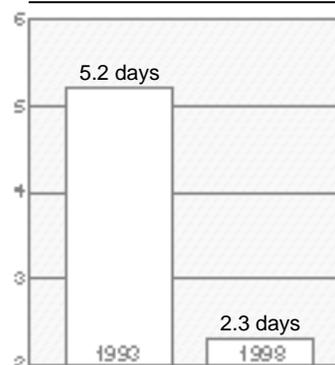


JURY REFORM

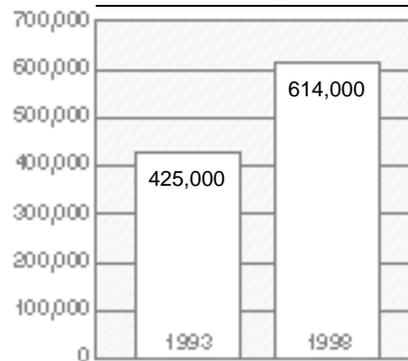
Given the crucial role that juries play in our democracy, jury service should be a positive experience. Yet for years, most citizens viewed their jury summons as a source of irritation, not inspiration. In 1993, the New York State Unified Court System launched The Jury Project, an ambitious effort to reform every aspect of New York's jury system—to make it more fair, more efficient and more productive. Remarkable progress has been made in just five years' time:

- Average terms of jury service are now less than half what they were before The Jury Project. Indeed, 60 of the 62 counties in the State are now on a one trial/one day system.
- With reduced terms of service and the elimination of all automatic exemptions, more New York citizens are now serving on jury duty. For individual jurors, that means that the burdens of service are more fairly distributed.
- Summoning cycles in many counties have been lengthened, so that citizens are called less frequently. Under new legislation passed in 1998, moreover, jurors serving 10 days or more will be exempt from service for an additional four years.

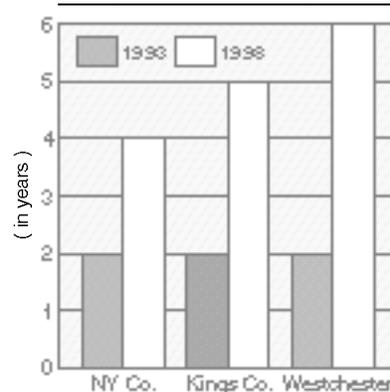
Average Terms of Service



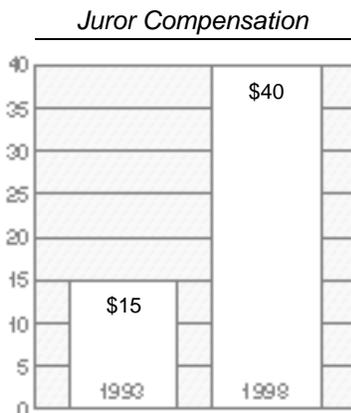
Jurors Reporting for Service



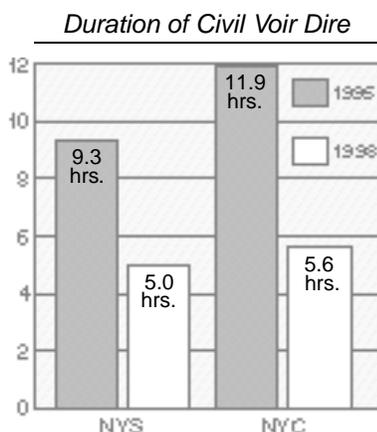
Length of Summoning Cycles



- Juror compensation has been increased, further reducing the hardships on those summoned to serve.



- Under new rules that increase judicial supervision of the civil jury selection process, the average duration of civil voir dire has fallen dramatically.



New York's reform efforts are far from over. Here are just a few of the ongoing initiatives:

The Grand Jury Project

The New York court system's jury reform efforts initially focused on improving the jury experience for those citizens summoned to serve as petit jurors in civil or criminal trials. But a significant number of New Yorkers—some 25,000 each year—are called to serve as grand jurors, hearing evidence to determine whether criminal charges should be filed against an accused. In December 1997, Chief Judge Kaye announced the formation of The Grand Jury Project to scrutinize this long-neglected part of our justice system from the citizen's perspective. After a year of study and public hearings on the issue, this 33-member blue-ribbon task force is preparing a report discussing its findings and recommending a number of reforms, including improved summoning methods and orientation procedures, more efficient use of grand jurors' time, improved physical

facilities and pilot projects to study possible reductions in terms of service.

Criminal Voir Dire Study

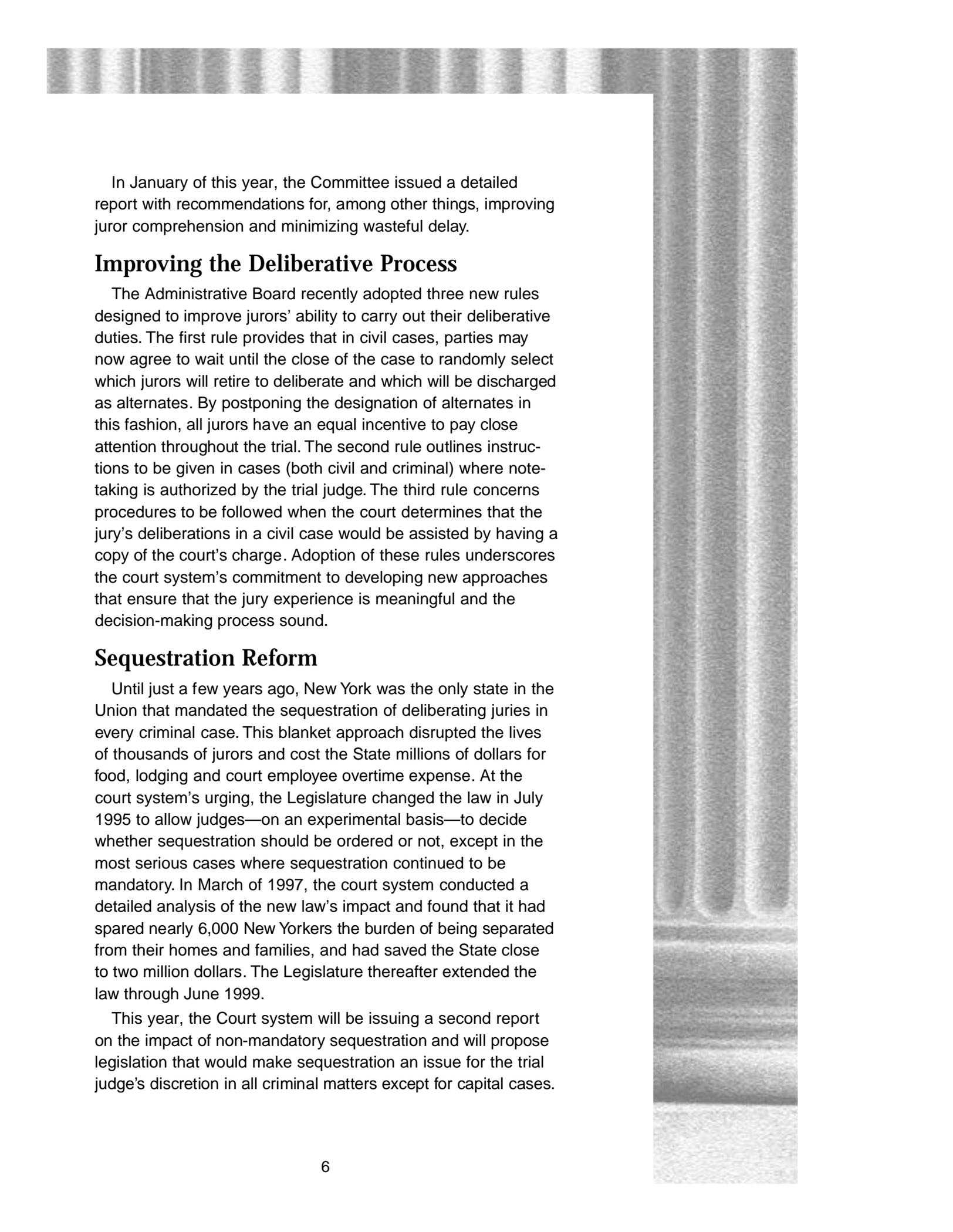
The original Jury Project report found that the basic system for jury selection in criminal cases works well, with one “noteworthy exception”: the extremely high number of peremptory challenges allowed in criminal cases. As a follow-up to this observation, the court system began its first-ever statistical study of the criminal voir dire process. This study will evaluate the use of peremptory challenges in criminal cases and identify good judicial voir dire practices so they can be replicated around the State.

Jury Pool News

1998 marked the first full year of publication of New York State Jury Pool News, a quarterly newsletter devoted to informing jurors of the latest developments in jury reform and other initiatives of the New York State Unified Court System. Distributed in jury assemblyrooms across the State, Jury Pool News includes features on the human side of court administration programs, letters from jurors describing their jury experiences—and even a crossword puzzle to help speed waiting times.

The Committee of Lawyers to Enhance the Jury Process

Since the 1996 repeal of all occupational exemptions from jury service, hundreds of lawyers from around the State have seen the jury system from an entirely new perspective. To tap the unique insights that lawyer-citizens can offer on the subject of jury reform, a Committee of Lawyers to Enhance the Jury Process was formed. Chaired by Gregory P. Joseph, a member of the law firm of Fried, Frank, Harris, Shriver & Jacobson and immediate past chair of the American Bar Association’s Section of Litigation, the Committee began its work by conducting a random survey of some 5,000 attorneys across the State concerning their experiences as jurors. Among the survey’s key findings: the rate that attorneys are actually selected to sit on juries is approximately the same as that for all reporting citizens. The data thus answers the argument that lawyers should be exempt from jury service because they never get selected—they are in fact sitting, and they are making a positive contribution to the legal system through their service.

A vertical, grayscale photograph of a classical column with fluted shaft and a base, positioned on the right side of the page. The column is partially cut off by the right edge of the page.

In January of this year, the Committee issued a detailed report with recommendations for, among other things, improving juror comprehension and minimizing wasteful delay.

Improving the Deliberative Process

The Administrative Board recently adopted three new rules designed to improve jurors' ability to carry out their deliberative duties. The first rule provides that in civil cases, parties may now agree to wait until the close of the case to randomly select which jurors will retire to deliberate and which will be discharged as alternates. By postponing the designation of alternates in this fashion, all jurors have an equal incentive to pay close attention throughout the trial. The second rule outlines instructions to be given in cases (both civil and criminal) where note-taking is authorized by the trial judge. The third rule concerns procedures to be followed when the court determines that the jury's deliberations in a civil case would be assisted by having a copy of the court's charge. Adoption of these rules underscores the court system's commitment to developing new approaches that ensure that the jury experience is meaningful and the decision-making process sound.

Sequestration Reform

Until just a few years ago, New York was the only state in the Union that mandated the sequestration of deliberating juries in every criminal case. This blanket approach disrupted the lives of thousands of jurors and cost the State millions of dollars for food, lodging and court employee overtime expense. At the court system's urging, the Legislature changed the law in July 1995 to allow judges—on an experimental basis—to decide whether sequestration should be ordered or not, except in the most serious cases where sequestration continued to be mandatory. In March of 1997, the court system conducted a detailed analysis of the new law's impact and found that it had spared nearly 6,000 New Yorkers the burden of being separated from their homes and families, and had saved the State close to two million dollars. The Legislature thereafter extended the law through June 1999.

This year, the Court system will be issuing a second report on the impact of non-mandatory sequestration and will propose legislation that would make sequestration an issue for the trial judge's discretion in all criminal matters except for capital cases.