

July 30, 2015

Featuring fresh takes and real-time analysis from
HuffPost's signature lineup of contributors

HOT ON THE BLOG

[Sen. Barbara Boxer](#)
[Dr. James Hansen](#)

[Henry Louis Gates, Jr.](#)
[Jeffrey Sachs](#)

**Andrew Guthrie Ferguson**[Become a fan](#)

Law professor UDC David A. Clarke School of Law

The Juror Voices Project

Posted: 06/04/2014 4:24 pm EDT | Updated: 08/04/2014 5:59 am EDT

Every year millions of Americans are summoned to jury service. Yet, no organized, centralized space exists to collect or share what jurors think about this experience. Juror voices are lost. And, this is a loss for the court system and American democracy.

I know, because over the past year, I have read every news article and blog post that my trusty "Google alert" has flagged as being related to jury duty or jury service. Every day, I read juror commentary in local newspapers and blogs all over the country. Thus, I have read opinion pieces from large metropolises like [Los Angeles](#) to small cities like [Moulton, Alabama](#) (population 3,500) and blog posts from [priests](#), [rabbis](#), [cranks](#), and [comedians](#) on the subject. And, over the course of this year I have read some amazing insights, helpful critiques, and reflections by real juror voices.

If these jurors represent the millions of silenced jurors out there, we all should be listening. Here are a few conclusions I can draw about America's love-hate relationship with jury duty.

First, jury duty provokes public reaction. People enjoy talking about jury duty. It appears that anyone with a media platform - no matter their political leanings, from Bill Keller at the [New York Times](#), to Josh Barro at [Bloomberg News](#), to Jay Nordlinger at the [National Review](#) will write about their jury experience. Journalists, especially, choose to comment on the event. In addition, jury service appears to cause ordinary people to write public commentary in their local newspapers signaling the importance of their experience. In dozens of [articles](#) or [op-eds](#), citizens took the time to explain that this civic moment meant something to them and should be valued by others.

Second, jury duty generates confusion. Jurors are generally uninformed about jury service. This civic ignorance provokes reflections that betray a surprise about the experience. This reaction is slightly odd, because like voting and taxes, jury service is one of our few established constitutional responsibilities. Jurors have pretty much been doing the same thing since before the country was founded. So, one might think this experience would not be confounding, but expected. Yet, because society and the courts do so little to teach about jury service, the actual experience does feel novel.

Third, jury duty inspires patriotism. Jury duty like other civic or military service can provoke a sense of patriotic pride. Sometimes this is the wholesome "Fourth of July Day Parade" kind of pride. And, sometimes it is the more virulent "get out of my country" kind. One of the biggest [jury stories](#) of last year was a proposed California bill to allow non-citizens to serve on state juries. Cutting against the general complaints about jury duty, suddenly the proposed expansion of jury service to non-citizens became a call to action. Advocates against the bill used vehement and at times venomous language to preserve this sacred jury right "for citizen's only." Governor Jerry Brown agreed with this result, if not the sentiment, ultimately vetoing the bill.

Fourth, jury duty triggers emotion. Jurors can personify the race, class, gender, and justice tensions ordinarily masked in society. For a brief moment during the Trayvon Martin, George Zimmerman murder trial (the other [big jury story](#) of last year), the attention of the nation was fixated on the role and power of six ordinary citizens asked to dispense justice. Needless to say, the public reaction was decidedly mixed, as many critiqued Florida's jury process, if not the actual jurors involved. But the interest, outrage, and racial justice claims and commentary centered on those who showed up for jury service. Everyone had an opinion about juries.

Finally, jury duty causes frustration. For a system that theoretically elevates ordinary citizens to the role of "judge," there is a troubling lack of mutual respect. [Jurors](#) feel disrespected by courts that waste jurors' time. [Judges](#) feel disrespected by jurors who send ridiculously offensive jury summons responses back to court or don't bother to show up. And, this lack of respect helps to maintain a low level negative buzz that feeds a general grumbling distaste for jury duty.

How, then, can we capture these voices? How can we counteract the negative with the positive stories of jury service? The answer: Jurors need a space to speak their mind in an organized public manner. We need to capture the juror's voice.

Courts should consider creating a forum to highlight juror voices. Many jurors report meaningful, life-altering experiences while serving, yet there exists no formalized place to share their experience with others. Every business day, there are thousands of fascinating observations and insights that are not being collected or recorded. A court organized website or social media platform could allow the reaffirming, very

human experience of jury service to be collected and shared. While, some of the reactions will be negative, most will be positive, and a moderated, controlled space for public reaction can be developed.

Even without the courts organizing these voices, social media can make that happen organically (although perhaps in a more free-wheeling manner). Current, former, and future jurors should be inspired to write and reflect about their service and share it in a public way. What did serving as a juror mean to you? What does jury service mean to you as an American? Can you define it with 12 words on twitter, 12 sentences on Facebook, or 12 paragraphs in the local newspaper? You don't need the New York Times to express your views.

Being a juror represents one of the last unifying civic experiences in a wonderfully diverse America. Sharing those experiences reaffirms the participatory aspect of jury service. Just as each citizen has one vote, each juror has one voice when it comes to jury service. So maybe it is time to share that juror voice and see [why jury duty matters](#).

Start sharing #jurorvoices on Twitter or send your jury stories to JurorVoices@gmail.com or jurydutymatters on Facebook.

Follow Andrew Guthrie Ferguson on Twitter: www.twitter.com/jurydutymatters

MORE: [Vital Voices](#) [Jury Duty](#) [Participatory Democracy](#) [Civic Participation](#) [Civic Engagement](#) [Courts](#) [Civics](#) [Jury](#) [Constitution](#) [Impact](#)

[Advertise](#) | [Log In](#) | [Make HuffPost Your Home Page](#) | [RSS](#) | [Careers](#) | [FAQ](#)

[User Agreement](#) | [Privacy](#) | [Comment Policy](#) | [About Us](#) | [About Our Ads](#) | [Contact Us](#)

Copyright ©2015 TheHuffingtonPost.com, Inc. | "The Huffington Post" is a registered trademark of TheHuffingtonPost.com, Inc. All rights reserved.

Part of **HPMG News**