

**Jury Committee
Judicial Conference of Indiana**

**February 25, 2022
Minutes**

1. Attendance: The following members participated in the meeting: Samuel Cappas, Marla Clark, Kimberly Dowling, Kelly Fink, Greg Granger, William Menges, Frank Newkirk, chair.
2. Staff Assistance: The committee received staff assistance from Michelle Goodman and Jill Russell.
3. Guest: Kathryn Dolan, Office of Judicial Administration.
4. Approval of minutes: The committee unanimously approve the November 2021 meeting minutes.
5. JMS updates: Jill Russell reported that the team is reviewing the parameters for the custom text message options and working to reduce the possibility of messages being caught in spam filters. There were no additional updates on the other technology projects currently.
6. Juror mileage discussion: IOCT is working to help JMS users update the milage rates for jurors due to the recent change in the amount. Currently, this is a manual update for each county. The committee agreed to offer counties the option to allow IOCT to maintain the rate and adjust it as required. Staff will work on a process for documenting this authorization.
7. Jury Orientation discussion: The committee continued discussing the considerations in reviewing and updating the jury orientation video content and the minimum orientation standards. Kathryn Dolan provided some information to the committee and the assistance her team can provide during this process. The committee agreed to provide more specific information and feedback after fully reviewing the current information and the goals of updating this content.
8. On-line juror questionnaire project: This review is still in process and any recommendations will be brought back to the committee.
9. Juror compensation discussion: The committee continued to discuss reviewing juror compensation and the process for making recommendations. The committee agreed to have a sub-committee work on developing the proposal and key points and to get input from key stakeholders. The committee also discussed what other options could be considered to better compensate jurors.
10. Rule proposal updates: The Rules Committee did not act on the proposal for Jury Rule 7 and recommended this committee include this information in its own materials. The committee agreed to incorporate this and requested staff to complete that work. The Rules Committee also took no action on the proposal related to jury trials in city and town courts.
11. Other business: The committee discussed a request from a county regarding the changing of a person's name on the jury master list and the process to show there was a legal name change versus the use of a preferred name during the jury process. The committee requested staff compile additional research for consideration.
12. Future meetings: The committee's 2022 meeting dates are: May 20, August 19, and November 18. All meetings will begin at 9 a.m. and will be conducted remotely unless otherwise noted.

Respectfully submitted,

Michelle C. Goodman
Staff Attorney

**Jury Committee
Judicial Conference of Indiana**

**May 20, 2022
Minutes**

1. Attendance: The following members participated in the meeting: Samuel Cappas, Marla Clark, Kimberly Dowling, and Frank Newkirk, chair.
2. Staff Assistance: The committee received staff assistance from Michelle Goodman.
3. Approval of minutes: The committee unanimously approve the February 2022 meeting minutes.
4. Juror compensation discussion: The committee discussed juror compensation rates and recommendations. After reviewing available data, key assumptions, and fiscal projections, the committee agreed to propose increase rates and an increase in the jury fee. Next, the proposal will be presented to the identified stakeholders for feedback and input. The final proposal would also include a recommendation to review these statutes periodically (e.g., every five years).
5. Juror mileage discussion: Staff reported that 50 counties completed the new form authorizing Trial Court Technology to maintain the juror mileage rate on their behalf in the jury management system.
6. Discussion on name changes: The committee reviewed IC 1-1-2-1 to finalize their review of the process for requesting a name change to the master list. The committee confirmed that legal documentation was required to support the official change in an individual's name on the list.
7. Other business: The committee received a National Center of State Courts email regarding an upcoming webinar series on jury matters. In addition, the committee was advised that no additional updates were available on the jury orientation video, the JMS text notification enhancements, or the online juror questionnaire projects.
8. Future meetings: The committee's 2022 meeting dates are: August 19, and November 18. All meetings will begin at 9 a.m. and will be conducted remotely unless otherwise noted.

Respectfully submitted,

Michelle C. Goodman
Staff Attorney

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**August 19, 2022
Minutes**

1. Attendance: The following members participated in the meeting: Samuel Cappas, Kimberly Dowling, Kelly Fink, Michael Fish, Greg Granger, William Menges, Frank Newkirk, David Urbanski, and Marla Clark, chair.
2. Staff Assistance: The committee received staff assistance from Michelle Goodman, Jill Russell, and Christa Coffey.
3. Welcome and introductions: The committee welcomed two new members, Judge Michael Fish and Magistrate David Urbanski, and members took time to introduce themselves.
4. Overview of Committee activities: Michelle Goodman provided a brief overview of the committee's projects and activities.
5. Approval of minutes: The committee unanimously approved the May 2022 meeting minutes.
6. Juror mileage discussion: Michelle Goodman reported that June 15th was the last increase in juror mileages, now at \$0.49 per mile. Notices were provided in the weekly message and to by email to JMS users. Jill Russell reported that 58 counties have authorized IOCT to automatically update the mileage rates and IOCT is following up with counties performing their own updates to ensure this is completed.
7. IOCT updates: Jill Russell reported that IOCT is still waiting for one of the data sets for the jury master list process this year. She next reported that the JMS enhancements for custom text messaging, merging documents in JMS, on-line questionnaire projects are still with the development team, and she will advise the committee as to timelines for the projects once established. Lastly, she reported the team will be developing a proposal to enhance the documentation of certain disqualifications and explained how staff currently advise local courts to make these notations.
8. Juror compensation discussion: Judge Dowling provided an overview on the prior discussions and the feedback received from the stakeholder meeting. The committee discussed the feedback and elements of the proposal. The committee unanimously approved proposing an increase in juror compensation rates to \$30 for appearance and \$60 for service, increasing the jury fee to \$6 and adding that fee to PL and CT cases, recommending a lengthy trial payment at \$90 beginning on the sixth day, and submitting an updated report every two years to help prevent long times between increases. The committee chair and staff will prepare the proposal for presentation to the Board of Directors and the Chief Justices. If authorized, the proposal will be provided to the General Assembly for consideration.
9. IOCS updates: The committee reviewed the commentary designed to help with applying Jury Rule 7 deferrals for placement in the benchbook, which was approved by the committee. Michelle Goodman requested the committee form a subcommittee to review the application of

the record retention rules to the information and data used for the JMS noting the committee had identified this as an area for review. Judge Clark and Magistrate Fink volunteered to work with staff on this review. The committee was advised that the orientation project is still in process.

10. Addressing Juror Trauma: The committee received a copy of the NCSC newsletter on Behavioral Health initiatives and one of the entries was highlighting a program on addressing juror trauma for consideration. After discussing the topic briefly, Judge Dowling agreed to investigate ideas that can be considered by the committee at a future meeting.
11. Other business: The committee briefly discussed ways in which they receive juror feedback and discussed the need to consider how to address needs of individuals who are autistic that come into courts as jurors, witnesses, or victims.
12. Future meetings: The committee's next meeting date is November 18, 2022 at 9 a.m. and will be conducted remotely unless otherwise noted.

Respectfully submitted,

Michelle C. Goodman
Staff Attorney

**Jury Committee
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**November 18, 2022
Minutes**

1. The following members participated in the meeting: Samuel Cappas, Kimberly Dowling, Michael Fish, Greg Granger, William Menges, Brad Mohler, Frank Newkirk, and Marla Clark, chair.
2. Staff Assistance: The committee received staff assistance from Michelle Goodman, Jill Russell, and Matt Brothers.
3. Approval of Minutes: The committee unanimously approved the August 2022 meeting minutes.
4. IOCT updates: Jill Russell introduced Matt Brothers to the committee as a new staff with IOCT. The 2023 master jury list was distributed even though it was a little later than usual. The IOCT team is working on the requested JMS enhancements to customize the text message/email reminders and asked if they can add additional emails for notice to the clerks and sheriffs. The committee requested these messages remain for jurors only since there are other methods for communicating with clerks and sheriffs at the local level. There was also a question on adding the elected judge to the list of disqualified options as it relates to countywide jury pools. The committee agreed that the disqualification would occur at the jury panel level, so it would be consistent with how all jurors are treated providing a basis for disqualification.
5. Juror compensation proposal update: Judge Clark reported on the presentation to the Board of Directors and there was unanimous feedback in support of the proposal. Several also requested looking to get more if possible. She then reported on the presentation to the Legislative Interim Study Committee on Courts and the Judiciary, where the feedback was generally positive but also questions on the fiscal impact. Rep. Davis from Johnson County offered to author the legislation and we are also receiving help from Indiana State Bar Association as well. The committee discussed key talking points to compile for help with outreach during this process.
6. Review of Juror Trauma programs: Judge Dowling provided information from a local psychologist and an overview of the issues discussed (e.g. access to resources with high profile cases, impacts of any events that can trigger need for resources due to history or trauma, etc.) They also involved a larger group of stakeholders for suggestions which included video series on self-care, ability to involve new professionals/practicum students since professional workforce is already strained, scheduling issues/considerations, etc.). This larger group will meet again in January to discuss further. The committee discussed balancing the need for information and resources with not creating additional stress or concern, existing online resources, and apps to help connect to existing resources, etc.
7. Other business: The committee reviewed a request by National Center for State Courts to gather information on jury trial processes and procedures. The committee was provided information from the first time this study was conducted and this effort is an update on this information. The committee requested time to review these prior to deciding whether to participate.

8. Future meetings: The committee scheduled the following meetings for 2023:

- a. January 20, 2023 (legislation only)
- b. February 17, 2023
- c. March 10, 2023 (legislation only)
- d. April 14, 2023 (legislation only)
- e. May 19, 2023
- f. August 18, 2023
- g. November 17, 2023

Meetings will start at 9 a.m. and be conducted remotely unless otherwise noted.

Respectfully submitted,

Michelle C. Goodman
Staff Attorney