

# **“Status of the ‘Jury Pool Challenge’ as of mid-October 2003”**

**(October 24, 2003)**

**Laura Graser Esq.  
Outline of Presentation to  
OCDLA Capital Defenders**

The status of the “jury pool challenge” as of mid-October 2003  
(Outline of talk to OCDLA Capital Defenders, October 24, 2003)  
Laura Graser

The demographer is Richard Rankin, “Applied Research Services, Inc.”--Lake Oswego.

To deal with this issue, the lawyer must identify what is a “legal question” and what is a “math question.” Then the lawyer needs to find a math expert (specifically a demographer, usually working with a statistician.) The math expert must be able to articulate the issues primarily to the lawyer, secondarily to the judge and DA.

The lawyer must understand the *overview* of the math. An articulate math expert can explain the overview so that even a lawyer with extreme math-fear can understand it.

Please forget everything you have heard about this issue for the next few minutes. At the end of the talk I will discuss the “master jury list” and why it is not important to the analysis.

**1. What is it that a criminal defendant has a right to have? (A legal question.)**

**Answer: A jury that is a representative sample of the eligible population.**

(Not a “jury of his peers”-- that is a misleading term. What’s a peer? Who knows.)

The source of this right is the Sixth Amendment (“right to a ...public trial, by an impartial jury of the State and district wherein the crime shall have been committed....”) [for a 6th Amendment challenge, do not need to show evidence of bad purpose in jury selection process], and the Fourteenth Amendment (equal protection) [a 14th Amendment challenge, must show evidence of bad purpose]. All Oregon challenges I know about involve the Sixth Amendment only. (For example, the Lincoln County clerk’s removal of all potential jurors over 70 appears to be simple negligence, not an action with the intent to discriminate. Thus only a 6th Amendment challenge would be available.)

This federal right came into being as a practical matter in 1968, with the Jury Selection and Services Act, now 28 USC. sec 1861-66. Before that, there was some nice language

in federal cases, but in reality federal courts hand picked “key men” to be jurors before the 1968 statutory change.

In 1975 the federal right (codified in the 1968 federal statute) was extended to the states. Taylor v. Louisiana, 419 US 522 (1975).<sup>1</sup>

A thoughtful discussion of these issues (and related ones) is in: We, the Jury: the Jury System and the Ideal of Democracy by Jeffrey Abramson (1994). I find the standard text Juryworks to be outdated and misleading in an Oregon context.

Oregon constitutional rights in this area have not been clearly identified by the courts. Parties have mentioned Article I sections 6 (no religious test for jurors), 10 (justice administered openly...completely...), 11 (“public trial by an impartial jury in the county in which the offense shall have been committed....”).

The AG agrees that “it is indisputable that the Sixth and Fourteenth Amendments to the United States Constitution provide a criminal defendant the right to a petit jury selected from a fair cross section of the community.” It cites Duren v. Missouri, 439 US 357 (1979) and Taylor. See, e.g., State’s Answering Brief at 14, State v. Rogers, filed July 2002.

## **2. What is the “eligible population”?** (A mixed question of law and math.)

The clean answer is legal: a jury of residents of the county, who are over 18, and who are citizens. At some point we must consider the prior felon/prior misdemeanor element. (ORS 10.030.)

The practical answer involves a sophisticated analysis of the census. On April 1, 2000, the census took a “snapshot” and is releasing the data as they process it. The census breaks the data down into “census blocks” which are literal physical blocks in a

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<sup>1</sup> In Louisiana, women could serve on juries only if they filed a declaration stating they wished to do so. As a consequence, there were not many women on juries. This violated the 6th Amendment. Mr. Taylor, a man, had standing to complain. In Duren women (but not men) were automatically exempted from jury duty upon request.

neighborhood. They have nothing to do with “zip-plus-4” but I find that a helpful comparison. The census reports information about small groups, but it does a good job of “masking” the actual identity of the respondents. In an extreme example, if a block contains one Black with an income over \$1,000,000, the census will suppress information so you can’t learn more.

The demographer works with the census data to describe the “population of interest”-- everybody eligible to be a juror in the county. The census measures “US citizenship,” and “over 18” and “resident of county.” There is some expertise involved in estimating the population that is all three, but it can be done. Demographers call this a “cross-tabulation.”

**3. What characteristics do we measure in the “eligible population”? What’s a “cognizable class”? (Mixed question.)**

Another way to put this: what is a “distinctive group” such that it matters that members are excluded? *See, e.g., Duren v. Missouri*, 439 US 357, 364 (1979):

In order to establish a prima facie violation of the fair-cross-section requirement, the defendant must show (1) that the group alleged to be excluded is a “distinctive” group in the community; (2) that the representation of this group in venires from which juries are selected is not fair and reasonable in relation to the number of such persons in the community; and (3) that this underrepresentation is due to systematic exclusion of the group in the jury-selection process.

Case law is not much help in determining what is a “distinctive group” (or “cognizable class”). Obviously, race and gender are two classes. In a fairly pure-white county such as Clackamas, that leaves us with gender. What on earth is an “Hispanic”? (It’s cultural, not racial, and someone from Spain is not very similar to a person from Central Guatemala.)

Demographers have been looking at categories of people for a long time. The census is the “gold standard” for a lot of research. What do they do? Answer: they ask, and take the answer. (This is known as “self-reporting”). For example, an “Hispanic” is a person who answers “yes” to the question, “Are you Hispanic?” Period. And the same is true of

“race.”

So a demographically cognizable class is whatever the census measures.

What is a *legal* “cognizable” class for these purposes? Equal protection cases tell us about race, gender, poverty, and so on, but in contexts very different from the jury issue.

As a legal matter, I selected ORS 10.030, which articulates the rights of jurors (not litigants). Litigants get to raise the rights of prospective jurors (because the prospective jurors who are not called cannot articulate their own rights.). *E.g.*, Powers v. Ohio, 449 US 400, 111 SCt 1364 (1991).

ORS 10.030 provides:

“Except as otherwise specifically provided by statute, the opportunity for jury service shall not be denied or limited on the basis of **race, national origin, gender, age, religious belief, income, occupation** or any other factor that discriminates against a cognizable group in this state.”[Emphasis supplied.]

For the phrase “any other factor” we added three categories that the census measures, (1) **educational attainment**, (2) **marital status**, (3) “**Hispanic**” (an issue in State v. Rogers, 334 Or 633 (October 3, 2002).) These three questions are also asked on the federal questionnaire given to all prospective jurors in District Courts, and included in these materials.

We added **physical/vision/hearing impairment** because ORS 10.030(4) includes it.

And we asked about **selected prior convictions**, under the statute and the new Oregon Constitutional provision, Article I, section 45 which sets out the felon (past 15 years) and misdemeanor (involving violence or dishonesty in past 5 years) disabilities for criminal trials and grand juries. This is one side of the “laminated sheet” in your materials (not laminated.) (The other side is a guide to “occupation.”)

The federal statute (28 USC sec 1862) refers to race, color, religion, sex, national origin,

and economic status.

**4. Compared to what? Answer: the sample of interest is the “assembled group.”** (A legal question)

The defendant does not have a right to a fair cross section of the population in the box after voir dire. The jury pool challenge here does not involve any voir dire issues.

The focus is on the representativeness of the pool of available jurors as compared to the pool of eligible jurors in the county. Lockhart v. McCree, 476 US 162, 173 (1986).<sup>2</sup>

What is the “pool of available jurors” in Oregon? It is the people who show up for jury service. No other argument makes any sense, and the DA has not disputed this analysis.

In other words, under the Oregon system, the defendant has a right to a fair cross section of the people who show up in the jury assembly room, available for voir dire. I called this the ‘butt list’ (the butts in the seats in the jury assembly room), until I discovered that in Clackamas County it is sometimes done in the hallway, and the jurors stand. Now I call it the “assembled group.” It is not the people that show up on a particular day, but the category of people.

If a sufficient number of members of the “assembled group” are surveyed, we can compare that to the eligible population. We match cognizable categories.

If the two populations do not match, it shows that cognizable groups are being excluded by the jury-summoning process.

The exclusion does not have to be intentional for a Sixth Amendment challenge. It must be “systemic”-- arising out of the process. Duren v. Missouri, 439 US 357 (1979).

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<sup>2</sup> Holding that “death qualification” does not violate the fair cross section requirement, even though as a result distinctive groups are reduced.

## **5. What is happening now in Clackamas County (the rubber meets the road.)<sup>77</sup>**

This is what a demographer, Richard Rankin, and I are doing in Clackamas County on behalf of three defendants (Bussey, Rogers, Weaver.) Bussey (0101503) is the lead case at the moment. Rogers and Weaver are capital, Bussey is not; for a jury pool challenge it does not matter if the case is capital.

After many years of litigation (by me and others) over jury pool records, and after more-or-less winning<sup>3</sup> Rogers in 2002 in the Supreme Court, I asked for many categories of jury records in Clackamas County. I got the master jury list on a CD ROM, and the demographer looked at it. The master list contains names, addresses, and dates of birth, and nothing else. (It contains what the statute says it must contain, and no more.) What can be done with this information is limited.<sup>4</sup>

A “plan b” evolved. The request for records went on hold, and we asked to do a survey of a statistically significant number of the “assembled group.” The DA eventually did not object, and the court allowed our request.

I determined the legal categories. The demographer wrote the questionnaire. The two of us wrote the speech. A statistician (Nancy Perrin at OHSU) gave us the number needed: 1000.

Our survey is with these materials. We are collecting data, with excellent cooperation. A copy of the speech the law clerk give is with these materials.

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<sup>3</sup> The Rogers opinion is not as clear as it could be about exactly what records a criminal defendant must receive. 334 Or 633 (2002). The nuances and ambiguities do not matter for this discussion.

<sup>4</sup> The master list contains names, addresses, and date of birth. It difficult to get much demographic information from that. There is a process using a database called “TIGER” (Topologically Integrated Geographical Encoding and Referencing database). This will take the addresses on the master list (or any other list you happen to have) and match them with census blocks. If there is a really big problem with the master list, it might show up using this process. But this would tell you little about the people who are available for jury service.

Do not use these materials (marked “draft”) in any other county! They need to be tailored to the particular county (not a big task for a demographer.)

Clackamas County has a population of about 335K. It is counter-intuitive but true that a smaller county (e.g. Tillamook with about 24K) will need a sample that is close to 1000 people, too. Rankin has some thoughts about how to deal with a small county, but it is a difficult problem. Collecting data on 1000 jurors took about 10 weeks in Clackamas. Obviously it would take much longer in a smaller county.

**6. How different does it have to be?** (The question is: is this law or math?)

There is no articulated legal standard. The match (between the “eligible population” and the “assembled group”) obviously does not have to be perfect. What is “close enough for government work”?

There is a Ninth Circuit hint. In United States v. Suttiswad, 696 F2d 645, 648 (9th Cir 1982), the issue was denial of funds for an expert. The defendant showed a 2.8% under-representation of Blacks, 7.7% for Hispanics, and 4.7 for Asians. Based on that showing, it was proper for the trial court to deny funds for more research. *See also* United States v. Esquivel, 88 F3d 722, 726, *cert denied* 519 US 985 (1996), (Boochever’s concurring opinion suggests 14.7% is too much.)

There are some out-of-Circuit cases that say a 10% disparity is good enough. *See e.g.*, United States v. Bulter, 611 F2d 1066 (5th Cir), *cert den* 449 US 830 (1980).

The specific comparisons of the two populations is for the demographer. There are different ways to measure “disparity.”

The hearing in State v. Bussey (01-01503)-- probably on October 23, 2003-- in Clackamas Count will begin to answer this question for Oregon.

I intend to make the legal argument that the legal standard should be the same as the universally accepted research standard. What disparity is statistically significant? Rankin and I will articulate this as we get the data.



## **7. The (lack of a) starring role for the “master jury list”**

Several years ago, Ralph Monson representing Robert Acremant decided to challenge the composition of the Jackson County jury pool. He asked Rose Jade to investigate. She read a lot of cases and started at the logical place: requesting the master jury list and other related documents.<sup>5</sup> Years of litigation, three trips to the Supreme Court, and a statutory change followed. With Kevin Hunt’s 2001 record, and a quasi-victory in the Supreme Court in 2002, I finally got the master jury list for Clackamas County from Judge Selander in 2003.

Once I got it, I came to realize that there was not much I could do with it, and what I could do did not matter much. What matters legally is the representativeness of the “assembled group.” The master list is so far away from that, that the representativeness of the master jury list barely matters.

For example, in 2002, Washington County’s master jury list contained 85,000 names. The county uses the list from January-December. By September 2002, the county had used 30,000 names. (Rainbolt testimony, State v. Spencer hearing, cited below.)

If you can’t get the judge to allow a survey, perhaps studying the summons list vs. the yield list would be productive. These are probably “confidential jury records” covered in the relatively-new statute, ORS 10.275.

To summarize the statutory process that produces the “assembled group”:

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<sup>5</sup> For example, Taylor says, “the jury wheels, pools of names, panels, or venires from which juries are drawn must not systematically exclude distinctive groups in the community and thereby fail to be reasonably representative thereof.” 419 US 538. Lockhart’s “pool of available jurors” might be the master list under some other system. For example, the Ninth Circuit talks about comparing the population with the “master jury wheel” in federal court. United States v. Esquivel, 88 F3d 722, 726, *cert denied* 519 US 985 (1996).

But as it turns out, in the Oregon system the master list is very remote from the pool of available jurors. Most of the name on the master list are not “available.” As described above, the “pool of available jurors” in Oregon is the “assembled group.”

A. County voter records plus DMV records for the county = source list, minus duplicates = master list. ORS 10.215(1), 802.260(2).

There are a number of problems: the duplicates are imperfectly removed, indeed, sometimes the source list is larger than the county. Also, the master list does not include people who are eligible but who don't register to vote or have a relationship with DMV.

The master list is created in Salem, with information provided by the county voter registration and DMV records broken down by county.

The size of the master list is controlled by how many names the county asks Salem to provide to keep the county supplied for a year. The names are drawn randomly. ORS 10.215(3).

B. The term list is generated by the county from the master list, every time they need jurors (every day, or every week, or whatever schedule they are on.) ORS 10.215(6), 10.225(1). Again, the process is random. From the term list, the county sends out jury summonses. ORS 10.225(5). The forms can include a "juror eligibility form" for the prospective juror to send back. ORS 10.245(2).

C. Some summonses come back with a bad address. The percentage of bad addresses is out of the control of the county. A very preliminary study was done in 2002 by PSU professor Grant Farr in Multnomah County with Laurie Bender, State v. Farmer. Farr's report talks about how stale the addresses are. (I have his very-preliminary report.)

In (at least) Washington County, the summonses' addresses are run through a Post Office change-of-address computer program to update them. Landgren testimony, State v. Spencer, cited below.

Some summonses generate a phone call or mail response with an request for a excusal. Some are ignored.

The excuse policy is set county-by-county, and may not be written. The statutory standard is set out in 10.050: "undue hardship," "extreme inconvenience" to the person or

family, breast-feeding, in some cases care-giving to a dependent person and can't make other arrangements. People over 70 are excused upon request. A judge can excuse if "the presence on the jury would substantially impair the progress of the action on trial or prejudice the parties thereto."

Deferral to another term requires only "good cause." ORS 10.055.

There is no statute about what to do about summoned people who just don't show up. As far as I know, no county does much or anything about it.

There is not much information about the "yield rate" (an informal term meaning the percentage of people who show up in response to a jury summons.) But we know it is low. In 2002 in Washington County, the jury coordinator testified there was little or no follow-up of FTAs. She sends out 250-350 summonses a week, and 100-140 people don't show up. State v Spencer, C00-0928CR, at 138-39. (I have the transcript.) I have anecdotal evidence that other counties have an even lower yield.

The yield rate is so low, that nothing else matters, in my opinion. If there is a flaw in the master jury list, its significance washes out with the low yield (the number of people summoned versus the number of people who actually show up to be part of the "assembled group.")

(Written October 10, 2003)

[Rankin's October study results included]  
[October 22]

Selected attachments:

"Explanation to Jurors"  
Federal jury form, 2 pages (front & back)

Explanation to jurors, Clackamas County, summer 2003.

As the video explained, the Oregon and United States Constitutions require that juries be an accurate reflection of the eligible population. We are engaged in a research project to confirm that our juries accurately reflect the Clackamas County adult, citizen population. For the next few weeks we will be gathering information about the people who appear for jury service to see if they match the rest of the county in terms of age, sex, marital status, occupation, income and the like.

The survey takes one to three minutes to complete.

Your answers will be anonymous. No record will be kept that ties your answers to your name or any other identifying information. As you can see on the form, there is a perforation above the signature line. After you return your completed survey form to the clerk he/she will tear off the portion of the form with your signature, and will permanently separate it from your answers.

*(Demonstrate tearing off the perforation.)*

The court will keep the portions with the names, and will destroy them when the survey is over. The study group will compile your answers, with no access to your names.

Some of the questions may seem personal, but again, we assure you that your answers are confidential. We need this information to make sure we have a jury that truly reflects the population of the entire county.

Some of the questions may require additional information. We have some laminated explanations for the felony and misdemeanor questions on the front of the form, and a more detailed list of occupations on the back of the form.

We very much appreciate your participation in this important research project. Our jury system is based on juries reflecting everybody in the county who is eligible to serve, and we are working, with your help, to ensure that our jury system is fair to the jurors and to the people who come before the court for a jury trial.

Thank you.

# JUROR QUALIFICATION QUESTIONNAIRE

PLEASE READ EITHER ON THE NEXT PAGE ■ PRINT OR TYPE YOUR ANSWERS



1. IF YOUR NAME AND PERMANENT ADDRESS ARE NOT CORRECT, PLEASE CHECK ☐ AND SHOW CORRECTIONS ON NEXT PAGE.

2. RETURN THIS FORM IN THE ENCLOSED ENVELOPE TO:  
**UNITED STATES DISTRICT COURT**  
**ATTENTION: JURY CLERK**

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3. COUNTY YOU NOW LIVE IN →

4. HAS YOUR PRIMARY RESIDENCE FOR THE PAST YEAR BEEN IN

→ IF "NO" GIVE NAMES OF OTHER COUNTIES OR STATES OF PRIMARY RESIDENCE DURING THE PAST YEAR, AND SHOW DATES (USE REVERSE IF NECESSARY.)

- THIS STATE ☐ YES ☐ NO
- THE SAME COUNTY ☐ YES ☐ NO

5. HOME ☐  
PHONE ☐ WORK ☐

## A. IDENTIFICATION

6. BIRTH DATE { month day year	7. AGE	8. U.S. CITIZEN <input type="checkbox"/> YES <input type="checkbox"/> NO
9. Mr. Mrs. Miss Ms. <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	10. <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced/Separated <input type="checkbox"/> Widowed	<input type="checkbox"/> MALE SEX: <input type="checkbox"/> FEMALE

11. PLEASE INDICATE YOUR RACE ON THE FOLLOWING LIST

FEDERAL LAW REQUIRES YOU AS A PROSPECTIVE JUROR TO INDICATE YOUR RACE. THIS ANSWER IS REQUIRED SOLELY TO AVOID DISCRIMINATION IN JUROR SELECTION AND HAS ABSOLUTELY NO BEARING ON QUALIFICATIONS FOR JURY SERVICE. BY ANSWERING THIS QUESTION YOU HELP THE FEDERAL COURT CHECK AND OBSERVE THE JUROR SELECTION PROCESS SO THAT DISCRIMINATION CANNOT OCCUR. IN THIS WAY THE FEDERAL COURTS CAN FULFILL THE POLICY OF THE UNITED STATES WHICH IS TO PROVIDE JURORS WHO ARE RANDOMLY SELECTED FROM A FAIR CROSS SECTION OF THE COMMUNITY.

☐ BLACK  
☐ WHITE  
☐ ASIAN  
☐ NATIVE AMERICAN  
☐ OTHER (Specify) ARE YOU HISPANIC?  
☐ YES ☐ NO

## C. EDUCATION AND HEALTH

16. DO YOU READ, WRITE, SPEAK AND UNDERSTAND THE ENGLISH LANGUAGE?

☐ YES ☐ NO

17. SHOW THE EXTENT OF YOUR EDUCATION BY GIVING THE NUMBER

OF FULL YEARS COMPLETED { ☐ In High School ☐ Trade/Vocational School ☐ Above High School ☐

18. DO YOU HAVE ANY PHYSICAL OR MENTAL DISABILITY THAT WOULD INTERFERE WITH OR PREVENT YOU FROM SERVING AS A JUROR?

IF "YES," SEE NOTES ON NEXT PAGE. ☐ YES ☐ NO

## B. OCCUPATION

FEDERAL LAW REQUIRES THAT YOU ANSWER NO. 12, 13, 14 & 15 SO THAT THE FEDERAL COURTS MAY DETERMINE PROMPTLY WHETHER YOU FALL WITHIN AN EXCUSE OR EXEMPTION CATEGORY (See "E" & "F").

12. ARE YOU NOW EMPLOYED? ☐ YES ☐ NO  
ARE YOU NOW A SALARIED EMPLOYEE OF THE U.S. GOVERNMENT? ☐ YES ☐ NO

13. YOUR EMPLOYER'S NAME

14. YOUR USUAL OCCUPATION, TRADE OR BUSINESS

15. BUSINESS ADDRESS OR EMPLOYER'S ADDRESS

Street \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_

## D. CRIMINAL RECORD

19. HAVE YOU EVER BEEN CONVICTED, EITHER BY YOUR GUILTY OR NOLO CONTENDERE PLEA OR BY A COURT OR JURY TRIAL OF A STATE OR FEDERAL CRIME FOR WHICH PUNISHMENT COULD HAVE BEEN ONE YEAR OR MORE IN PRISON?

☐ YES ☐ NO

20. (IF "YES") WERE YOUR CIVIL RIGHTS RESTRICTED?

☐ YES ☐ NO

(IF "YES," EXPLAIN ON NEXT PAGE.)

21. ARE ANY CHARGES NOW PENDING AGAINST YOU FOR A VIOLATION OF STATE OR FEDERAL LAW PUNISHABLE BY IMPRISONMENT FOR MORE THAN ONE YEAR?

☐ YES ☐ NO

If your answer to either question 19 or 21 is YES, please state on the next page of this form,  
a) date of the offense.  
b) date of the conviction (or date of pending charge),  
c) nature of the offense,  
d) the sentence imposed (if a conviction), and  
e.) the name of the court.  
One is disqualified from jury service only for criminal offenses punishable by imprisonment for more than one year, but it is the maximum penalty, and not the actual sentence, which controls.

## E. EXEMPTIONS

22. CHECK IF YOU ARE EMPLOYED ON A FULL-TIME BASIS AS ONE OF THESE { ☐ PUBLIC OFFICIAL OF THE UNITED STATES, STATE, OR LOCAL GOVERNMENT WHO IS EITHER ELECTED TO PUBLIC OFFICE OR DIRECTLY APPOINTED BY ONE ELECTED TO OFFICE ☐ MEMBER OF ANY GOVERNMENTAL POLICE OR REGULAR FIRE DEPT. (NOT INCLUDING VOLUNTEER OR COMMERCIAL DEPTS.) ☐ MEMBER IN ACTIVE SERVICE OF THE ARMED FORCES OF THE UNITED STATES.

## F. GROUNDS FOR REQUESTING EXCUSE

You MAY be excused by the court from service as a juror if you are within a category shown below. If you request to be excused for that reason, mark the category which applies to you. HOWEVER, IF YOU WISH TO SERVE, DO NOT MARK YOUR CATEGORY.

- ☐ A person who serves without compensation as a volunteer firefighter or a member of a rescue squad or ambulance crew for federal, state, (including the District of Columbia and territories of the United States), or local government agency (describe your service and identify the agency for which you work under "Remarks," section).

**REMEMBER, ALL CITIZENS HAVE AN OBLIGATION TO SERVE AS JURORS WHEN CALLED UPON**

I SWEAR AND AFFIRM THAT ALL ANSWERS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGN HERE →

DATE SIGNED

SOCIAL SECURITY NUMBER

# UNITED STATES DISTRICT COURT

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**PLEASE NOTE:** Unless shown elsewhere, the address of the U.S. Court which sent you this questionnaire is shown on the first page of this form in box 2.

Dear Prospective Juror:

Your name has been drawn by lot, and you are being considered for jury service in the United States District Court. Trial by jury is a keystone of our system of justice. Jury service is therefore both an opportunity and an obligation of every American. Jurors will receive mileage and, unless they are Federal Government employees, \$40.00 per day for each day of service.

This is not a summons for jury service. It is a way of obtaining some information about you from which we can objectively determine whether you are qualified to serve pursuant to federal law. Please answer each question, sign and return the form within ten days. If we find you qualified, you may be summoned at a later date.

If you are unable to fill out this form, someone else may do it for you provided that person indicates below why it was necessary for him or her to do it instead of you.

If you do not return this questionnaire form, fully completed, within ten days, you are liable to be summoned to report at your expense for completion of the questionnaire at this office.

There are certain grounds for excuse or exemption from jury service. If you are exempt or claim a right to be excused, give us that information under sections E and F. If you claim a mental or physical disability, please explain and attach evidence of your disability. NOTE: Do not ask the court to call your doctor. Any doctor's statement you obtain regarding your physical condition must be sent to the court by you rather than by the doctor.

If you have a physical handicap or disability that would affect, but not prevent, your serving as a juror, and you are willing to serve if reasonable accommodation can be provided, please advise and explain by enclosing a separate letter.

If your address changes after you have returned this questionnaire, please notify us promptly by letter or post card, addressing it to "Attention: Jury Clerk."

CLERK,

UNITED STATES DISTRICT COURT

**REMARKS:**

Additional space for completion of answers from questionnaire. Indicate number of question(s) to which you are further responding:

**\*Privacy Act Statement.** Privacy Act Statement. Your social security number is requested on a voluntary basis under authority of sections 6041 and 6109 of the Internal Revenue Code. If you earn more than \$600 in compensation as a juror, the court must inform the Internal Revenue Service using your social security number, and it is helpful to get your number now. Failure to provide your social security number at this time will not disqualify you from serving as a juror, but it may delay jury service payments to which you become entitled.

QUALIFIED	EXCLUDED	EXCUSED	EXEMPT	DISQUALIFIED
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

SPACE FOR OFFICIAL USE ONLY