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Starting this June: Perform jury duty or face penalties | Opinion



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Because of rising incidents of Broward residents not showing up for jury duty, the court will begin issuing orders demanding no-shows appear in court to explain themselves.



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Did you know that, beginning in June, anyone who is summoned to jury duty and does not show up can face a fine of up to \$100 and possibly be found in contempt of court, which translates to potential jail time?

Probably not — because until now this law has seldom been enforced in Broward County.



Left to right, Broward judges Jose Izquierdo, Shari Africk-Olefson, Florence Taylor Barner and Kenneth L. Gillespie. (Courtesy, 17th District Circuit Court)

Starting in June, the 17th Judicial Circuit will begin issuing what are known as orders to show cause for anyone who fails to appear for jury duty.

The order will include a new date on which the individual must appear before a judge to show cause why they should not be held in contempt of court, and why monetary sanctions should not be imposed for their failure to appear for jury duty.

The order will contain a “purge” provision, allowing the individual to reschedule jury duty service to occur within the next 60 days. Should the individual either fail to reschedule or appear on the rescheduled date, they would then be required to appear at the show cause hearing as provided in the order.

Failure to appear in-person at the show cause hearing may result in the individual being fined, held in contempt of court and jailed — or both.

“For those asking why sanctions should be imposed for failure to appear, please understand that jury service is the second most important service to our country. It is both a privilege and a right to participate in this cornerstone of our democracy,” explained Broward Chief Judge Carol-Lisa Phillips. “While jury duty may be inconvenient, it is vital to upholding the rights and liberties guaranteed by law.”

A series of trends have dramatically reduced the number of cases that proceed to jury trial, including mandatory sentencing guidelines and plea bargains in criminal cases, and arbitration clauses and legislative caps on civil jury trial awards.

Yet even with these trends, judges in Broward completed almost 500 jury trials last year. Most people are unaware of how many members of our community need to be involved in order for that to happen.

Last year, the Broward Clerk of Court issued nearly 182,000 jury summonses to county residents. More than half were excused from service for various reasons, and fewer than half of those remaining appeared.

Those “no shows” create huge challenges for individuals patiently awaiting their turn for a jury trial to resolve their legal dispute.

In one instance earlier this year, judges attempting to set trials requested 772 jurors but only 356 showed up, leaving a shortage of 416 jurors. The next day, 669 jurors were needed and only 360 showed up, a shortage of 339 jurors.

There are a lot of reasons people don't show up for jury duty. It can be a disruption of daily routines, and it can mean a loss of income, especially for those who are self-employed, and jury duty pay doesn't help much. Transportation issues, childcare and elder care challenges also add to the mix.

But another reason people fail to appear for jury duty is likely tied to a lack of consequences. One of the most significant predictors of whether individuals will appear for court, including for jury duty, hinges on what will happen if they do not appear.

Jury duty is one of the cornerstones of democracy, and it is crucial that all those responsible continue to educate all citizens about this important constitutional right.

A recent Pew Research Center poll indicates that 67% of those surveyed believe that serving on a jury is part of what it means to be a good citizen. But only half of millennials surveyed believe that serving on a jury is part of good citizenship, a noteworthy statistic because millennials currently comprise the largest growing portion of our jury pool.

The study further indicated the following: 9% report lying to avoid jury duty; 48% cite financial reasons; 19% feared employer resistance; and 16% cite lack of childcare.

Thomas Jefferson described jury duty as “the only anchor ever yet imagined by man, by which a government can be held to the principles of its constitution.”

So what should you do if you receive a summons for jury duty? Step up, show up and engage meaningfully in one of our county's most important civic responsibilities.

Jose Izquierdo, Shari Africk-Olefson, Florence Taylor Barner and Kenneth L. Gillespie are judges in the 17th Judicial Circuit, which includes all of Broward County.

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