

Jury Committee
Judicial Conference of Indiana

February 17, 2023
Minutes

1. Attendance: The following members participated in the meeting: Sam Cappas, Kim Dowling, Kelli Fink, Michael Fish, Brad Mohler, and Marla Clark, chair.
2. Staff Assistance: The committee received staff assistance from Michelle Goodman and Christa Coffey.
3. Approval of Minutes: The committee unanimously approved the November meeting minutes.
4. IOCT updates: Christa Coffey reported that the staff are reviewing the jury list process steps for the purpose of bringing recommendations to the committee to continue to improve these steps for producing the master list. As for the other JMS enhancements, staff did not have any additional updates at this time.
5. Update on juror compensation legislation: Judge Clark provided an update on the status of HB 1466, which passed the House Courts and Criminal Code Committee, House Ways and Means Committee, and the House Floor. The Senate Sponsor is Sen. Gaskill. She also noted the positive press coverage as well. The committee discussed their any local feedback.
6. NCSC study: Michelle Goodman provided an overview of NCSC study process on jury trial practices. The committee approved the proposed messages for distribution of the study links and agreed to the distribution plan to the JMS users and State Bar Association.
7. Questions for committee:
 - a. Verdict forms – The committee reviewed a question from the Rules Committee regarding the jury verdict forms and access to these court records. The committee discussed the current content and access to the verdict forms. During the discussion the committee discussed access to court records regarding jury matters more broadly, including use of juror numbers, anonymous juries, etc. The committee agreed to discuss this topic further at the next meeting.
 - b. Grand Jury procedures – The committee reviewed a question from a court regarding the required staff for grand jury proceedings. The committee provided an overview of their practice, which mainly focused on the recorder function. The committee also agreed to review the sample staff oath based on this discussion.
8. Review of Juror Trauma programs: Judge Dowling provided an overview of the discussions she had locally since the last meeting as well as feedback from the Judicial Qualifications Commission on ensuring the approach is consistent with the Code of Conduct. The consensus was to include general information in the video but ensure that there is no endorsement of a particular provider or groups of providers. The committee also discussed the statewide access to the Be Well Indiana on-line resources.
9. Future meetings: The committee’s meeting schedule for 2023 includes:
 - a. March 10, 2023 (legislation only)
 - b. April 14, 2023 (legislation only)
 - c. May 19, 2023
 - d. August 18, 2023
 - e. November 17, 2023All meetings begin at 9 a.m. (ET) and are remote unless otherwise noted.

Respectfully submitted,

Michelle C. Goodman
Staff Attorney

**Jury Committee
Judicial Conference of Indiana**

**May 19, 2023
Minutes**

1. Attendance: The following members participated in the meeting: Sam Cappas, Kimberly Dowling, and Marla Clark, chair.
2. Staff Assistance: The committee received staff assistance from Michelle Goodman, Jill Russell, Christa Coffey, and Matthew Brothers.
3. Approval of Minutes: The committee unanimously approved the February meeting minutes.
4. IOCT updates: Michelle Goodman reported that OJA is in the process of renewing the data agreement with the BMV for the jury master list project. Jill Russell reported that IOCT was reviewing the jury master list process steps to continue to identify ways to improve the matching data, especially to help identify underage individuals on the source lists. IOCT will review the potential impacts and provide information to the committee to assess the next steps.

Jill Russell provided an update on the request for customizable text messages. It will not be possible to have a completely customizable message since messages must align with approved standard messaging text to improve the likelihood that the message can get delivered. We are limited to a set number of standard messages. If we add another message or remove one, the committee will need to review and discuss the options.

Finally, Jill Russell reported that their team's work with the jury management system and 84 counties are now using it. They are also continuing to work with counties on mail merge steps for questionnaires. The on-line questionnaire, pending completion of requirements, is still waiting for a developer to be available.

5. Update on juror compensation legislation: Judge Clark reported that House Enrolled Act 1466, Public Law 237, Effective July 1, 2023, signed by Gov. on May 4th, which is effective July 1. Jill Russell reported that the team is working to update the jury management system financial settings.
6. Questions for committee: The committee held further discussion on the verdict forms and grand jury oaths until the next meeting.
7. Court Personnel Conference: Judge Dowling and Michelle Goodman discussed the upcoming Jury Management session being developed for the Court Personnel Conference on July 11th. There were additional suggestions regarding tracking deferrals in the jury management system, retention schedule, and juror mileage/meals.
8. Review of Juror Trauma programs: Judge Dowling reported that her local group will be meeting next week for additional discussions. The materials reviewed so far are of limited value. Michelle agreed to reach out to NCSC as well.
9. 2023 meeting dates: The remaining meetings include August 18, 2023, and November 17, 2023. All meetings begin at 9 a.m. (ET) and are held remotely.

Respectfully submitted,

Michelle C. Goodman
Staff Attorney

**Jury Committee
Judicial Conference of Indiana**

**August 18, 2023
Minutes**

1. Attendance: The following members participated in the meeting: Sam Cappas, Kimberly Dowling, Kurt Eisgruber, Kelly Fink, Greg Granger, David Hooper, Steven Meyer, Bradley Mohler, Shelia Moss, Sarah Mullican, David Riggins, and Marla Clark, chair.
2. Staff Assistance: The committee received staff assistance from Michelle Goodman, Jill Russell, Christa Coffey, and Matthew Brothers.
3. Welcome and introductions: The committee welcomed several new members: Kurt Eisgruber, David Hooper, Steven Meyer, Shelia Moss, Sarah Mullican, and David Riggins.
4. Overview of committee scope: Michelle Goodman and Jill Russell provided an overview of the committee's scope, areas of work, and collaboration with IOCT on numerous projects.
5. Approval of Minutes: The committee reviewed the May meeting minutes. Judge Dowling moved to approve them, and Judge Mohler seconded the motion. The motion was unanimously approved.
6. IOCT updates: Jill Russell reported that eighty-two counties now use IOCT's JMS, and we are in the process of receiving the data sources for the jury master list project. The committee then discussed the list processing steps to move the eligible records into the list after completion of all data matching and updating to further reduce duplicates and identify non-eligible records. Judge Dowling moved to approve the proposed revision and Judge Eisgruber seconded the motion, which passed unanimously. Finally, the committee received an update on the text messaging project. We are unable to provide fully customized messages since they will get caught in spam filters and impacting the receipt by jurors. The committee reviewed the messages currently available and provided feedback for improvements. The committee requested the court number be included with the standard messages, consider removing the COVID message from the list, consider removing the time from the standard message for those using staggered panels reporting on the same day, add a thank you for service message, and consider adding a notice the jury summons is mailed since delays in post office are more frequent. Staff will provide a proposal to the committee based on this discussion. Also, staff will reconvene the online questionnaire subcommittee once the developer is assigned to begin work.
7. Questions for committee: Judge Clark reviewed the committee's prior discussion regarding the jury verdict forms and on grand jury staff oaths. The committee determined that no further action is required at this time on either item.
8. Court Personnel Conference: Judge Dowling provided an update on the July Court Employee Conference session on Jury Management, which covered juror pay, safety, exit survey, ADA accommodations, deferrals, FTA, and text messaging. The evaluations showed the session was well received and this topic will be offered at next year's conference.

9. Juror privacy: Judge Dowling reported on the work in her court to incorporate using juror numbers during trial. She reported on the steps used, how attorneys could receive the information, and reminded members of the need to make a clear record when using numbers for any appellate issues. The feedback from jurors was positive. The committee discussed the issues with pro se parties, research on social media, and anonymous jury standard. Some members preferred names, but agreed options were helpful. The committee requested a review of the information in the bench book for discussion if needed. Judge Dowling also discussed using an updated exit survey of those jurors who served and reported the feedback was helpful.
10. Other business: Judge Clark requested the committee members provide her with any new ideas for projects and other suggestions for the committee's work.
11. 2023 meeting date: The remaining meeting date for 2023 is Friday, November 17, 2023, at 9 a.m. (ET). This meeting will be held remotely.
12. Schedule 2024 meeting dates: The committee scheduled the following meeting dates for 2024:
 - February 16
 - May 17
 - August 16
 - November 15

All meetings will be held at 9 a.m. (ET) and remotely, unless otherwise noted.

Respectfully submitted,

Michelle C. Goodman
Staff Attorney

Jury Committee
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November 17, 2023
Minutes

1. Attendance: The following members participated in the meeting: Sam Cappas, Kimberly Dowling, Kurt Eisgruber, Kelly Fink, Michael Fish, Greg Granger, David Hooper, Steven Meyer, Bradley Mohler, Sarah Mullican, David Riggins, and Marla Clark, chair.
2. Staff Assistance: The committee received staff assistance from Michelle Goodman, Jill Russell, Christa Coffey, and Matthew Brothers.
3. Approval of Minutes: The committee reviewed the August meeting minutes. Judge Eisgruber moved to approve the minutes and Judge Riggins seconded the motion, which was unanimously approved.
4. Jury Record Retention sub-committee report: Judge Riggins provided an overview of the sub-committee's work. He discussed the current provisions of Administrative Rule 7 and the sub-committee's recommendation that information be maintained in the JMS for 3 years and archived for 10 years. Once approved the IOCT team will develop an implementation plan with a timeline so notice can be provided to judges and JMS users. Judge Riggins moved to approve the guidance and overview materials as presented and Judge Eisgruber seconded the motion, which passed unanimously. IOCS and IOCT were directed to communicate to judges and JMS users once the timeline for implementation is finalized.
5. IOCT updates: Jill Russell reviewed the current text messages from the JMS with the committee and notes some of the proposed changes based on the last discussion. The committee recommended the following:
 - a. Reminder message – amended the text related to contempt if fail to appear, requested more review to assess if the phone number can be added instead of the court name, and removal of the time in the message. The committee also agreed to allow for a reminder message that keeps the time for those who want that option.
 - b. Canceled – amended the message to remove the time.
 - c. Reschedule – amended the text to remove time and requested adding the phone number.
 - d. COVID – agreed to delete this message.
 - e. Thank you message – The committee agreed to add this new message and requested the ability to edit the court/judge field.
6. Discussion on jurors and court calendars: The committee discussed whether online court calendars impact information provided to prospective jurors and determined that no action was necessary since any individual issues can be addressed in jury selection.

7. Jury Orientation video: Judge Clark provided a brief overview for the committee on the work to date on updating the orientation video. After the discussion of the current draft revisions, the committee requested that alternative text be provided on the topic of unconscious bias for further review. The committee agreed to the other proposed changes to the orientation script and discussed the need to update the orientation standards to ensure any new content is included in the list of topics. The committee agreed that this change should occur close in time to the release of the new video. The committee also discussed a request for ASL interpretation to be provided with the video in addition to the closed captioning. The committee agreed this would be helpful if funding permitted. Staff also mentioned that OCEO will be overseeing the work with the video production.
8. Juror Privacy: Judge Dowling provided an overview of practices related to the use of juror numbers during jury trials. The committee discussed the differences between these practices and the use of an anonymous jury. The committee agreed to provide an overview of guidance to implement such practices and established a sub-committee to prepare this material. Judge Dowling, Judge Eisgruber, and Judge Clark agreed to serve. The staff was asked to gather information from other counties as well.
9. Review of Jury Committee resources: Michelle Goodman provided an overview of resources prepared by the committee with proposed updates for review. The committee agreed to review the proposals related to access to juror information and frequently asked questions for further discussion at the next meeting.
10. Jury Committee web page updates: Michelle Goodman also presented a proposal to the committee to move some materials to the the Benchbook site and remove them from the website. The committee agreed to move the sample form for questions, the sample exit survey, and FAQs to the Benchbook site and allow the FAQs to be accessible by JMS users.
11. Other business: The committee discussed a question related to a motion for a jury view in a civil case and practiced they used in similar situations.
12. 2024 meeting dates: The committee scheduled the following meeting dates:
 - February 16, 2024
 - May 17, 2024
 - August 16, 2024
 - November 1, 2024 (in place of November 15th due to scheduling conflict)

All meetings begin at 9 a.m. (ET) and are remote unless specified.

Respectfully submitted,

Michelle C. Goodman
Staff Attorney