

# FREQUENTLY ASKED QUESTIONS

## **What if I am unavailable on the date(s) in the summons?**

Call the clerk's office, or go online if available in your county, to reschedule. You can typically do so once per year (in some counties the period may be longer) for any reason. Subsequent rescheduling may be granted by the clerk's office if there is a good reason.

## **What should I do if I believe I am not legally qualified to serve as a juror?**

You are not permitted to serve as a juror if you do not meet the legal qualifications, such as living in the county and not having certain criminal convictions. If you believe you are not qualified under the law to serve as a juror, you should contact the clerk's office as soon as possible before the date you are required to appear.

## **What should I do if I would like to claim a valid exemption?**

If you meet certain criteria, such as you are over 70 or are attending college classes, you are entitled to be excused from jury duty if you request it. However, you are not required to claim the exemption if you do not wish to. If you have a valid exemption you would like to claim, you should contact the clerk's office as soon as possible before the date you are scheduled to appear. This will give you the opportunity to provide all required information to the court and hopefully eliminate the need to travel to the courthouse.

## **How are juries selected?**

Receiving a jury summons does not automatically mean you will serve on a jury. If you are summoned, you will become part of the jury pool — a large group of prospective jurors. From this group, you will be assigned to a jury panel and will be questioned by the lawyers for both sides. This is called "voir dire" or "to speak the truth." After voir dire, if you are picked to serve, you will be placed on a jury.

## **How much work will I miss if I am selected?**

It depends. The jury selection process can take only a few hours up to a full day. If you do get selected, a trial can last from a few days to several months. In most cases, though, you can expect a trial to last about one week.

## **Does my employer have to pay me while I'm serving jury duty?**

No, your employer is not required to pay you for the days you serve on a jury. However, your employer cannot fire you while you are serving. Jurors will receive a work excuse upon their release for the day.

## **What kind of compensation do I get for serving on a jury?**

As reimbursement for travel and expenses, you will be paid not less than \$6 for the first day of jury service and not less than \$40 for the second and each subsequent day of service. The payment is made for each day or part of day that you are required to appear. Some counties may choose to pay more than the statutory minimum.

## **What if I have an emergency or special need after I have been selected?**

Tell the bailiff of the court if you have an emergency or special need arise.

## **How is the jury foreperson chosen?**

You and your fellow jurors will select the foreperson before juror deliberations begin.

## **Is it okay to discuss the case after the trial is over?**

After you are discharged from jury service, you are no longer bound by the obligation of secrecy. You are then free to discuss the case, if you wish.

# FREQUENTLY ASKED QUESTIONS

## **Why is jury service important?**

Jury service is one of the most essential responsibilities of citizenship. It is a way for each citizen to participate in upholding the rule of law. Jury duty can also be an educational experience as jurors learn more about the legal process.

## **What is my duty as a juror?**

You are entrusted to fairly and impartially listen to the evidence presented and, with your fellow jurors, review and weigh that evidence to arrive at a just verdict.

## **Is there a right to a trial by jury in every case?**

No. There are some civil cases in which there is no right to a jury trial. However, the Sixth Amendment to the U.S. Constitution provides the right to a trial by a public jury in criminal cases. All parties are considered equal before the law and are entitled to a fair and impartial trial.

## **What is a juror's role in a criminal case?**

In a criminal case, the state, represented by the district or county attorney, presents evidence at trial in an attempt to prove that the defendant, or person accused of committing a crime, has committed the charges against him or her "beyond a reasonable doubt." Jurors consider all of the evidence and determine if the defendant is guilty. For a valid guilty verdict, jurors must reach a unanimous decision.

## **What is a juror's role in a civil case?**

Civil cases usually involve disputes between two or more parties regarding money or property. Based on the testimony and evidence, jurors must evaluate the questions surrounding the disputed facts of the case to arrive at a verdict. In civil trials, an agreement of five-sixths of the jurors is needed for a valid verdict.

## **What are the types of courts in Texas?**

Texas has six types of trial courts: justice of the peace (JP) courts, municipal courts, statutory probate courts,

constitutional county courts, statutory county courts, and district courts. As all of these courts allow jury trials, you could be summoned to serve in any of these courts.

JP and municipal courts are at the local or city level. JP courts handle small claims, Class C (fine-only) criminal misdemeanors, and magistrate functions. Municipal courts oversee Class C criminal misdemeanors and municipal ordinance criminal cases.

County-level courts include the constitutional county courts, statutory county courts, and statutory probate courts. County courts handle various cases, including civil actions, Class A and B misdemeanors, some probate matters, and possibly juvenile matters, depending on the county. Statutory county courts also handle appellate actions from JP or municipal. Probate courts are limited primarily to probate matters.

The state district courts handle civil and criminal matters, though certain district courts may specialize in civil, criminal, juvenile, or family law cases.

## **Is it true that I will not be summoned for jury duty if I have not registered to vote?**

This is a common belief that is not correct. You may be summoned if registered to vote or if you have a valid Texas driver's license or personal identification card, even if you are not registered to vote.

## **I received a jury summons. What do I do now?**

Depending on which county you live in, the summons will have specific instructions for you. Follow these instructions and call the clerk's office if you have questions.

## **Can I go online to answer my jury summons?**

Some counties do allow you to respond to your summons via the Internet. Information to that effect should be included with your summons.