

# Petit (Trial) Jury FAQs

## Can I complete this summons form online?

Yes, the summons may be completed online via [e-JUROR](#)

## Can I ask for a postponement or excuse online?

Yes, complete the entire summons via [e-JUROR](#) and then you will be able to access the postponement/excuse request menu.

## What is a petit or trial jury?

A petit or trial jury selected for the trial of a particular case. It may be civil or criminal matter. Such a jury will sit together, hear evidence, be given instructions to the applicable law in their case by the presiding judge, and will retire to deliberate and return a verdict. A petit jury usually consist of twelve jurors plus alternates in a criminal case. Under federal rules, a petit jury in a civil trial may be composed of anywhere from six to twelve jurors.

## What if I have a planned vacation or other pre-paid or events during the time of my summons?

You will answer the summons electronically by [e-JUROR](#) or by completing and returning the questionnaire by mail. You will the dates of your previously planned event in a letter attached to the mailed response questionnaire or in the e-Juror postponement request screen. You will be excused for the dates of your vacation or other obligation. You may remain on call for other weeks of the term or you may be rescheduled to another court term depending on the court's need for jurors.

## What if I have already served jury duty in the last two years?

If you have served jury duty with the last (2) years in any other courts and you wish to be deferred on that basis, you will need to provide us with a copy of your attendance certificate or pay stub from the other court. You may email the copy of your attendance certificate if you complete the summons online.

## What if my employer will not release me for jury duty?

You have been legally summoned for jury service and unless you are deferred or excused pursuant to the instructions provided in your summons, you must serve. Failure to report for service may be punishable as a contempt of court. You may be arrested and required to show cause as to why you did not appear for service. Pursuant to 28 U.S. Code Section 1866, potential penalties to you for failure to show good cause for failing to appear include a fine of up to \$100.00 and or jail time for up to three days.

The Judicial Administration & Technical Amendments Act of 2008 Amends 28 U.S. Code 1864(b) and 28 U.S. Code 1866(g) by striking "\$100.00 fine or imprisoned for not more than three days, or both."; The new legislation authorizes a penalty of a fine up to \$1,000.00, not more than three days in prison or community service or any combination thereof for failure to comply with a summons or lying on a questionnaire to avoid jury duty.

Your employment is protected pursuant to 28 U.S. Code Section 1875 which reads in part: "No employer shall discharge, threaten to discharge, intimidate, or coerce any permanent employee by reason of such

employee's jury service, or the attendance or scheduled attendance in connection with such service, in any court of the United States..."

The Judicial Administration & Technical Amendments Act of 2008 Amends 28 U.S. Code 1875 (b)(3) by striking " \$1,000.00 (fine) for each violation as to each employee" and inserting "\$5,000.00 for each violation as to each employee and may be ordered to perform community service."

Any employer who violates the provisions of this section:

1. Shall be liable for damages for any loss of wages or other benefits suffered by an employee by reason of such violation.
2. May be enjoined from further violation of this section and ordered to provide other appropriate relief, including but not limited to the reinstatement of any employee discharged by reason of his/her jury service; and
3. Shall be subject to a civil penalty of not more than \$1,000.00 for each violation as to each employee. Any juror, grand juror, or potential juror who experiences such behavior should patiently listen to the employer and then contact the jury clerk or other court officer immediately.

### Can I be fired from my job because of jury duty?

Your employment is protected pursuant to 28 U.S. Code Section 1875 which reads in part: "No employer shall discharge, threaten to discharge, intimidate, or coerce any permanent employee by reason of such employee's jury service, or the attendance or scheduled attendance in connection with such service, in any court of the United States..."

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3. Shall be subject to a civil penalty of not more than \$1,000.00 for each violation as to each employee.

Any juror, grand juror, or potential juror who experiences such behavior should patiently listen to the employer and then contact the jury clerk or other court officer immediately.

### Do I need a doctor's letter if I am asking to be excused or deferred?

In general, if you are asking for an excuse or postponement of service for less than six months, a doctor's note is not needed. Simply explain your situation in your own words. Give enough detail so that the judge or clerk can make a reasonably informed decision. For example, a simple statement such as "back

pain" will not be sufficient. We can accommodate that type of problem by allowing jurors to bring pillows for sitting or by seating such jurors on the back row so that they may stand or stretch as needed.

If you are asking to be excused or postponed for a period longer than six months, a doctor's note will be needed. If your condition is long-term or chronic, the doctor's letter should state this fact. Letters that leave the excuse period non- defined or ill-defined will result in your name being subject to recall after six months.

In the e-JUROR program, you may print a blank note for your doctor to complete.

#### What if I have changed my name?

Update your name and any other information on the questionnaire or online via [e-JUROR](#).

#### What if I have moved to a county other than one of those listed in my summons instructions?

Complete the entire questionnaire and return the same or answer [e-JUROR](#). Upon review of the new data, an appropriate response will be entered either excusing you or moving your service to another city within the district. If your service is moved to one of the other cities within the district, such service will be later, and you will receive a new summons when your name is drawn again.

#### Is there a dress code?

There is no formal dress code in our court. We recognize that jurors come from widely varying circumstances. That is as it should be. We do ask that people remember that court is a solemn and dignified place and that the proceedings taking place there may have an enormous impact on the lives of those persons involved. We ask that you dress.

#### Can I bring my cell phone?

Check the instructions sheet sent with your summons.

#### Can I bring a laptop?

Check the instruction sheet sent with your summons

#### Can I bring reading materials?

Check the instruction sheet sent with your summons.

#### What if I need an unscheduled bathroom break during jury service?

Our judges try to take regularly scheduled restroom and snack breaks. Even so, the individual needs of people sometimes do not follow regular schedules. If you need an unscheduled break during jury service, simply raise your hand. The judge will recognize you and stop the proceedings so that you may use the facilities or stop so that everyone can have a break. Do not hesitate to do this. Your job as a juror is to listen and if you are sitting there worried about the next break, you are not doing your job.

### What if I am over 70 years of age?

You are still welcome to serve if you wish. If you do not wish to serve, complete the questionnaire and mark the over 70 exemption on the back. Upon entry of your data, an excuse letter will be mailed to you. You may also enter this excuse request online through [e-JUROR](#).

### Who sees all the information requested on this Questionnaire?

Only the jury clerk and the judge(s). On rare occasion, after a special showing of need to the presiding judge, the attorneys in a particular case may be allowed to review the responses of jurors appearing at that trial. In that event, the attorneys are required to review the questionnaires in the presence of either the presiding judge or the deputy clerk. No one can copy any information and the questionnaire are not allowed to leave the room.

Electronic records created by the court in relation to jury matters are also protected by restricted access and by various computer security measures.

### What if I refuse to complete and return the response card?

28 U.S. Code Section 1866(g) provides in part that "...any person who fails to show good cause for noncompliance with a summons may be fined not more than \$100.00 or imprisoned not more than three days, or both."

### What if I refuse to or fail to report for jury service?

You have been legally summoned for jury service and unless you are deferred or excused pursuant to the instructions provided in your summons, you must serve. Failure to report for service may be punishable as a contempt of court. You may be arrested and required to show cause as to why you did not appear for service. Pursuant to 28 U.S. Code Section 1866, potential penalties to you for failure to show good cause for failing to appear include a fine of up to \$100.00 and or jail time for up to three days.

The Judicial Administration & Technical Amendments Act of 2008 Amends 28 U.S. Code 1864(b) and 28 U.S. Code 1866(g) by striking "\$100.00 fine or imprisoned for not more than three days, or both."; The new legislation authorizes a penalty of a fine up to \$1,000.00, not more than three days in prison or community service or any combination thereof for failure to comply with a summons or lying on a questionnaire to avoid jury duty.

### What is this 844 number I am supposed to call?

The 1-844 number is provided in your summons package and it is utilized to allow flexibility in our system. The court's business sometimes changes at the last minute. By using the 844 number, we can easily bring in only the number of jurors we need on any given day within a court term. This avoids unnecessary expenditures for us and avoids the need for jurors to report only to sit in the jury lounge all day or to be told to go back home and possibly report again. The number also provides an easy communication tool in the event of severe or inclement weather.

When you call the 844 number, follow whatever instructions may be recorded as they may differ from what was originally stated in your summons. You are instructed to call the 844 number after 5:00 p.m. the night before your scheduled reporting date.

When you call the 844 number, you will be given a series of communication options. Listen to the system. You will be instructed to enter your Juror Participant Number. This is the nine-digit number located on your summons just to right of the bar code immediately to the right of your name. The number will begin with 111 and follow with six more numbers.

**YOU MUST LISTEN TO THE ENTIRE MESSAGE EACH TIME YOU HAVE TO CALL THE 844 NUMBER.**

### How many times will I have to report for service and how long will I be there?

Generally, unless there is a severe shortage of jurors, you will only have to report for jury selection once. We do our best to make sure that we have enough jurors on standby to maintain this policy. There are times however when the very best made plans go awry and we do have to require jurors to report for selection more than once in each term.

Our trials generally average 3-5 days each. This necessarily means that some trials are longer, and some are shorter. On the day of jury selection, the presiding judge will give you instructions as to the estimated trial time for the case on which you are serving. Please remember that this instruction will be an estimate only. If more than one jury is selected on a given day, the judge will tell you when to return for the start of your trial.

On the first day you are instructed to report (jury selection day), you should plan to be at the courthouse all day.

### What are the court's daily business hours?

The court's business hours are set by the individual judge and the nature of the trial. Generally, business hours are 9:00 a.m. to 5:00 p.m. This is subject to change.

### What if I have special needs?

Write a letter and return it with your questionnaire. Explain your situation and how we might accommodate your special needs. The jury clerk will respond to you either by phone or by letter to discuss whether accommodations can be arranged.

### What is voir dire and what will happen on jury selection day?

The term comes from Old French and roughly means to speak the truth. In the legal environment it means a preliminary examination concerning the competence of a prospective witness or juror.

On jury selection day, you will report to the courthouse as instructed. You will go through security at the entrance. There will be a metal detector. You will then go to the courtroom or the jury assembly room where the jury clerk will check your attendance. You will be given general instructions as to what is going on for the day, where restrooms and break rooms are located, and any other necessary information.

When you report to the courtroom or when the judge comes into the courtroom, the voir dire process will begin. You will be asked to take an oath or an affirmation. Jurors will then be "called into the box" from the audience. You will be seated, and the presiding judge will ask you questions. Keep your seat and just respond to the questions. Nothing in the questioning process is designed to be embarrassing or intimidating. That does not mean that delicate issues will not be addressed at times. If a question does cause you concern, raise your hand and ask the judge to allow you to respond at the bench. The judge will probably call the attorneys up to the bench as well.

During the process, jurors will be excused from the box and others will be called in until the jury is selected. Jurors who are excused from the box should return to the audience and have a seat because they may be used in another jury selection that same day.

### How much and when will I be paid for my jury service?

Jurors are paid \$50.00 per day for attendance fees and are reimbursed mileage round trip from their home to our place of holding court. If parking fees are involved, jurors will be reimbursed parking as per the instructions sent with the summons.

### What if my employer wants proof of my service?

You should ask for an attendance certificate from the deputy clerk who is working with you on reporting day. If you forget and need one later, you may call the juror help line as noted on your summons instruction sheet or, you may print one for yourself by accessing [e-JUROR](#).

### Does my employer have to pay me while I am on jury duty?

There is no federal statute requiring employers to pay jurors their regular salary or wage while they are performing jury duty. Some employers, of their own choosing, do follow such practice.

### What if I live a long distance from the courthouse?

If you live more than 60 miles one way from the courthouse, we can provide you with a hotel at our expense. You will also receive a food allowance.

### Will I be sequestered, or will I be able to come home at night?

Whether or not a jury will be sequestered is a frequent concern of those being called to jury duty. It does sometimes happen; however, it is a rarity in the Western District of North Carolina.

### How long must I serve?

Our terms of court run for three weeks and your service may begin at any time within the term. Your service could extend past the three-week period if you are selected for a trial that does not finish within the term or if you are selected for a trial that starts late in the term. This does not mean that you will automatically serve for three weeks or that you will be reporting every day for three weeks. Our trials generally average 3-5 days each. Our terms of court almost always involve more than one trial. Once you are selected for a trial, the presiding judge will instruct you as to the anticipated trial length and when to report for continued service.

### What about severe/inclement weather situations?

The jury administrator and the judges keep attuned to anticipated weather conditions. We keep weather issues in mind when reporting instructions are finalized.

If you are summoned, have not yet had to report for service, and are calling the 844 number the night before an anticipated reporting date, the recorded message will advise you of any delays or cancellations due to weather conditions.

If you have already reported for service and have been selected to serve on a jury, then you must follow whatever instructions the presiding judge may have issued.

### What if I need to ask to be excused from or have my jury service rescheduled?

Jury service is a civic right and a civic duty. It is just as important as voting or paying your taxes. If, however, the jury service for which you are summoned will result in undue hardship or extreme inconvenience because of a grave illness in your family or another similar, serious problem, you may ask for a temporary excuse. In your letter, you should note a more convenient time when your service might be rescheduled. Please be aware that work is usually considered a hardship for everyone and that only extenuating circumstances will be considered about work related issues.

You must submit your request in writing by letter or electronically through [e-JUROR](#). Please explain your situation so that the Judge or Jury Administrator can make a reasonably informed decision. If you are asking for an excuse or delay of service, please advise the court as to a later date when you will be available for rescheduling. Submit your request immediately upon receipt of your summons or immediately upon learning of any such serious problem. You may email your request if time is an issue. Please mail the original. You will log into e-JUROR or call 704-350-7415 to get the answer to your postponement or excuse request.

### Where do I send my excuse or postponement request?

Send your letter back with your completed response card in the enclosed, postage-paid envelope. If you have already mailed the response card or you have lost the envelope or you did not receive a business reply envelope, you should mail the materials to:

Office of the Clerk  
U.S. District Court  
Western District of North Carolina  
401 West Trade Street  
Charlotte, NC 28202  
Attn: Jury Administrator

### How will I be notified regarding the answer to my request?

You will either: call the jury information line at 704-350-7415 or you will log back into [e-JUROR](#) as directed in your summons package.

Please note, that requests are answered as quickly as possible. Answers are generally posted within 5 days of receipt.

### How are excuse requests presented on the date of jury selection handled?

The summoning process provides jurors with the opportunity to request excuses from or postponement of jury service in advance of their scheduled service date(s). This process operates on the premise that routine, normally foreseeable problems will be identified and addressed prior to the date of jury service. The court tries to limit the number of jurors reporting on selection day for two reasons. First, we try to be conservative so that we do not waste the time of jurors who we really have no likelihood of using. Second, we try to avoid the costs incurred by having an overly large panel of jurors reporting for service. The court also recognizes that the unexpected does happen and that sickness or ill health may strike at any time. Taking all these issues into account, excuse or postponement requests presented on the date of jury selection will normally be denied unless the request is based upon a sudden illness or a life-threatening emergency on the part of a juror or a juror's immediate family member.

### Where do I send the completed response card for my summons?

Do not forget, you may answer the summons online via e-JUROR. If you answer the summons online, you do not have to complete and mail the card. Otherwise, return the completed response card, along with any letters or doctor's notes, in the postage paid business reply envelope. If you have lost the envelope or one was not included with your summons, mail the card to:

Office of the Clerk  
U.S. District Court  
Western District of North Carolina  
401 West Trade Street  
Charlotte, North Carolina  
Attn: Jury Administrator