

## **Cassia County Jury Service Q & A's**

*(click on underlined hyperlinks to review referenced Idaho Code)*

- 1) WHAT IS THE BEST WAY FOR ME TO CORRESPOND WITH THE JURY COMMISSION?
  - Email is always the best way to communicate through: [jury@cassiacy.org](mailto:jury@cassiacy.org) for the following reasons:
    - Provides documentation for time and content of all requests and responses
    - Telephone messages require considerable time and resources to both listen to and respond to in a timely manner
    - Fax messages can be disrupted when transmitted, may not be retrieved timely, are oftentimes illegible or not even received
    - Personal impromptu appearance to the Cassia County Judicial Center may be at a time that a member of the Jury Commission or a qualified deputy jury clerk may not be available due to other court-related duties.
- 2) WHAT DO I DO IF I NO LONGER LIVE IN CASSIA COUNTY?
  - Notify the Jury Commission as soon as possible and attest to one of the two options below:
    - You are temporarily not living in Cassia County and intend to return at some time in the near future. Upon making that declaration, your jury service may be postponed. For example:
      - Religious or missionary service
      - School attendance
    - You have moved outside of Cassia County with no immediate plans to return. Upon making that declaration, you are excused from jury service and the following is likely to result:
      - Voter registration will be cancelled in Cassia County.
      - You will no longer be eligible for a Homeowner's exemption of property taxes paid in Cassia County.
      - You will no longer be eligible for junior college tuition payments from Cassia County.
      - Any other benefit afforded you specifically as a Cassia County resident will likely cease.
  - It is important that you be aware it is much different to temporarily be away from your Cassia County residence than it is to relinquish your Cassia County residency which could adversely affect you.
- 3) WHAT IS THE BEST WAY TO FIND OUT WHAT IS SPECIFICALLY REQUIRED OF ME BY LAW?
  - The Idaho Legislature's website for laws pertaining to ["Juries and Jurors"](#) (Idaho Code Title 2)
- 4) HOW ARE JUROR'S SUMMONED OR SELECTED?
  - The Jury Commission compiles a master jury list as prescribed here: ["Jury Selection and Service"](#) (Idaho Code § 2-208). That master jury list contains names of all:
    - Cassia County registered voters
    - Cassia County issued drivers licenses and ID's.
  - The Jury Commission publicly draws at random the number of qualified jurors ordered by any official having authority to conduct a trial as prescribed here: ["Name Randomly Drawn From County Jury List"](#) (Idaho Code § 2-208)
  - If you are a registered voter or have been issued a drivers license or ID card through Cassia County, your name is in the database from which random selection is drawn. If you are a resident of another county, registering your vehicle, registering to vote, and having your drivers license issued in the county of your residency will eliminate you being summoned for jury service in Cassia County.
- 5) IS IT POSSIBLE TO BE EXEMPTED FROM JURY SERVICE?
  - No exemptions may be granted for qualified jurors. ["No Exemption"](#) (Idaho Code § 2-211)
- 6) AM I REQUIRED TO COMPLETE THE JURY QUESTIONNAIRE I RECEIVED?
  - Yes. If a Jury Questionnaire is not received by the Jury Commission or has "an omission, ambiguity, or error in a returned form," you may be required to appear to be questioned regarding your responses.
  - Those who fail to appear "shall be ordered by the court to appear and show cause for his failure to appear as directed." ["Order to Appear"](#) (Idaho Code § 2-208)
  - Any willful misrepresentation on the Jury Questionnaire "for the purpose of avoiding or securing service as a juror is guilty of a misdemeanor." ["Penalty for Misrepresentation"](#) (Idaho Code § 2-208)

7) WHAT CRITERIA DETERMINES THAT I AM NOT QUALIFIED AS A JUROR?

- You are required to complete, sign, and return the disqualification portion on the back of the *Juror Questionnaire Form* to help us determine if you are qualified as a juror.
- You will be excused for a two-year period of time if disqualified for:
  - Inability to “read, speak, and understand the English language.”
  - A disability that “renders the prospective juror incapable of performing satisfactory jury service” which requires a submitted physician’s certificate that is subject to inquiry. A judge can excuse a potential juror for longer or permanently depending on the “nature and duration of the disability.”
  - Not being a U.S. citizen, not being 18 years of age or older, not being a Cassia County resident.
  - Having a “felony criminal conviction” as prescribed by the Idaho Constitution for which you “have not been restored to the rights of citizenship.”
- You shall be permanently excused if you are 70 years of age or older when that wish is indicated on the Jury Questionnaire. You may be reinstated if you request such.

8) IF I AM CONSIDERED A QUALIFIED JUROR, HOW CAN I BE EXCUSED OR POSTPONED?

- You are excused only if you are **disqualified** as a potential juror. Your jury service may be **postponed** upon showing the following [“Excusing or Postponing Jury Service”](#) (Idaho Code § 2-212):
  - An undue hardship
  - Extreme inconvenience
  - Public necessity
  - A mother breast-feeding her child
- If requesting postponement, you must “provide a written statement setting forth the reason for the request and the anticipated date that the reason will no longer exist.”
- If you are postponed for any medical reason, you may be required to provide “a statement from a medical provider supporting the request.”
- If a postponement is granted, it is for a period of time deemed necessary, at the conclusion of which you “shall reappear for jury service in accordance with the direction of the court or the Jury Commissioner.”

9) AM I PAID FOR MY JURY SERVICE?

- Yes. Rates are established by Cassia County Commissioners and you will be paid [“Mileage and Per Diem of Jurors”](#) (Idaho Code § 2-215):
  - Mileage from your residence to the location of the jury and back at a rate per mile commensurate with the IRS approved travel reimbursement rate.
  - \$5.00 per half day or portion thereof for travel from residence that is 30 miles or less from the location of the jury trial.
  - \$10.00 per half day or portion thereof for travel from residence that is more than 30 miles from the location of the jury trial.
  - \$10.00 for each day’s required attendance for more than a half day
  - \$50.00 for each day’s required attendance that exceeds five days for one trial
- You may decline payment for jury service and mileage. Forfeited funds are directed to the Cassia County Justice Fund.

10) ARE THERE LIMITATIONS TO THE AMOUNT OF TIME I’M REQUIRED TO SERVE?

- Yes. [“Limitation on Required Jury Service”](#) (Idaho Code § 2-216)
  - In any two (2) year period, you are not required to serve more than ten (10) court days “except if necessary to complete service in a particular case.”
  - Appearance for jury service even if roll is not called is credited towards jury service.

11) IS THERE A PENALTY FOR EVADING JURY SERVICE?

- Yes. [“Neglecting to Attend or Serve as a Juror”](#) (Idaho Code § 7-610)
- “. . . a person who is guilty of contempt for neglecting to attend or serve as a juror when summoned to do so, or for failing to appear as a prospective juror when summoned by the jury commission under section [2-208\(4\)](#), Idaho Code, shall be fined in an amount not exceeding five hundred dollars (\$500), or may be imprisoned not exceeding five (5) days, or both.”

12) CAN I BE PENALIZED BY MY EMPLOYER FOR JURY SERVICE?

- No. An employer cannot “deprive an employee of his employment, or threaten or otherwise coerce him with respect thereto, because the employee receives a summons, responds thereto, serves as a juror, or attends court for prospective jury service.”
- An employer who does “is guilty of criminal contempt and upon conviction may be fined.”
- If you as an employee are discharged from your employment, you may bring a civil action against the employer for triple the amount of lost wages, reinstatement of employment, and reasonable attorney fees. ["Employer Prohibited from Penalizing Employee for Jury Service"](#) (Idaho Code § 2-218)

13) WHAT DO I DO IF I HAVE WORK OR VACATION PLANS DURING THE TIME OF MY JURY SERVICE?

- The Jury Commission will work directly with you to approve reasonable time up to a certain number of days away for pre-planned and pre-paid travel for work or for vacation.
- At the direction of the Jury Commission, you may be asked to select from specified days provided to you that you must be available for a potential jury trial.

14) WHAT IF I AM A QUALIFIED JUROR BUT HAVE AN UNDUE HARDSHIP OR EXTREME INCONVENIENCE?

- Undue hardships or extreme inconveniences must be specified in writing and detailed to the Jury Commission in advance of your selection to appear as a potential impaneled juror.
- After a potential jury panel is selected, it is provided by the Jury Commission to the judge and to legal counsel involved in the potential jury trial. After that, you will be notified if you must appear as a potential impaneled juror. The Jury Commission is unable to excuse you after that jury panel is selected. If you choose not to appear after that selection, only the judge can excuse you.
- If you are excused due to an undue hardship or extreme inconvenience, as determined by the Jury Commission, specified dates will be provided for you to select for which you must be available for jury service.
- The Jury Commission recognizes and empathizes with potential jurors that there are inconveniences and disruption to all who are summoned for jury service. We are aware of the uniqueness and look closely at situations which include, but are not limited to the following:
  - Medical and emergency service providers
  - School and education service providers
  - Self-employed entrepreneurs where absence jeopardizes their business
  - Seasonal workers including ranchers and farmers
  - Over the road or long-haul truck drivers
  - Employment that requires lengthy time out of town
  - Single parents
  - Students
- We are committed to work hard to provide a reasonable avenue for you to fulfill your duty required by statute. Please recognize this happens most effectively when there is mutual respect and understanding. We are committed to the following:
  - Respond to respectfully written and documented requests within two (2) business days
  - Review and consider information disclosed on your Jury Questionnaire
  - Find a reasonable way to help you fulfill your required jury duty
  - Follow Idaho laws regarding jury service:
    - [Idaho Code Title 2 Chapter 2 - Juries and Jurors](#)
    - [Idaho Code § 7-610 Judgment - Penalty for Failure to Appear](#)

Respectfully,

***The Cassia County Jury Commission***