

Everyone has an excuse for dodging jury duty

From demonic transference to dog issues, prospective jurors find plenty of excuses to not serve



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It's no secret that many people develop a sense of dread when a jury summons turns up in the mail, racking their brains for an excuse to skip out on their civic duty.

Oftentimes, the excuses are legitimate, involving concerns such as missing crucial work time or finding reliable child care. Some people suffer from medical conditions that hamper their ability to serve.

However, others, plain and simple, don't want to sit through days or possibly weeks of a trial.

"There's certainly a sacrifice of time when serving as a juror, but they are an essential piece to the puzzle," Clark County Jury Coordinator Kirsten Morrissey said.

"This office tries to make it as easy as possible to serve as a juror," she added. "We know it's difficult, especially today, because everyone is busy."

Over the years, judges and attorneys have heard a myriad of excuses, particularly during voir dire — the process in which jurors are determined to be impartial.

During this phase, some people have been known to say something outrageous or inflammatory to get out of serving.

Judge David Gregerson said he once had a juror explain that he believes in demonic transference, the act of a demonic spirit taking over a mortal body. Gregerson said he didn't know what that meant at the time and later looked it up.

"I don't know if the guy was serious or looking for an easy exit," he said. "That one was a real curve ball for the attorneys and the court to address."

Some Superior Court judges have not so much heard excuses as seen odd juror behavior.

Judge Suzan Clark said her predecessor had a juror who showed up to trial with a plastic baby doll. She said the doll accompanied the man through the entire trial.

Inappropriate T-shirts have also caught Clark's eye. One man came into court wearing a T-shirt that read something along the lines of, "I traded my girlfriend for this shirt. I got a good deal, huh?"

"And again, that's just an interesting choice to wear to court," she said.

But not all jurors are looking to pull a fast one. Gregerson said he had a jury about two years ago that sat through a three-week civil trial.

"It was a huge commitment of time. They were the most dedicated jurors. We started early, took short breaks and finished late most days," he said. "They showed up with smiles every day."

On one occasion, the jurors coordinated a Hawaiian shirt day. And when Gregerson announced a midmorning stretch break, the jurors did the wave, causing the courtroom to erupt into laughter, he said.

"We try to appeal to their sense of civic duty. If they have to be there, they might as well do their job as best as they can," Gregerson said, even if that means finding silly ways to cope with a lengthy trial.

Some memorable excuses

I need to meditate: Clark said when she was a defense attorney she encountered a woman who during voir dire said she couldn't serve on a jury because she needed to meditate for 10 minutes every hour. In the end, she wasn't selected.

"You kind of expect them to listen when in court," she said.

Doggie day care: One juror said he'd be able to sit through trial but needed to leave before 5 p.m. each day to pick up a family member from day care. Clark said she assumed it was his child; it turned out to be his dog.

"Pets are considered family members, too," she said.

You stink: Many people have said they can't sit through trial because of the smell of the other jurors' aftershave or body spray, Clark said.

Dead tired: Gregerson said he once excused a taxi driver who worked the graveyard shift because she was "dead tired" by the time court started in the morning.

Q and A

Everything you need to know about jury duty in Clark County

Clark County Jury Coordinator Kirsten Morrissey gives the lowdown on jury duty and why it's important for Americans to fulfill their civic duty.

Why is jury duty important?

“It’s important because it’s one of the ways nearly all people get to participate in their government. If we don’t have jurors then we can’t have a jury trial,” Morrisey said. “It’s a privilege to be part of a society that allows citizens to participate. If given the opportunity, we should do our part.”

What type of cases are heard by jurors?

Jurors may be selected to sit through a civil or criminal trial in either Superior or District court.

What is a juror’s role?

“It’s your job to listen to the evidence that is presented and then decide the facts, or in other words, decide what really happened,” Morrisey said.

Jurors are given a specific set of instructions during trial that are used to render a verdict. She said jurors need to listen and keep an open mind throughout the proceedings, and then follow the instructions to reach a decision.

How long does jury duty last?

The average length of trial is one to three days. Occasionally, trials will run longer. Morrisey said the longest-running trial she’s heard of was a six-week civil trial. Lengthy trials are rare, she added.

Who is eligible for jury duty?

To be summoned for jury duty, one must be a United States citizen, 18 years of age or older, a resident of the county, speak English and have either a valid voter’s registration or driver’s license. People who have a felony conviction cannot serve unless their civil rights have been restored.

How are jurors selected?

Each county receives an annually updated list of eligible people from the Secretary of State. People can be called for jury duty once every 12 months and are randomly selected by a computer program. “We push a button and the computer does the work,” Morrisey said. Those selected receive a summons in the mail a few weeks before their jury service.

How do I respond to my summons?

People who receive a summons in the mail must fill out the questionnaire and send it back before their week of on-call service. People can also fill out the questionnaire online at www.clark.wa.gov/courts/jury.html#6.

During their week of service, jurors are instructed to call a phone recording every evening that will let them know which groups need to report to the courthouse the next day. It’s possible that not everyone will need to report for service during their week of eligibility.

It is a misdemeanor offense to fail to respond to a summons or to not show up for jury duty.

Are jurors paid for jury service?

Jurors receive \$10 per day for every day they serve. They are also reimbursed for round-trip mileage, which is calculated using their home address.

Employers by law must let people off work to serve as a juror. However, employers are not required to pay them during that time.

Who can be excused from jury service?

People may be excused from jury duty if they don't meet the basic eligibility requirements. Other exceptions are made on a case-by-case basis, and often include medical or financial concerns and problems with child care.

Anyone who's 70 or older can ask to be excused from jury duty. Students can also be excused.

It is possible to postpone jury service if there's a scheduling conflict with a vacation or other travel plans, Morrisey said.

How do I know it's a true jury summons or a scam?

"People should understand that a jury summons comes in the mail. Our office is not going to contact them on the phone unless they've contacted us first," Morrisey said. "We don't issue (arrest) warrants for people who don't respond to a jury summons. That's the biggest jury scam out there."

She said scammers often impersonate officers of the court and demand money.