

The Ohio Jury Management
Association Newsletter

The Ohio Jury Management
Association promotes and enhances
jury service through
excellent jury management.

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Jury Notes

*The Ohio Jury Management Association's
Twelfth Annual
Ohio Jury Service Conference*

“Modern Jury Management”

**12 Years of OJMA Keeping the
12 Jurors in the Forefront**

Special Guest Speakers

Justice Judith Ann Lanzinger, Supreme Court of Ohio

Paula Hannaford-Agor, National Center for State Courts

Chris Davey, Supreme Court of Ohio

Assistant Prosecutor John J. Arnold, Warren County, Ohio

Attorney Charlie Rittgers, Lebanon, Ohio



Friday, April 23, 2010

Embassy Suites, 5100 Upper Metro Place, Dublin, Ohio

Registration fees are the same as in 2007!

\$75.00 Members \$135.00 Non-Members

CLE credit has been requested

Registration materials will be mailed to members

March 1, 2010

Forms will be posted on our website www.ohiojury.org

The OJMA Conference is funded in part by the
Ohio State Bar Foundation

Can you take cell phones to court?

Judges not in sync on use of computers, Facebook, Twitter

Monday, December 14, 2009 3:00 AM

By Josh Jarman

The Columbus Dispatch

When a television reporter tried to blog live from the high-profile trial of a police chief accused of snooping on a celebrity couple's surrogate, he ran smack into a debate about allowing wireless devices in courtrooms.

The fact that a Belmont County judge denied the use of cell phones or computers for blogging during the trial showcases officials' growing concern about the power of wireless devices to disrupt court proceedings. Although many courts are starting to address the issue, there is almost no uniformity about what they do.

"It is a major emerging issue in courts across the country," said Chris Davey, spokesman for the Ohio Supreme Court. "Here in Ohio and elsewhere, some courts have banned cell phones outright."

Davey is chairman of the New Media Committee for the Conference of Court Public Information Officers. He said the committee recently began a yearlong project to try to determine what court officials across the country are experiencing in terms of new technology and how they are responding.

In addition to cell phones, courts are coming to very different conclusions about the use of social-networking sites such as Facebook and Twitter.

"Anecdotally, we know that courts all over the country are struggling with the answer," Davey said. "It's too early to say if there is a pattern."

He said he knows that some judges are rewriting their jury instructions to clearly define what is allowed in terms of Facebook and Twitter. But again, how they decide to handle the issue is far from uniform.

In Franklin County, individual Common Pleas judges have total control over what they allow and how they handle issues such as cell phones and computers in the courtroom. Atiba Jones, the court's executive director, said he would

need compelling evidence of the danger of allowing cell phones into the building to consider banning them.

Judge Timothy Horton said it often is more efficient when rescheduling a hearing to allow attorneys to text their assistants or check their schedules online than to ask them to leave his courtroom to do so. He has had to confiscate only one cell phone, and that was after the person allowed it to ring after previously being told to turn it off.

At the Licking County Courthouse, cell phones are banned. David Edelblute, Probate and Juvenile Court administrator, said the decision was based on concerns that witnesses could corroborate testimony through text messaging or that cell phones could be used to take pictures or video of jurors. Exceptions to the policy are made for court staff members, lawyers and the media.

In Warren County in southwestern Ohio, administrator C. Scott McVey said officials considered a ban but thought policing it would become unmanageable. They did, however, add cell phones to the list of media devices that are not allowed in the courtroom without a judge's permission.

Enforcing the policy is up to the bailiffs in each courtroom, McVey said, and there has been no problem. "It's been a positive for us," he said. "I don't know why you wouldn't do it."

Federal courts mirror those at the state and local levels: lots of discussion, but no consensus. David Sellers, assistant director of public affairs for the Administrative Office of the U.S. Courts, said regulating the use of wireless devices is done differently from judge to judge.

Three years ago, a committee of federal judges created guidelines on the use of wireless devices in courtrooms, Sellers said. The result was a list of considerations both for and against them.

What's clear, he said, is that the issue is not going away. "As the technology becomes more pervasive, it's going to be the exception that someone wants to enter a courthouse who is not carrying a portable communication device," Sellers said.

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Mark your Calendars!

Summer Ohio Judicial College

"Managing Capital Case Juries" The date of the program is Friday, July 23rd, 2010

Details will be sent to OJMA Members in future issues of *Jury Notes*.

Sylvania Municipal Court

Hon. M. Scott Ramey
Jo Ann Bell, Clerk
clerk@sylvaniacourt.com

Location: Sylvania

Jurisdiction: 66,021 people

Number of Cases in 2008: Criminal 3,101

Civil: 2,467 Traffic: 10,167

Number of Jury Trials 2008: 2; 2009: 1

Number of jurors called: 2640

The selection of registered voters to be prospective jurors is from names contained in the magnetic tape furnished to the Court by the Lucas County Board of Elections and it is certified as the most recent available.

Our Jury trials are scheduled for Tuesdays and we have the prospective jurors call in on the jury line or they may go on our website, www.sylvaniacourt.com, the Thursday before the jury trial to check if it is going forth. If the trial is still scheduled, they are asked to check back on the Monday before at the end of the day to see if they need to report. Jurors who appear are paid \$10.00 per half day and if they are chosen for jury duty they are paid \$20.00 for all day.

In the event that someone fails to appear when called, we do not pursue it further.

The court provides coffee, water, soda, and snacks for them during their breaks and there is free parking at the courthouse. If the trial goes into the evening hours, the Court will also provide jurors with dinner. Our courtroom, waiting room and restroom are handicapped accessible.

Within the last several years, the Judge has allowed jurors to ask questions and take notes. This has been well received by both jurors and attorneys. The jurors are also asked to fill out a juror service exit questionnaire if they wish. The Court has received positive feedback concerning jurors' experience in our Court.

Perry County Court

Hon. Dean L. Wilson
Christie Hampton, Clerk
clerk@perrycountycourt.com

Location: New Lexington

Jurisdiction: 34,078 people

Number of Cases in 2007: 3,854 criminal, traffic, civil cases filed with the court

Number of Jury Trials 2007: 10; 2008: 5

Jury trials in the Perry County Court are held on Fridays for most cases and if necessary, we carry them over to the following Monday. We have 180 prospective jurors to select from per term and the court summons 30 to 35 prospective jurors per scheduled jury trial. We use the Henschen computer software.

The term of services is three months and we pay \$7.50 for a full day of service. In the event that a juror fails to appear, we send a summons to show cause and hold a hearing.

We provide the jurors with free parking, beverages and lunch. Our waiting room, restrooms and courtroom are handicapped accessible.

Every year we hold an *actual* OVI jury trial in the high school before prom time. This is an educational experience for the students and it enlightens them about the dangers of operating vehicles under the influence.

Within the past three years, the Perry County Court implemented some innovative changes: giving selected jurors a notepad to take notes or to submit questions for witnesses after testimony and providing a binder that includes the preliminary instructions, final instructions, suggested guide for deliberations. The guide includes a copy of the verdict forms, a questionnaire for jurors (if willing to participate) and exhibits are also inserted into binder once they are entered in as evidence. Using the jury binder is very helpful to the individual juror and makes the juror feel more involved with a better understanding of the jury trial process.

2010 OJMA Award Nomination Form

The Ohio Jury Management Association (OJMA) Trustees created this annual award to recognize the efforts and accomplishments of individuals and/or organizations who have contributed in an exemplary way to the mission of OJMA to promote and enhance jury service in Ohio. This award will be presented at the annual OJMA meeting. Anyone may nominate a person or organization for this award.

The following criteria will be used by the selection committee for choosing the award recipient.

Nominated individuals or organizations should meet one or more of these criteria, and persons making the nominations should clearly show how the person or organization has met one or more of these criteria.

Current trustees of the Ohio Jury Management Association are not eligible to be nominated.

1. Any person or organization whose actions have had a significantly positive effect upon jury service, the jury management profession, justice system, and/or community.
2. The nominee has been a dynamic advocate for jurors and jury programs. The nominee has exhibited an extraordinary commitment to improving the jury system in his/her court and/or for the State of Ohio.
3. The nominee serves as a role model for others in addressing the needs of individuals summoned for jury service.
4. The nominee has provided outstanding support to OJMA.
5. The nominee has contributed significantly to the development of policies, procedures, laws, and/or rules that have had a positive impact upon the jury system in Ohio.

Nominee: Name: _____

Associated with (Court or Organization): _____

Address: _____

Telephone Number: (____) _____

Nominator: Name: _____

Address: _____

Telephone Number: (____) _____

1. Identify by number which criteria apply to the nominee: _____
2. Please attach a 1- 2 page letter that includes detailed information supporting the nomination of the individual or organization. Please indicate how the person or organization has met one or more of the criteria. A brief biographical sketch, resume or organizational history should accompany the letter.

Return completed form to:

Ohio Jury Management Association

1700 Lake Shore Drive

Columbus, OH 43204

Deadline: March 15, 2010

OJMA MEMBERSHIP APPLICATION
Membership from January 1, 2010– December 31, 2010

Is this a renewal of current membership? _____ New Member? _____

Did any one refer you? Name _____

Name: _____ Title: _____

Organization: _____

County: _____

Address: _____

City, State & Zip: _____

Telephone: _____ Fax Number: _____

E-mail Address: _____

MEMBERSHIP DUES:

Active Member: \$50.00

An Active Member shall be a person and shall be entitled to one vote.

Organizational Member: \$125.00

An Organizational Member shall be an organization, either a public or private entity, and shall have no vote. Three people may be listed as members associated with an Organizational Membership.

Each should include a completed membership form, including contact information.

I would like to show my support for the work of OJMA in promoting and enhancing jury service through excellent jury management in Ohio. Enclosed is my tax-deductible donation to OJMA:

\$10 \$20 \$30 \$50*

***A \$50 donation entitles you to become a non-voting, Associate Member of the Ohio Jury Management Association. Thank you for your generous support!**

Membership fees and application to be submitted to: Ohio Jury Management Association
1700 Lake Shore Drive
Columbus, OH 43204

Make checks payable to Ohio Jury Management Association and write "OJMA Dues" on memo line.

I hereby agree to abide by the articles of incorporation, code of regulations, bylaws, and rules of this corporation.

Signature of Applicant

Date

If you have any questions, contact Vicky Unger, OJMA Director, at 614-487-4475 or vunger@osbf.net