

JURY SERVICE IN WISCONSIN

WISCONSIN COURT SYSTEM



The right to a *trial by jury* is deeply rooted in **American democracy**, guaranteed by both the *United States* and *Wisconsin* constitutions.

Serving as a juror is an obligation, a privilege, and fundamental to our democracy. Wisconsin has a proud history of progressive jury management.

The goal of a functional jury system is to provide circuit courts with the jurors necessary to resolve disputes while not 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 the public's attitude towards the justice system.

Every resident of a Wisconsin county who is at least 18 years old, a U.S. citizen, and able to understand the English language is qualified to serve as a juror in that county's circuit court — unless they have been convicted of a felony and not had their civil rights restored.

Approximately 210,440 summonses for jury service are issued each year in Wisconsin. These summonses result in about 61,782 individuals reporting to courthouses for jury duty every year. The courts in each county set the term of service to not exceed 31 consecutive days. A person is eligible for jury service once every four years.

JURY TRIALS AND JUROR SELECTION

Not every case is decided by a jury trial; juries are formed when litigants want one to decide their case. Prospective jurors are chosen at random by the clerk of circuit court from source lists authorized by state statute. The clerk sends prospective jurors a qualification questionnaire, which may be filled out online. Prospective jurors in many counties may opt to receive updates about their jury service electronically. Some of the prospective jurors who complete the questionnaire will then be summoned to the courthouse.

THE JURY TRIAL PROCESS

The rules for jury trials come from law, tradition, and experience. During selection, the judge and attorneys will offer information about the case and ask a series of questions to determine each juror's ability to serve on the specific case before the court. This 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 potential jurors be excused from a case without giving a reason (called "peremptory challenges"), and each lawyer may also excuse additional potential jurors who may not be impartial in the cases (called "challenges for cause"). When the required number of jurors has been chosen for a specific case, the jury panel is sworn to decide the case fairly and impartially. 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 and the 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 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 1st, 2009, Wisconsin State Statute 756.04 requires that information on juror qualification questionnaires — and any supplemental questions asked by the court — be kept confidential, released only on order of the court upon a showing of good cause. Other than the names of jurors and their city of residence, additional personal information that is either collected from the juror qualification questionnaire or used on other court documents is not accessible to the public.

RECENT DEVELOPMENTS

The Wisconsin Court System has made many changes to ensure methodical and effective use of jurors. 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 service. The jury system used by clerks of circuit court was redesigned to help improve monitoring of juror representativeness and inclusivity; this system also initiated standardized jury evaluation techniques that provide 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, celebrated every September. During this month, many counties undertake activities to show jurors how much their service is appreciated — and necessary.



Top photo: Sawyer County Courthouse in Hayward

Middle photo: Florence County Courthouse in Florence

Bottom photo: Ozaukee County Courthouse in Port Washington