



# Wisconsin Court System

## Jury Service in Wisconsin

*The right to a trial by jury is deeply rooted in American democracy and guaranteed by both the United States and Wisconsin Constitutions. The obligation and privilege to serve as a juror are as fundamental to our democracy as the right to vote. Wisconsin's Circuit Courts actively promote juror reform and improvement and Wisconsin has a proud history of progressive jury management.*

The goal of an effective jury system is to provide circuit courts with the jurors necessary to resolve disputes, without causing jurors to suffer undue hardship or inconvenience. By using effective jury management techniques, courts can increase the efficiency of operations, reduce costs, and improve the nature and quality of the service asked of citizens. Success in these areas helps strengthen the jury system, enhance the quality of the decision-making process, and improve citizen's attitude toward the court system.

Every resident of a county who is at least 18 years old, a U.S. citizen, and is able to understand the English language is qualified to serve as a juror in that county's circuit court unless he or she has been convicted of a felony and has not had his or her civil rights restored.

Approximately 200,000 summonses for jury service are issued each year in Wisconsin. These summonses result in about 65,000 individuals reporting to courthouses for jury duty every year. The courts in each county set the term of service, not to exceed 31 consecutive days. A person is eligible for jury service once every two to four years.

### Jury Trials and the Juror Selection

Not every case is decided by a jury trial. But when the litigants want a jury to decide their case, people are called from the community to serve as jurors. Prospective jurors are chosen at random by the clerk of circuit court from source lists authorized by statute. The clerk sends prospective jurors a qualification questionnaire, which may be filled out online. Jurors in many counties may opt to receive updates about their jury service electronically. Some jurors who complete the questionnaire will be summoned to the courthouse for jury duty.



*Potential jurors summoned to the Milwaukee County Courthouse gather to learn about the jury process.*

### The Jury Trial Process

The rules for jury trials come from law, tradition, and experience. During selection, the judge and attorneys offer information about the case and also ask a series of questions to determine each juror's ability to serve on the specific case before the court. The questioning is called "voir dire," which means "to speak the truth." Potential jurors are sworn to answer all questions honestly.

Each lawyer has a right to ask a judge that a limited number of jurors be excused from a case without giving a reason (peremptory challenges), and each lawyer may also excuse additional jurors who may not be impartial in the cases (challenges for cause). When the required number of jurors has been chosen, the jury panel is sworn to fairly and impartially decide the case at issue. When jurors take this oath, they become the judges of all questions of fact.

While each case is unique, all trials follow a general order of events, including opening statements, presentation of

evidence and testimony, with attorneys examining witnesses presented by either side of a case. Following closing statements, the judge explains the rules of law pertaining to the case and lists the decisions the jury must reach. These are called jury instructions. The task of the jury is to apply the rules of law as given by the judge to the real-life situations of the case. Personal disagreement with the law may not influence a juror's decision.

In a criminal case the verdict must be unanimous; in a civil case five-sixths of the jury must agree.

### **Juror Privacy**

Most information about jurors is kept confidential. Effective January 1, 2009, Wisconsin Statute 756.04 requires that information on juror qualification questionnaires and any supplemental questions asked by the court shall be kept confidential and released only on order of the court upon a showing of good cause. Other than the names of jurors and city of residence, additional personal information collected from the juror qualification questionnaire, and used on other court documents, is not accessible to the public.

### **Recent Developments**

The Wisconsin Court System has made many changes to ensure efficient and effective use of jurors in Wisconsin. Clerks of circuit court can now use text and email alerts to remind jurors of upcoming jury service and notify them when trials have been canceled. A new juror orientation video was created to assist jurors in understanding what to expect during their jury service. The jury system used by clerks of circuit court was redesigned to help improve monitoring of juror representativeness and inclusiveness. This system also created a standardized jury evaluation that provides clerks the ability to evaluate their practices and ensure jurors are being used efficiently and are appearing when summoned. The Wisconsin Court system also adopted juror appreciation month, which is celebrated every September. During this month, many counties undertake activities to show jurors how much their service is appreciated.