

**ANNUAL
JURY MANAGEMENT
REPORT**

Office of the Jury Supervisor

From

July 1, 2023 to June 30, 2024

ANNUAL REPORT
Office of the Jury Supervisor
Joanne J. Martin, Jury Supervisor

The purpose of the Annual Jury Management Report is to provide the Board of Jury Commissioners information on the performance of the jury management system, juror use, and related costs. This report covers the period July 1, 2023 to June 30, 2024.

The statewide OSCA Jury Management System (JMS) was implemented in the 22nd Judicial Circuit on August 26, 2013. On April 3, 2017, the 22nd Judicial Circuit became the pilot location in Missouri for implementing the Show Me Jury system, which is still in use today throughout the State.

COVID-19

The onset of the 2019 Novel Coronavirus pandemic disrupted lives and businesses beyond everyone's expectation. The Judicial Branch of government was not spared. To help in preventing the spread of COVID-19, beginning March 16, 2020 for the remainder of FY20 until March 11, 2021, jury trials were cancelled.

In compliance with the Department of Health and Missouri Supreme Court orders, the 22nd Judicial Circuit Presiding Judges entered Administrative Orders indicating that conducting jury trials was too dangerous and placing too much risk on the citizens of the City of St. Louis.

The Missouri Supreme Court Order and the Presiding Judge's Order were amended in March of 2021 to allow conducting limited jury trials. The first jury trial to be conducted since the beginning of the pandemic was March 11, 2021.

As jury trials commenced shortly after March 11, 2021, individual docketing for criminal cases was also fully implemented in the 22nd Judicial Circuit. Keep in mind these significant situations and changes continued to have an influence as we conducted judicial business in FY24.

For educational purposes, a comparison of information of FY23 and FY24 is provided.

		<u>FY23</u>		<u>FY24</u>
Minimum interval between jury duty		3 years		2 years
Master List	July/23	63,653	July/24	58,259

*Master List contains citizens eligible to be chosen for jury service as of date listed.
Due to the significant downward trend of eligible citizens, a request was made to reduce the minimum interval between a citizen's jury duty to 2 years rather than the 3 years we have been working under.*

Total citizens in our database	July/23	406,237	July/24	415,967
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		<u>FY23</u>		<u>FY24</u>
Jurors summoned	Petit	71,367	Petit	79,710
	Grand Jury	1,800	Grand Jury	1,950
	Total	73,167	Total	81,660

FY 24 Jurors summoned for Tuesdays	10,100
Jurors allowed to complete service on Tuesdays without serving	2,233

	<u>FY23</u>	<u>FY24</u>
Petit jurors reported		
	Total: 19,269	13,353
	Completed Service on Tuesdays when not needed	2,233
Jurors released/deferred at hardship hearing	853	773
Juror yield	29.3%	19%
Juror yield including Tuesdays' completed service, but not needed		22%

	<u>FY23</u>	<u>FY24</u>
Sworn jurors served	1,545	1,279
Jury panels sent out	138	96
Jury trials	105	89
(Including verdict, hung, and directed verdict)		
Jury trials to verdict	85	83
Jury trial days-Sworn jurors	423	368
Prospective jurors assigned to a panel	6,473	4,225
	43%	32%
Average service for prospective juror not sworn	1 day	1 day
Average service for sworn juror	2.31 – Criminal	3.42 - Criminal
	4.45 - Civil	4.50 - Civil
Juror expense per trial	\$ 3,870	\$4,551

Total Department Expenditures \$927,392

MASTER LIST

The Master List was developed and is maintained by the Office of the State Court Administrator. OSCA has the responsibility to provide an up-to-date comprehensive list of St. Louis residents age 21 and older available for jury service. It is anticipated that they will continue to provide this comprehensive list in the future.

Updating the Master List: The Office of State Court Administrator updates the database in the Show Me Jury system semi-annually in February and August. The updates occur by merging lists of persons who did one of the following during the prior six months:

1. Obtained or renewed driver's license or state ID giving a city address as their residence, or
2. Registered to vote or updated a City address with the Board of Elections or Secretary of State

A **DOR List** is obtained from the Department of Revenue.

A **Voters' List** is obtained from the Secretary of State.

These lists are obtained by the Office of State Court Administrator and are merged with the existing Master List using comparison techniques to avoid duplicates.

The Master List as of July 1, 2023 contained 63,653 names of citizens available to serve as of that date.

The Master List as of July 1, 2024 contained 58,259 names of citizens available to serve as of that date.

INCLUSIVENESS: Inclusiveness refers to the percentage of the population age 21 and over that is included in the Master List. The more inclusive the list, the more likely a random selection will produce a representative cross-section. The National Center for State Courts' standard for inclusiveness is 85%.

On July 1, 2024, OSCA determined there were 415,967 records in the City of St. Louis inclusive Master List. The United States Census Bureau report from the last census, which was in 2020, for ages 18-65 population in the City of St. Louis was 197,104. We have to assume there are duplicate or "bad" records presently in our Master List and, therefore, the percentage of inclusiveness in the City of St. Louis Master List cannot be determined.

REPRESENTATIVENESS: Representativeness is the measure of agreement between the Master List and the population with respect to demographic characteristics. The Supreme Court has indicated they do not wish to have the race field a mandatory field to be completed on the juror questionnaire.

In FY24, 49% of the jury summonses sent out to residents of the City of St. Louis from our Master List provided by the Office of Court Administrator, which included undeliverables, disqualifications, failures to appear and orders to show cause, did not result in providing any demographic information.

In FY24, 3% of the jury summonses sent out to residents of the City of St. Louis from our Master List provided by the Office of the Court Administrator and responded to -- eliminating undeliverables, disqualifications, failures to appear and orders to show cause -- did not result in providing any demographic information.

We can use the above information to compare demographic representativeness in our Master List of residents of the City of St. Louis provided by the Office of the State Court Administrator to the 2020 US Census of the City of St. Louis demographics.

2020 US Census Demographics	50% - White	50% - minority	
Fy24 Total Summons Sent	31% - White	19% - minority	49% - Unknown
FY24 Demographics of citizens who responded to their summons			
	65% - White	32% - minority	3% - Unknown
Excluding undeliverable, disqualification, failure to appear, order to show cause			

2020 U.S. CENSUS DEMOGRAPHICS
(St. Louis Residents age 21 and over)

<u>White</u>		<u>Black</u>		<u>Hispanic</u>		<u>Asian</u>		<u>Indian</u>		<u>Other</u>	
M	F	M	F	M	F	M	F	M	F	M	F
25%	25%	19%	25%	2%	1%	1.5%	1.5%	.2%	.1%	.6%	.5%

DEMOGRAPHICS
PROSPECTIVE JURORS

(Summoned, Qualified and Available for Empanelment)

Fiscal Year

	<u>White</u>		<u>Black</u>		<u>Other-Male</u>	<u>Other-Female</u>	<u>Missing-Male/Female</u>
13-14	25%	28%	14%	24%	.02%	.02%	.05%
14-15	27%	30%	13%	22%	.02%	.02%	.05%
15-16	29%	30%	13%	21%	1.60%	1.70%	2.30%
*16-17	29%	31%	12%	20%	1.90%	1.90%	2.90%
**17-18	14%	16%	4%	8%	1.69%	1.86%	54.66%

*These demographics were retrieved from the Jury Management System from July 1, 2016 through March 31, 2017. At that time there were no reports developed to retrieve this data from the Show Me Jury system.

**These demographics were retrieved from a "test" report from the Show Me Jury System from July 1, 2017 through June 30, 2018. The test report had not yet been validated for accuracy.

	<u>White</u>	<u>Black</u>	<u>Other</u>	<u>Unknown</u>
18-19	48%	17%	4%	31%
19-20	30%	9%	4%	57%
20-21	39%	15%	4%	42%
21-22	27%	11%	2%	61%
22-23	29%	12%	5%	54%
23-24***	65%	23%	9%	3%
****	31%	13%	6%	49%

***Eliminated undeliverable, disqualifications, Failure to Appear, Order to Show Cause

****Included undeliverable, disqualifications, Failure to Appear, Order to Show Cause

SUMMONS GROUP YIELD

Yield is the measure of citizens summoned who are ultimately available for assignment to a trial division. The National Center for State Courts found in studies across the country that based on our population, the “normal” yield is 41%. Of the 81,660 citizens summoned, 15,586 citizens arrived resulting in a total yield of 22%.

Following is an annual comparison of factors impacting yield from FY20-FY24:

	<u>2019-2020</u>	<u>2020-2021</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>
Undelivered	19%	9%	15%	20%	16%
Disqualified	10%	10%	8%	7%	8%
(includes duplicates)					
Excused	3%	4%	2%	4%	3%
Postponed	13%	16%	17%	10%	9%
No-Show	23%	32%	24%	32%	42%
Yield	25%	29%	34%	27%	22%

Undelivered: The number of summonses returned “Undelivered” by the Post Office is a measure of how current our Master List is. A certain amount of “Undelivered” is expected due to normal population shifts within the community. OSCA uses a program that compares all jurors in the State of Missouri to the U.S. Postal Service’s National Change of Address database twice a year; February and August. The percentage of summonses that were returned as undelivered in FY24 was 16%.

Disqualified: The percentage of those summoned who were disqualified in FY24 was 8%. Disqualified includes non-residents, non-citizens, deceased, felons, judges of record, severe mental and physical health, and duplicates, to list a few examples.

A duplicate record can result from various things; such as, a name change, a last name that includes spaces or punctuation, names listed in the DOR and SOS records not matching, data entry errors.

In 2013 the Court changed our policy to request only the last four digits of a citizen’s Social Security Number due to concerns for privacy and identity theft. In 2014 the Court changed our policy to eliminate any request for Social Security Numbers due to the same concerns.

Excused/Deferred: The National Center for State Courts found in studies around the country that the percentage of those excused and/or postponed ranged from 10% - 40% with the typical value being 25%. Our combined Excused/Deferred rate in FY24 of 12% compares favorably against that criterion.

It should be noted that a law was passed in the 2019 legislative session that any citizen 75 years of age or older can “opt out” of jury duty upon request, which many of our older citizens have taken advantage of.

No-Shows and Recalcitrant Citizens: If a summons is not returned “Undelivered” by the Post Office, we assume it was delivered to the addressee. If that addressee does not appear and was not excused, postponed or disqualified, he/she is considered a No-Show.

A “Best Practices” suggestion from the Center for Jury Studies recommends that people who “Fail to Respond” should be re-summoned immediately, not randomly at some future date. We adopted that practice in 2010 and the results have shown a positive impact. We consistently see approximately 10% of our citizens that failed to appear initially, arrive for jury service when served with their second notice.

The Show Cause process was suspended in November of 2012 when the Jury Management System was implemented without an FTA component available. An attempt to recommence the Show Cause process was made in early 2014 with an experimental FTA software update, but had to be abandoned due to software issues.

The development of an FTA component has not been pursued by the Show Me Jury vendor nor requested by OSCA. We have been told by OSCA that at this time the City of St. Louis is the only Circuit that wishes to utilize an FTA component. OSCA has determined that in order for the vendor to develop an FTA component in the Show Me Jury software, there will be a cost involved.

The Court may want to discuss requesting OSCA to obtain an estimate from the vendor on the cost of developing FTA and Show Cause components in the Show Me Jury system.

SUMMONING JURORS ON TUESDAY

Pre-COVID our Court summoned jurors on Mondays and Wednesdays. Wednesday jurors were rarely requested to serve.

Once we began summoning jurors March 2021, we realized that summoning smaller groups of jurors at staggered times was more efficient for the Court and also demonstrated more respect and consideration of our citizens' time. These changes were recognized and very well received by our citizens.

Since that time we have continued a practice where we summon a group of 150-200 jurors on Mondays at 8:00 am and a group of 100 jurors on Mondays at 1:00 pm. We also summon a group of 100 jurors on Tuesdays at 8:00 am. All jurors are on-call and asked to call in the night before to see if they are needed. We are also currently texting and emailing jurors the night before their jury service to communicate with them if their service is or is not needed.

The practice of summoning jurors for Tuesdays should be reviewed to determine what is in the best interest of the Court. By not utilizing approximately 100 eligible jurors for jury service every Tuesday when they are not needed and completing their service, we are losing a vital resource of "good" jurors.

In FY24, 32 out of 33 weeks we cancelled jury service on Tuesday.

Our population is declining in the City of St. Louis. In looking towards the future, it can be anticipated there will continue to be a further decline in our population. In FY24 we made a request to the Office of the State Court Administrator to reduce our roll over period between a citizen's jury duty from 3 years to 2 years. A two-year rollover period between a citizen's jury duty is the minimum provided by law.

Number of Tuesdays that jurors were summoned in FY24: 33 weeks

Number of Jurors summoned for Jury Service on Tuesdays in FY24: 10,100

Number of Tuesdays that jury duty was cancelled & jurors were not needed: 32 weeks

Number of jurors who completed jury service on Tuesdays without actually serving: 2,233

JURORS PLACED ON VOIR DIRE PANELS

Monday Jurors

Fiscal Year	FY23-24
PERCENT TO VOIR DIRE	35%

In FY24, 35% of jurors that arrived and were eligible for jury service were assigned to voir dire panels. This appears as a low percentage of utilization. To increase the percentage of juror utilization, we would have to review and make changes to policies and rules regarding judge case management, juror requests as well as other areas involved in jury trials.

JUROR PANELS & USAGE

Monitoring panel requests, panel size, and juror usage provide a historic basis for determining the number of prospective jurors to summon. Optimizing use of the available pool minimizes juror expense and reduces the burden on the citizenry.

Following is FY24 data which shows the percentage of time a certain number of veniremen was needed to seat a jury in civil and criminal cases:

- ***91% of the time a civil jury panel was selected from 36 or fewer veniremen, and***
- ***85% of the time a criminal panel was selected from 42 or fewer veniremen.***

While the COVID pandemic did limit the number of jury trials we were able to conduct, it is important for our Court to take advantage and learn from our experience how to best utilize our resources for the benefit of our citizens when asked to serve as a juror.

Every year in the Annual Report there has been a recommendation that we should limit the number of jurors that are requested on a jury panel. We now have proof that the implemented changes of reducing the number of jurors requested for a jury panel is optimal, efficient and the best practice. We are also demonstrating to the citizens of our City that our Court takes seriously the time commitment and financial burden to our citizens when they are requested to serve as jurors.

The recommended number of jurors that a judge should request for a jury panel is as follows:

- **36 jurors for an uncomplicated civil trial**
- **30 jurors for a misdemeanor jury trial**
- **42 jurors for a felony criminal trial**

Most civil jury panel size provided – 36

Average # of jurors to reach a civil sworn jury - 29

Most criminal jury panel size provided – 42

Average # of jurors to reach a criminal sworn jury - 38

42% judges requested panel of 42 31% judges requested panel of 48

Veniremen Reached to Select a Sworn Jury

Case Type	Jurors Reached	Juror Counts					
		≤24	>24 ≤30	>30 ≤36	>36 ≤42	>42 ≤48	>48
CIVIL		4	13	13	1	1	1*
CRIMINAL		1	1	21	23	6	3*

****lengthy trials**

The National Center for State Courts’ standard for juror utilization once a juror is placed on a venire panel is 90%. Of the jurors placed on a venire panel, 90% of the jurors should be struck for cause, a peremptory strike or empaneled.

Number of Jurors placed on a voir dire panel – 4,225

Number of Jurors utilized in selecting sworn jury – 3, 105

Percentage of juror utilization – 73%

It is imperative that we do not fall into our “old” habits of requesting 54, 60 or 72 jurors for every criminal jury trial.

Following are some reasons our court needs to be diligent and continue to utilize smaller jury panels for jury trials:

- The attitude and willingness of our citizens to serve has dramatically improved with our updated procedures. *A citizen's financial burden and time commitment isn't as great under the jury summoning process that we are now utilizing.*
- The check-in process is more stream-lined and efficient. *Checking in 150 jurors versus 400 jurors creates a more favorable juror experience. Smaller groups also allow our judges to receive their panels in a timely manner.*
- The jurors are not required to sit closely among a group of 400 jurors allowing them more personal space. *The Jury Assembly Room environment is less intimidating and more comfortable. Those citizens with generalized anxiety feel more at ease and are more likely to serve.*
- We are able to preserve our resources as citizens are becoming aware that their jury service commitment involves less time than in the past. Presently, there is less of a burden financially, being away from work or caregiving responsibilities. *Jurors with health issues; such as, they cannot sit for long periods of time, back issues, joint issues, frequently needing bathroom breaks, etc, as well as other concerns which in the past prompted requests to be excused or disqualified, are now willing to serve jury duty due to our ability to accommodate them for due to a shorter time involved for jury service.*
- Less imposition being placed on our citizens for transportation. *Arranging for one day of transportation can be more easily accommodated and less of a burden on the citizen and their driver.*
- Less imposition being placed on our citizens for caregiving responsibilities. *Arranging for one day of childcare or care of a loved one is more attainable and more financially feasible than arranging for multiple days of jury service.*
- The time from jury service check-in to being placed on a voir dire panel has been shortened. *Due to having a more efficient and faster check-in process, we are able to provide jury panels in a more timely manner demonstrating to citizens that we are running the courts more efficiently and recognize the hardship jury service places on our citizens time-wise and financially.*

- Utilizing smaller jury pools, there is a greater likelihood of being placed on a voir dire panel. Utilizing smaller jury panels, there is a greater likelihood of being placed on a sworn jury panel. *These changes allow citizens to feel greater participation in our judicial system. By participating in a voir dire or on a sworn jury panel, citizens feel more useful, that they have a purpose by actually serving on a case, and their time is not being wasted.*
- The time away from their jobs and families is reduced to 1 day if they are not chosen to be a sworn juror in a trial. *This is a tremendous advantage to our citizens that they have mentioned many times.*
- Voir dire can be accomplished in a much shorter time when there are 36 or 42 jurors on a jury panel versus 54, 60 or 72. *It has been proven that voir dire can easily be conducted in less than 1 day with smaller panels versus 1-2 full days which was typical in the past with a much larger panel. Much more time needs to be devoted to voir dire when there is a group of 54 or larger. By reducing voir dire to less than 1 day, this allows the attorneys to prepare for their jury trial presentation, speak with witnesses, prepare instructions, etc.*

DEBIT CARD PAYMENTS

In September of 2023 the Court began paying jurors through Debit Cards versus mailing jurors checks. Prior to September of 2023, it took approximately 3 weeks from completion of a juror's service to receive their check. After several years of research and working with the Treasurer's Office as well as the Comptroller's Office, we were able to get approval and move forward with providing jurors with Debit Cards at the conclusion of their jury service. Under this change, citizens can now access their money on their Debit Card within 1 week of the conclusion of their jury service.

There is no additional cost to this change as the vendor processing fee is identical to the cost of postage that was previously spent mailing checks to the jurors. Through this process we can more efficiently and faster provide citizens with their jury pay.

There are several advantages to the Court as well. One, is that we don't have to go through the Unclaimed Property process when checks are not cashed in a timely manner. Secondly, there is a time savings for staff in the Jury Supervisor's Office as well as the Treasurer's Office and Comptroller's Office where previously we had to handle telephone calls when citizens lost their checks, they didn't receive their checks through the USPS or they needed a re-issue of their checks, among other things. This change has been a win-win for the Court and the citizens.

JUROR MANAGEMENT EXPENSE

Does not reflect the sequestered death penalty jury trial

The following table is an annual comparison of operating, administrative and juror expenses related to the number of jurors and jury trials.

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>
Jurors:	11,106	1,287	8,899	14,972	13,353
Jury Trials:	103	8	77	105	89

ADMINISTRATIVE EXPENSE

	<u>2019-2020</u>	<u>2020-2021</u>	<u>2021-2022</u>	<u>2022-2023</u>	<u>2023-2024</u>
Administrative Costs:	\$512,992	\$452,801	\$359,593	\$391,108	\$406,949
Operating Costs:	\$48,093	\$30,934	\$79,782	\$86,017	\$65,004

PETIT JUROR EXPENSE

	<u>2019-20</u>	<u>2020-2021</u>	<u>2021-22</u>	<u>2022-2023</u>	<u>2023-2024</u>
Petit Juror Fees:	\$256,914	\$12,270	\$172,152	\$243,516	\$238,464
*Expenses:	\$19,828	\$25,773	\$69,383	\$83,989	\$86,757
Parking:	\$63,367	\$2,460	\$34,719	\$78,841	\$79,830
Metro (Including Grand Jury):	\$8,118	<\$960>	Zero	Zero	Zero
TOTAL:	\$348,227	\$39,543	\$276,254	\$406,346	\$405,051
Expense per Trial:	\$3,381	\$4,943	\$3,588	\$3,870	\$3,951

*Expenses include juror breakfast & luncheons.

GRAND JURY EXPENSE

	<u>2019-20</u>	<u>2020-21</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>
Grand Juror Fees:	\$28,284	\$28,319	\$25,674	\$32,706	\$35,454
Grand Juror Parking:	\$4,300	\$11,078	\$10,084	\$13,971	\$14,934

TOTAL EXPENSE AND ADMINISTRATIVE COSTS

	<u>2019-2020</u>	<u>20120-21</u>	<u>2021-22</u>	<u>2022-23</u>	<u>2023-24</u>
Administrative Expense:	\$512,992	\$452,801	\$439,375	\$477,125	\$406,949
Expenses (Excluding sequestration):	<u>428,904</u>	<u>109,874</u>	<u>391,794</u>	<u>453,023</u>	<u>520,443</u>
Department Expenditures:	\$ 941,896	\$562,675	\$831,169	\$930,148	\$927,392