



INFORMATION FOR CLIENTS OF TEXAS ATTORNEYS

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So You Received a Jury Summons — Now What?

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For most people, a letter from their county clerk’s office containing a summons for jury duty strikes both fear and panic in their hearts. Have no fear — this article will provide you with important and practical information regarding your service as a juror.

DO I HAVE TO DO JURY SERVICE?

Yes. One of the greatest honors and privileges we have as Americans and Texans is to serve on a jury. Anne Brabham, jury service manager for Dallas County, describes it this way, “I always tell people to take jury service seriously since it is the one thing our government asks of us.” Most adults will at some point have a legal matter that has the potential for a jury trial. In the event that you ever need a jury to decide your dispute, wouldn’t you want people such as yourself serving as jurors?

WHAT HAPPENS IF I DO NOT SHOW UP TO SERVE?

A summons for jury duty is an official order of the court. Failure to comply can

mean harsh penalties ranging from a fine of up to \$1,000 to jail time. The reason the potential punishment is so severe is because our system requires the participation from all eligible members of the community. The moral of the story is simple — if you receive a summons for jury duty, show up.

I WANT TO SERVE, BUT I CAN'T RIGHT NOW. CAN I POSTPONE MY JURY SERVICE?

Most counties will allow you to postpone your jury service at least one time. If you must postpone your jury service, you can send in a letter (but make sure you send the letter at least two weeks before your scheduled jury service), call the clerk’s office (but they tend to get an

overwhelming number of phone calls), pay a visit to the clerk’s office listed on the letter you received, or request the postponement online if that option is available.

SERVING ON A JURY WILL BE A FINANCIAL HARDSHIP. WILL THAT EXEMPT OR EXCUSE ME FROM JURY SERVICE?

For some jurors, jury duty is a legitimate hardship, however, the law does not provide for an exemption or an excuse. If this is the case for you, you should still report to jury duty. If you are called to serve on a jury panel, listen for the judge to inform the panel of the expected length of the trial. At that point, if you believe that the length of



the trial poses a substantial and severe financial hardship, raise your hand and inform the judge of your situation. In many cases, there are enough jurors to make it possible to excuse those individuals with legitimate and severe financial hardships.

WHAT ABOUT TRAVEL PLANS AND DOCTOR APPOINTMENTS? ARE THOSE CONSIDERED A VALID HARDSHIP?

The honest answer to this question is that it depends on the judge. It has been our experience that the vast majority of judges are extremely sympathetic to legitimate hardship claims. Judges know that some jurors have valid hardship, while other jurors are willing to say just about anything to get out of jury duty. Airline tickets that have been purchased in advance and important doctor visits are usually deemed valid hardships. You should always bring proof of the airline tickets and doctor appointments. However, if you purchased the airline ticket or made a non-emergency doctor appointment *after* you received your jury summons, it is rare that the judge will excuse you for hardship.

WHAT SHOULD I BRING TO JURY DUTY?

Bring your jury summons and the completed juror information card that you received in the mail (if you completed the juror information card online, then there is no need to bring it). Wear comfortable but appropriate clothing and take a jacket or sweater since some courtrooms can get cold. In some of the larger counties, there is free Internet in the central jury room. It is also a good idea to bring work or reading material, as there will be a fair amount of waiting time. You are permitted to bring your cell phone in state court (not federal court) and you will be allowed to use it when court is not in session (be sure to turn your phone off — do not set it to

vibrate or any other setting — while court is in session). Finally, bring your common sense, a good attitude, and most of all, your patience!

WILL I BE SEQUESTERED?

It is extremely rare for a jury to be sequestered (this means being kept overnight at a hotel). This happens when the jury is hearing a very high-profile case, but again, it is extremely rare.

WHAT IF AN EMERGENCY ARISES?

Tell the bailiff or any member of the court staff and they will bring it to the attention of the judge. In most cases, judges will do everything possible to help. Once jurors have been chosen to serve on a jury, many judges will give them a phone number for the court in case an emergency arises for any of the jurors.

WHAT PROTECTION DO I HAVE AS A JUROR?

The first protection you have is that an employer is prohibited by law from firing or taking any adverse employment action against an employee who is performing his or her civic jury duty. However, the law does not require an employer to continue paying the employee while the employee is serving on a jury.

The next protection relates to the jury selection process. Judges and lawyers do not want to embarrass a juror. Therefore, if you feel that an answer to any question is private, let the judge or lawyer know that you would prefer to discuss the matter privately. In this setting, “private” means that you will be asked to talk with the judge, the lawyers, and the court reporter, but neither the other jurors nor the public will be able to hear what you have to say.

WHAT WILL I BE PAID?

This answer depends on your county and the length of the trial, but at a minimum, you will be paid \$6 for the first

day of jury service. If you are chosen to serve as a juror and the trial lasts more than one day, you will be paid a minimum of \$28 dollars per day. ☺



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