

# WHAT DO I DO NOW?



## *Read the jury summons thoroughly and carefully.*

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It contains important information about when and where you must report for jury service.

If you believe that you cannot serve due to *[include justifications for potential excuse from jury service such as a time conflict, poor health, or some other reason]*, contact the *[tribal court]* immediately. The *[tribal court]* may be willing to excuse you from y service or postpone your jury service to a more convenient time. You may be penalized for failure to appear or failure to contact the court.

If you also received a questionnaire asking about your eligibility to serve, complete and return the questionnaire promptly.

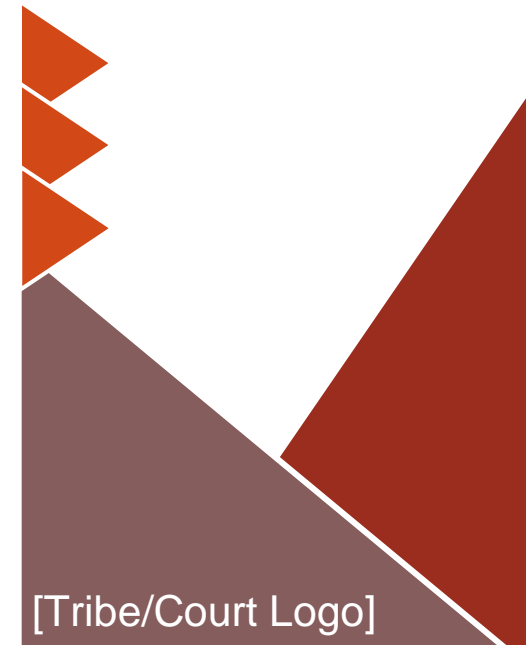
Your jury summons may include additional instructions about calling the court's telephone message line the day before - your reporting date. Be sure to remember to call for important last-minute information from the court.

[Information about Tribal Court here]

# I'VE BEEN SUMMONED FOR JURY SERVICE?

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*Learn more about serving your Tribal Court through jury service.*



[Contact Information for Tribal Court Jury Office]

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[Tribe/Court Logo]

## WELCOME TO JURY SERVICE!

*You have been selected as a potential juror in an upcoming case in the [Tribal Court].*

Jurors serve an important role in the administration of justice. Jury trials places the determination of guilt or innocence with community members and in doing so, ensures defendants are treated fairly

-OR-

While jury trials are not customary/traditional and in fact may feel uncomfortable to sit in judgment of others, this process is a requirement as a part of our exercise of our inherent sovereignty.

## What kind of case will I be considered for?

[ASK JUDGES – generic language re: civil and criminal?]

## How was I selected for jury service?

[Tribal court] maintains a list of prospective jurors, drawn from [member rolls, housing, and tribal employment records] From that list, the court administrator randomly selects [##] names.

[Draft alternate language for tribes with bifurcated juries.]

## Am I automatically chosen as a trial juror?

When you report to the court on the date listed on the summons, the judge and attorneys in the case will ask questions of all potential jurors to be sure that everyone selected is fair and impartial. If you are not selected, [describe what happens if juror not selected (excused for rest of year, goes back into pool, etc.)]

## What should I do to prepare?

➔ You do not need to do anything to prepare—just report for service as directed in the jury summons.

It is important that you arrive on time, so be sure to confirm directions to the courthouse and make necessary arrangements to be excused from work or to find appropriate childcare. When you arrive, the judge and court staff will give you more information about the case and, if you are selected, about your role as a trial juror.

## Will I be paid to serve on a jury?

Jurors are compensated [##] per day and [##] per half day. Jurors may also receive mileage reimbursement, up to [##].

**WE LOOK FORWARD TO SEEING YOU!**



## **Juror Orientation Script Outline TEMPLATE**

How to use this template:

- This is an outline, formatted as bullet points, of the type of information you may want to present to a pool of potential jurors to orient them to jury service.
- Tailor as needed! There is of course no “one size fits all” orientation to jury service. This template is meant to be a starting point and will need to be edited to match your court’s needs.
- This orientation can be conducted as an in person speech or presentation, or it could be a pre-recorded video that jurors watch before meeting the judge and attorneys.
  - o To this end, we have included suggestions for visuals you could use in the video.
- This template outline was developed by the Inter-tribal Working Group on Special Domestic Violence Criminal Jurisdiction (ITWG) and is designed to be used in VAWA SDVCJ cases.
- You’ll notice there are some areas where we have provided alternative language. This is an attempt to recognize some of the major areas where tribes’ needs may differ. As noted above, this entire template is just a starting point. Please edit any portion of it that you need to.

*Suggestions for pre-recorded video: incorporate images of outside and inside of courthouse (front of courthouse, deliberation room, jury box, etc.)*

**Designated speaker (tribal leader, judge, court clerk or any other appropriate person) welcomes jurors and explains jury service in SDVCJ trials:**

- Importance of enforcing tribal law [*pull language from court’s mission statement, relevant code language*]
- Explanation of tribe’s jurisdiction over non-Indians [*cite tribal code, VAWA 2013’s recognition of tribe’s inherent sovereignty over perpetrators of domestic violence, tribal press releases or community notices regarding exercise of SDVCJ*]
- Explanation of inclusion of non-Indians in juror pool: [*cite tribal code re eligibility for jury service, list places pool is drawn from (tribal members, tribal housing, tribal employees, etc.), discuss VAWA 2013 re: non-Indians serving on the jury*]
- Value in a conducting a jury trial:
  - o [*determination of guilt or innocence made by community members, ensures defendants are treated fairly*]
  - o OR
  - o [*Although jury trials not customary/traditional, they are a due process requirement for cases involving non-Indian defendants. Exercise of tribe’s sovereignty (Oliphant, VAWA 2013). Determination of guilt or innocence made by community members, ensures defendants are treated fairly. Uniqueness of sitting in judgment of each other, but is required.*]

**Why jury service is important:**

- [ASK JUDGES]

**Explain trial process:**

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- Explain jury selection process: will be asked questions, not meant to be invasive. Intended to ensure neutral decision making and fairness for all parties.
- If chosen to serve on the jury, attorneys will talk to you about the case. Next, attorneys will present their evidence. Once attorneys are finished, you will deliberate as a group, in private and return a verdict
- We have called [##] potentials jurors, but only [##] jurors will be serve on the jury. If you are not chosen to serve on the jury, [explain court's process for jury duty (will go back into the pool, will be excused for the rest of the year, etc.)]. If not chosen, does not indicate anything negative about your ability to serve.

**Thank jurors for service.**

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