,482	12.63%
	25-44	90,354	29.91%	91,710	30.03%	3,545	30.22%
	45-64	123,090	40.75%	116,344	38.09%	4,590	39.12%
	65+	60,172	19.92%	53,660	17.57%	2,110	17.98%
	Unknown	<u>0</u>	0.00%	<u>7,669</u>	2.51%	<u>5</u>	0.04%
		302,095		305,417		11,732	
<u>Race</u>	Hispanic	10,591	3.51%	6,825	2.23%	311	2.65%
	Amer Indian/Alaska Native	751	0.25%	634	0.21%	32	0.27%
	Asian/Pacific Islander	8,401	2.78%	7,562	2.48%	290	2.47%
	Black/African American	3,592	1.19%	3,381	1.11%	116	0.99%
	White/Caucasian	278,760	92.28%	287,015	93.97%	10895	92.87%
	Other	<u>0</u>	0.00%	<u>0</u>	0.00%	<u>88</u>	0.75%
		302,095		305,417		11,732	

\*The total number of prospective jurors in the Gender section above is not accurate. This is a result of individuals not identifying a gender, or if they did, the information did not import properly into CCAP. The total number of prospective jurors for 2013 was 11,732. The prospective juror list is representative of the demographics of the county in all areas measured.

## Qualification and Summoning

In 2013, a one-step qualification and summoning system was implemented. This means that a qualification questionnaire and a summons to serve on jury duty are mailed to prospective jurors at the same time. Historically Waukesha County operated a two-step jury program where qualification questionnaires were mailed in the Fall of each year and qualified jurors received a summons two weeks prior to their jury service. A one-step qualification and summoning process is considered best practice in jury management and saves postage and staff time.

Upon receipt of a qualification questionnaire and a jury summons, prospective jurors must complete an online qualification questionnaire or complete a form questionnaire and return it to the court by mail. Online questionnaires are imported into CCAP and mailed questionnaires are manually entered into CCAP. Citizens may be disqualified or permanently excused and will be notified by Court staff. If a citizen does qualify for jury service, they follow the instructions they received on the summons.

On a weekly basis, court staff determine the number of jurors needed to *appear* for jury selection based upon several factors. Generally the type of case or the charges, or the anticipated length of the jury trial 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. The table below depicts the number of individuals who received a questionnaire and summons and juror usage for 2013.

	2013 Jury Year		2012 Jury Year		2011 Jury Year	
	#	%	#	%	#	%
Qualification Questionnaires & Summons Sent	11,172	100%	*	*	*	*_
Qualification Questionnaires Sent	*	*	11,556	100%	12,478	100%
# of Citizens Who Received A Summons	*	*	8,835	100%	9,257	100%
Questionnaires Returned	10,567	94%	11,550	99%	12,238	98%
Returned Online	5,590	53%	4,990	43%	4,798	40%
Returned Via USPS	4,977	47%	6560	57%	7,440	60%
Jurors Ineligible/Unavailable	4,317	39%	3,137	27%	3,008	25%
Qualified Jurors	6,250	59%	8,413	73%	9,230	75%
# of Qualified Citizens Postponed	1,934	31%	1,846	22%	2,130	23%
Online Postponement	1,702	88%	1,455	79%	1,525	72%
Postponement Via USPS	232	12%	391	21%	605	28%
Jurors Required To Report	2,312	37%	2,450	28%	2,491	27%
Jurors Sent to Voir Dire	1,983	86%	2,100	86%	2,223	89%
Jurors Questioned in Voir Dire	1,344	68%	1,507	72%	1,618	73%
Jurors Not Questioned in Voir Dire	639	32%	593	28%	605	27%
Jurors Sworn	716	36%	780	37%	832	37%
Jurors Who Reported and Not Used	329	14%	350	14%	268	11%

\*In 2013, the qualification and summons processes were combined into one-step.

**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.

*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 \_\_\_\_\_

**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?<br>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?<br><br>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?<br>If yes, have you fully satisfied all the conditions of your sentence?   | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. What is your race?<br><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: _____ |                          |                          |

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

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

**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)

**SUMMONS TO SERVE AS A JUROR**

«JurorBarCode»

«RealJuryYear»-«JurorId»

Juror ID No. «JurorId»  
 «JURORFULLNAMEFALLCAPS»  
 «JURORPRIMADDR»  
 «JURORCITY» «JURORSTATE» «JURORZIP»

Pool Member No. «PoolMemberNo»

You have been selected through a random drawing to serve as a juror in Waukesha County.

Your juror term begins: «PoolBeginDate»  
 Your juror term ends: «PoolEndDate»

**Failure to appear or to return your questionnaire can result in the court imposing a sanction not to exceed \$500.00.**

**Please follow these instructions:**

Complete an ONLINE juror qualification questionnaire at [circuitcourts.waukeshacounty.gov](http://circuitcourts.waukeshacounty.gov). Completing an online questionnaire saves time and reduces postage expense. If you are unable to complete the questionnaire online, return the enclosed questionnaire by US Mail within 10 days. If you have completed the questionnaire once, but were deferred to a later date, you are not required to complete the questionnaire again.

- This is your summons to serve as a juror. Keep this summons until your term of service is complete.
- As a Juror for Waukesha County, you are scheduled to appear during your term of service listed above.
- **You must call the Jury Line at 262-548-7531 after 5:00 p.m. the evening prior to your required dates.**
- You must report only if your Pool Member Number is called.
- If required to report, you will report to: Jury Assembly Room, Room CG-6  
 Waukesha County Courthouse  
 515 W Moreland Blvd.  
 Waukesha, WI 53188
- Report to the courthouse **no later** than 8:15 a.m. unless instructed differently on the Jury Line.

\*PLEASE READ THE ENCLOSED BROCHURE TO ANSWER FREQUENTLY ASKED QUESTIONS\*



**Please complete the  
 Juror questionnaire**  
 SCAN CODE OR VISIT  
**[circuitcourts.waukeshacounty.gov](http://circuitcourts.waukeshacounty.gov)**

**Kathleen Madden  
 CLERK OF CIRCUIT**

Juror Coordinator's Phone: (262) 548-7504  
 Courthouse Hours: Monday – Friday  
 8:00 am – 4:30

## 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 2013, jurors were required to appear for seventy-three (73) jury trials that were scheduled to proceed. Eleven (11) of those cases did not proceed to a jury trial and were resolved or adjourned after jurors appeared. 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 the justice system. Of the 11 cases that did not proceed to trial after jurors appeared, two (2) defendants were assessed the cost for those jurors as both defendants changed their pleas on the morning of trial.

Jury trials generally run one (1) to three (3) days, but 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 2013, we held one (1) week-long civil jury trials and three (3) week-long criminal trials.

	<u>2013</u>			<u>2012</u>			<u>2011</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 OR MISTRIAL	TOTAL TRIAL DAYS	# OF JURY TRIALS TRIED TO VERDICT	# OF JURY TRIALS SETTLED AFTER JURORS APPEARED OR MISTRIAL	TOTAL TRIAL DAYS
<b><u>CRIMINAL/ TRAFFIC</u></b>									
Felony	18	5	56	21	6	51	12	1	69
Crim Misd	7	1	12	5	4	10	7	0	7
Crim Traffic	9	0	14	5	2	11	7	4	14
Traffic	1	0	1	4	0	5	2	0	2
Forfeiture	0	0	0	0	0	0	0	0	0
Commitment of Inmate	0	0	0	1	0	4	1	0	2
<b>SUBTOTAL</b>	<b>35</b>	<b>6</b>	<b>83</b>	<b>36</b>	<b>12</b>	<b>81</b>	<b>29</b>	<b>5</b>	<b>94</b>
<b><u>CIVIL</u></b>									
Large Claim	26	4	64	30	3	84	32	3	82
Small Claim	0	0	0	0	0	0	1	0	1
<b>SUBTOTAL</b>	<b>26</b>	<b>4</b>	<b>64</b>	<b>30</b>	<b>3</b>	<b>84</b>	<b>33</b>	<b>3</b>	<b>83</b>
<b><u>PROBATE</u></b>									
Guardianship	0	0	0	0	0	0	0	0	0
<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	0	1	1	1	2	3	0	3
Juvenile	0	0	0	1	0	3	0	0	0
TermParRght	0	1	1	0	0	0	3	0	8
<b>SUBTOTAL</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>5</b>	<b>6</b>	<b>0</b>	<b>11</b>
<b>TOTAL</b>	<b>62</b>	<b>11</b>	<b>149</b>	<b>68</b>	<b>16</b>	<b>170</b>	<b>68</b>	<b>8</b>	<b>188</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.

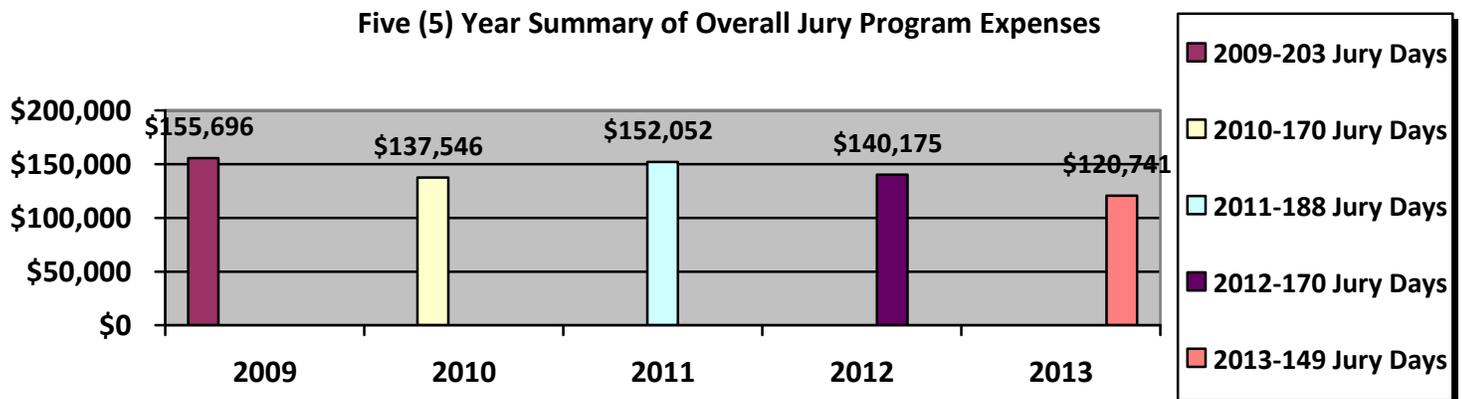
Juror supplies such as beverages and reading materials are provided in the Jury Assembly Room and all deliberation rooms. Meals are also provided to jurors during trial deliberations. Other program expenses include printing, postage and Civilian Jury Bailiffs.

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 2013 totaled \$10,192.

Sixty-two (62) jury trials were tried to verdict in 2013, and total trial days were down to 149 days versus 170 days in 2012. Four (4) week-long civil and criminal jury trials added 23 days alone. Total jury program expenses for 2013 were \$120,741, a decrease of \$19,434 over 2012.

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 2013 were \$22,211. Overall travel fees are down by 48% since 2009 when jurors were reimbursed a per mileage fee rather than a flat daily travel fee.

A summary of the overall jury program expenses over a five (5) year period follows:



<b>JURY PROGRAM EXPENSES</b>						
	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012*</u>	<u>2013</u>	
Miscellaneous	\$8,584 (6%)	\$17,010 (12%)	\$5,391 (4%)	\$8,239 (6%)	\$3,124 (3%)	
Postage	Incl in Misc.	Inc in Misc.	\$8,872 (6%)	\$4,899 (3%)	\$5,715 (5%)	
Civilian Jury Bailiffs	\$15,293 (10%)	\$11,966 (9%)	\$16,964 (11%)	\$18,524 (13%)	\$10,192 (8%)	
Food	\$4,045 (3%)	\$2,525 (2%)	\$3,965 (3%)	\$3,110 (2%)	\$3,748 (3%)	
Mileage/Travel Fee	\$43,749 (28%) (.55/mile)	\$23,779 (17%) (\$7/day)	\$26,544 (17%) (\$7/day)	\$23,968 (17%) (\$7/day)	\$22,421 (19%) (\$7/day)	
Juror Per Diem	\$84,025 (54%)	\$82,245 (60%)	\$90,315 (59%)	\$81,435 (58%)	\$75,540 (62%)	
Annual Cost	\$155,696	\$137,546	\$152,052	\$140,175	\$120,741	
Total Jury Days	203	170	188	170	149	
Trial Day Cost	\$766.98	\$809.10	\$808.79	\$824.56	\$810.34	

-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.

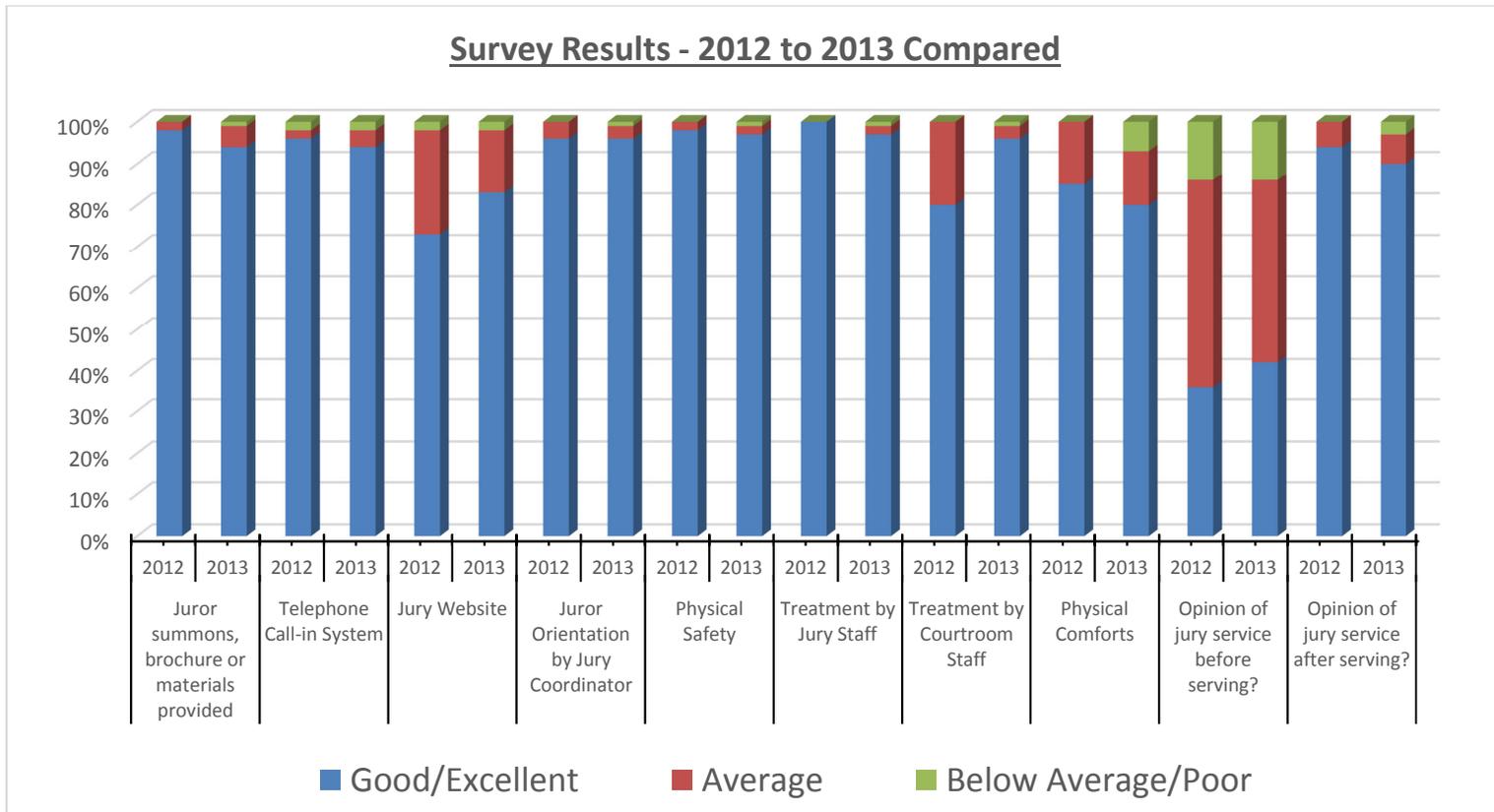
\*A transition from a two-step qualification and summons process to a one-step qualification/summons process occurred for the 2013 jury year. This eliminated a mass qualification mailing in the fall of 2012 resulting in a significant postage savings over 2011 and earlier.

### 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. 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 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 give 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.

This voluntary online survey was released on September 1, 2012. Fifty-two (52) jurors voluntarily completed the online survey in 2012 and 142 jurors voluntarily completed the online survey in 2013. The jurors also provided dozens of comments about their jury service experience. Survey results from 2012 and 2013 follow:



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 142 jurors who completed the survey in 2013, 58% had a poor to average opinion of jury service before they served. After service, only 10% of those surveyed had a poor to average opinion of jury service. Another way to look at this is that prior to service only 42% of those surveyed had a good or excellent opinion of jury service. After serving, that number jumped to 90%!

The areas with average or below ratings are looked at by staff closely as well as the comments jurors share. One 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. Judges will receive a compilation of the comments with a copy of this report so they can consider what the jurors have shared. Samples of some comments we have received in 2013 follow:

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

- The entire packet was helpful in explaining what to do and where to go along with the Juror Information brochure.
- The brochure was very informative including the contact information and the links to the questionnaire.
- The brochure showed a lot of what is expected as a juror, along with extended questions some of us jurors had in our mind when we were first summoned.
- Perhaps give directions on how to get to the jury assembly room-it was chaotic when I arrived and several people were not sure where to go as the screeners were blocking the way.

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

- The instructions on where to report and what to do were very helpful. I liked the text and email reminders.
- Including information on the jury line that cases scheduled for later in the week were settled and jurors would not be needed was very helpful for scheduling purposes.

### **Jury Website**

- The website shows frequently asked questions that a first time juror might ask to improve the knowledge as a juror.
- I had difficulty with the “[exitsurvey.waukeshacounty.gov](http://exitsurvey.waukeshacounty.gov)”. I had better luck googling “juror exit survey Waukesha County”.

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

- The coordinator gave us a nice summary of the procedure. I am a trial lawyer so I understand how the system works, but for a layperson, it’s important to hear about what one can expect will happen during service as a juror.
- The presentation by the Jury Coordinator was very thorough. As this was the first time I’d been summoned for jury duty, I was glad that no assumptions were made and appreciated the information that was shared. .

### **Physical Safety**

- It was reassuring that there was a security check as we entered the courthouse. Though I didn’t need it, it was good that elevators were available for jurors who had trouble with stairs.
- It would be helpful to let potential jurors know to allow for extra time to go through the metal detectors on the first day. I just made it to the juror room after a long line at the detectors. Maybe, too, you should inform jurors to avoid wearing any metal. I had to go through the detector several times and this led to wasted time.
- Move the screening area deeper into the building so people do not have to wait outside.
- Having only one line for the entry security check meant that it was a bit slow entering the building on a couple of occasions. The crosswalk from the parking lot had the potential for danger since some cars stopped for pedestrians as marked, others didn’t.

### **Treatment by Jury Staff**

- Don, the bailiff, is an extraordinary person who was very informative and helpful. His demeanor kept us at ease and made it a joy to be there.
- Ralph was exceptional: made sure all our concerns were taken care of and always enthusiastic/pleasant.
- The bailiff clearly knew his job well, enjoyed it, and was able to answer several questions from the jury and add perspective to things.
- During voir dire please tell the rest of the jury members what is happening. We were shuffled in between rooms with random people’s names being called. No one told us what was actually going on.
- Would it be possible for the jury staff to keep us more informed as to what is happening and why we are sitting in a room where some people are being called, others are not, some are returning, others are not. What is going on at this point in the jury selection?

### **Treatment by Courtroom Staff**

- They were always pleasant even though they could not speak to us.
- Jury instructions were clear. We were quickly accommodated when we asked to have a screen repositioned and have a couple of lights above another turned off.
- The judge’s history lesson was interesting and helped give the lawyers time to select the final jury without seeming to take a long time.

- Judge Kieffer did a great job of keeping us informed, letting us know what was going on, what the timing would be. He was very helpful and respectful of us and our time. He took time to talk to us and answer questions at the end of the trial.
- Judge Dorow came and spoke with us after we gave our verdict to thank us and ask if we had any questions. This was very nice and unexpected.
- I suppose this is the nature of a trial but it was frustrating to be told there would be a ten minute break and then have it extend to 30-45 minutes.
- I was extremely disappointed that jurors were asked to stand and give personal information about themselves in the presence of the defendant. I strongly feel the jurors should be referred by number in front of the defendant for safety reasons.

### **Physical Comforts**

- The juror chairs in the courtroom were very comfortable and the pull-up desktops were very helpful. Restrooms were readily available during breaks and water and soda were provided.
- I didn't expect to be overly comfortable but was reasonably so. After all, it was a courtroom not a hotel or movie theater.
- The Jury Assembly Room was comfortable and clean. Although I didn't partake, it was nice that beverages and treats were available.
- Plenty of beverages provided (and Friday's lunch). The facility functions very well, without unnecessary expense (taxpayer dollars).
- Your waiting room-make some more quiet work areas versus all being near a tv-better chairs for comfort and good coffee/tea versus instant.
- More refrigerator space needed in jury room. Refrigerator was filled with water and soda and jurors who brought fresh lunches sometimes had to leave them out in the room.

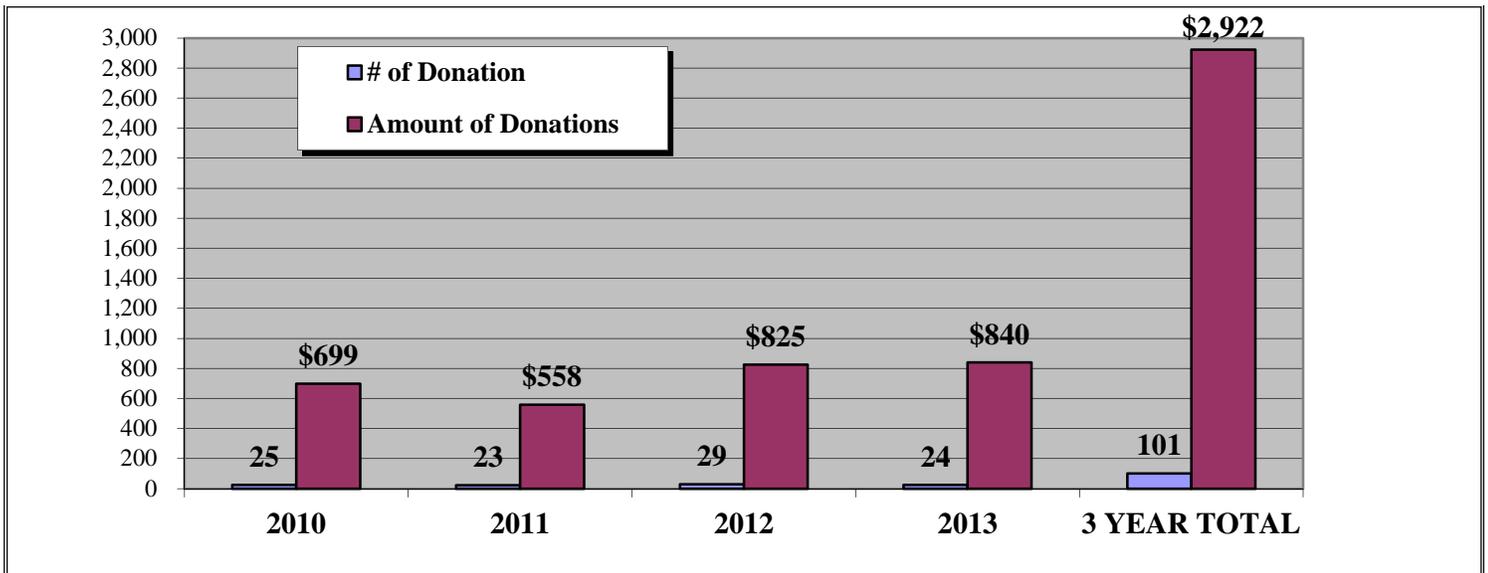
### **Constructive Feedback**

- I always wanted to be on a jury and even though this fell at a bad time economically, it was still an uplifting experience. I will tell everyone not to shy away from jury duty and to embrace the opportunity when it is requested. This is a major part of being a citizen in a free country.
- As a new citizen, came away w/an AWESOME feeling/experience! Thank you!
- I was very upset to receive a letter 2 days after court was over from the defense attorney asking me for feedback on his performance. His client was found guilty of stalking. This made me very uneasy.
- It would be a VERY good idea to instruct all jurors to speak out clearly and loudly when answering all questions in the courtroom. I was assigned to the smaller of the two courtrooms, but there still was a problem with responses not being heard because too many people were muttering/mumbling or simply speaking too quickly. The process of going through all of the questioning could have been reduced by a good 15 minutes, in my estimation, just because of the many times jurors were asked to repeat their responses. This would save both time and frustration for all involved. Perhaps even demonstrate it to them. Step away from your microphone and demonstrate both ways of replying to a question to someone who is across the room so they get the idea. Hope this suggestion helps.
- I had eaten lunch downstairs one day and became ill (I don't think the food was bad but it didn't agree with me) – I had to leave the courtroom for awhile which was most embarrassing. The entire staff, from the judge to the deputies, were extremely attentive. I think Waukesha County should be proud of their court(s) & the level of professionalism conducted in Judge Foster's court.
- Although I really did not want to be there and the case was only a day and a half, which I was happy about, the experience was very good. Judge Davis was very professional and handled the courtroom extremely well. Given what it is, I thought the process was just fine. I would recommend, in order to keep jurors focused, that the clock on the wall NOT be visible to the jurors. Also, the court clerk, not the court reporter, should be less visible. Both were distractions.

- I didn't really have an opinion prior to serving. I thought considering the circumstances and the responsibility it was an excellent experience. My only other comment is in regard to retaliation. I wish someone would have advised us about what to do if we were afraid or how we should handle the situation if we felt someone was targeting us due to our verdict? This is probably just my fearful imagination, but I was a little afraid. I am feeling much better now. Thank you for all the time and energy that goes into protecting our community and helping to keep it safe. I don't take it for granted. Thank you for your service.
- The only thing I would add is to reinforce the message that jurors are allowed to bring drinks into the jury box. On the second day of the trial I sat on, I became incredibly hot and had to take off my boots, roll up my pants, and take off my sweater in order to cool down. Had I not had my bottled water, I think I may have been in an uncomfortable and awkward position. Also, smaller tables in the deliberation room. This would be a key change for the better. Thanks much for the opportunity to serve.
- Everyone went out of their way to keep us informed. The explanation from Judge Foster when her case settled was very helpful. In all, it was a great experience.

### 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 four (4) full years of existence, 101 donations have been made to the Waukesha County Jury Program totaling \$2,922.



### 2013 Accomplishments

**One-Step Jury Program:** During the first year of the new one-step process, data was captured and evaluated carefully during the first quarters to help 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 were needed with the old two-step process. During this data collection period, we determine the average percentage of individuals who were not qualified and who postpone service and we made adjustments to the mailings based on this information. While more weekly mail pieces go out with the new system, we have experienced an

overall reduction of approximately \$3,000 in annual jury program postages costs by eliminating the massive annual qualification mailing. Moving to the one-step process also saved roughly 100 labor hours due to the combination of two separate mailings under the old system to one mailing each week with the new one-step system. This time can now be devoted to other office work. In addition to saving labor hours in this program, outside printing costs were eliminated in 2013 for the jury program as all printing was done in-house to allow us to tweak the one-step program materials based on feedback from jurors during this first year with the new system. Finally, an unintended consequence of transitioning from a two-step process to this one-step process drove the online qualification questionnaires up to 53% during 2013 which historically hovered between 40 and 43%. This also saves staff hours to process paper questionnaires, so we are very pleased to see this increased use of this online tool.

Cross Training/ Training Procedures: Cross training continued 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 shifted from the juror management to the office work involved with the summons/questionnaire process, postponement process, payment process and computer entry work. The processes was begin to updated and reorganized the policy and procedures for easy reference due to the change from the two-step jury program to a one-step jury program and the new CCAP jury program software.

Juror Exit Questionnaire Reports: Court staff continued to market the new online juror exit surveys to ensure we captured an adequate number of survey responses throughout the year to measure the quality of our program. Efforts will continue in this area in the future.

CCAP Jury Management Rewrite: CCAP introduced a new Jury Management program during 2013 and made countless improvement to the software and program design. Added features were included to make working with jurors easier and more efficient. Staff works closely with CCAP staff who were onsite for several days during the transition to help staff get familiar with and optimize the use of new tools. Some of the improvements CCAP 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 are 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. The new software allows easy changes to forms to tweak information sent to jurors and provided improvements and quicker download of questionnaires and postponement requests. The new program has created many efficiencies for the Jury Coordinator and the back-up staff. One new feature we researched, tested and rolled out during 2013 was sending text messages and emails reminders to jurors about their jury services. When jurors complete their online juror qualification questionnaire, they can opt in to receive text and email reminders. Jurors who use these tools have commented how much they appreciate these reminders!

### **2014 Jury Program Initiatives**

Cross Training/ Training Procedures: Cross training will begin again with a new Departmental Secretary to ensure the Jury Program has adequate staff who can ensure the program will run flawlessly at all times. The focus of the cross training will include all juror management and office work involved with the summons/questionnaire process, postponement process, call-in system, orientation and trial prep, payment process and computer entry work. This process will also include finalizing the updates to written policy and procedures as a result of the transition to the one-step jury process and the CCAP jury program software rewrite.

CCAP Jury Management Program and Annual Evaluation Report: Through continuous work with the new CCAP software, staff will learn about all of the features available and integrate efficiencies into their daily work. The goal is to enter all necessary codes to each panel during the same week jurors serves which will more accurately populate the CCAP-35 Basic Jury System Evaluation Report due to the Director of State Courts annually while reducing time necessary to prepare this annual report.

On-Line and Other Technology Tools: Staff will dedicate efforts to increase the use of online or other technology tools available to jurors including the online juror qualification questionnaire, text and email reminders, online postponement requests and the online juror exit survey. Staff will continue to work with CCAP and look for other tools or ideas to create convenience and efficiencies to the jurors and within the program itself.

-End-

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

