

Improving Juror Response Rates in the District of Columbia

Final Report



Improving Juror Response Rates in the District of Columbia

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Improving Juror Response Rates in the District of Columbia

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Council for Court Excellence Project Background and Overview

Background of the Report

The following report, *Improving Juror Response Rates in the District of Columbia*, by G. Thomas Munsterman of the National Center for State Courts, presents concrete steps to expand citizen participation in jury service. The report describes the current process by which DC citizens are summoned to jury service, and it suggests governmental reforms to increase the proportion of summoned citizens who actually serve.

This report, sponsored by the Council for Court Excellence, was prompted after learning that only 13% of DC citizens who were summoned for jury service in the DC Superior Court in 2002 actually responded and served. That figure represented a slight decrease in juror response since 1998, the last time comprehensive jury system statistics were publicly reported for DC.

In 1998, the Council for Court Excellence's DC Jury Project published *Juries for the Year 2000 and Beyond: Proposals to Improve the Jury Systems in Washington, DC*, a wide-ranging and comprehensive study of the jury systems in the local and federal trial courts in Washington. Among the study's many findings were that 43% of DC citizens never received the jury summons mailed to them from the DC Superior Court. Another 19% received the jury summons but ignored it, and 13% responded but were not qualified for service. Only 18% of DC citizens summoned for jury service appeared at the DC Superior Court on the day for which they were summoned.

The 1998 study identified two major factors that can increase citizen participation in jury service: more effective management of the government lists that are used as sources for citizen names and addresses, and the use of public outreach and enforcement. Six of the 1998 study's 32 recommendations pertained to increasing the proportion of District of Columbia citizens who report for jury service. Those recommendations are listed below.

Recommendation 1 - that the courts use positive means to encourage participation in the jury system. The imposition of available sanctions for delinquent jurors should be administered cautiously.

Recommendation 5 - that the court administration work with the District of Columbia Government and with agencies contributing juror source lists to facilitate managing the master juror source list in a way that keeps mailing data on formerly summoned jurors up to date.

Recommendation 6 – that the courts expand the current juror source list to include DC income tax mailing lists, DC public assistance lists, and the list of newly naturalized citizens in order to increase the number of citizens called upon to serve as jurors. Since implementation of this recommendation will invariably create more duplicate names, the DC Jury Project recommends that that the courts require each provider of a source list to include the social security number, when available, for each person listed in order to minimize duplications on the ultimate master juror source list.

Recommendation 7 – that the master juror source list in DC include those citizens who are qualified and have indicated a willingness to serve, but who are not included on one of the existing juror source lists.

Recommendation 8 – that the DC Superior Court and the US District Court for DC increase levels of cooperation in the areas of jury management and utilization and in the provision of juror services by designating one judge in each court as a jury liaison with the other court. Areas of cooperation could include utilizing compatible computer systems, sharing child care facilities, and exploring the possibility of sharing jurors on an emergency basis.

Recommendation 9 – that the courts exempt from service those jurors who have served in either court within a two year period.

In the intervening years after the DC Jury Project study was published, some of these recommendations were implemented, but it was unclear if the changes had had an effect on increasing the proportion of citizens who reported for jury service. So in 2003, with financial support from the United States Congress, the Council for Court Excellence (CCE) elected to sponsor a new examination by the National Center for State Courts (NCSC) of the juror summoning process in the District of Columbia. The NCSC research was intended to make recommendations for improvement and to report on the results, if any, of implementation of those recommendations.

Overview of the Report

Like other metropolitan jurisdictions, the District of Columbia has a very low “jury yield,” which is the percentage of those citizens summoned for jury service who appear at court and serve.¹ As reported above, CCE’s DC Jury Project study in 1997 found a jury yield of 18%, and in 2002 the yield was only 13%. At the start of this NCSC study, the average yield for the first seven months of 2004 was 13.1%. As a result of the DC Superior Court’s implementing several steps suggested by the April 2005 interim version of the NCSC’s *Improving Juror Response Rates in the District of Columbia* report, the proportion of summoned jurors reporting for jury service in fall 2005 increased to almost 20%.

The principal contributing factor to low juror yield is mailing juror summonses to incorrect addresses. At the time of the DC Jury Project study in 1997, 43% of juror summonses mailed by the DC Superior Court were returned as undeliverable. The second major contributing factor appears to be citizen non-response to the juror summons. Approximately 20% of juror summonses in 1997 were not returned to the Court and were assumed to be non-responders. Echoing the DC Jury Project’s 1998 report, *Improving Juror Response Rates* addressed both factors, and it placed priority on reducing the high undeliverable rate before counteracting the non-response rate with enforcement or public outreach mechanisms. The new list-management steps the DC Superior Court took in 2005 reduced the undeliverable rate from 43% to 30.5%.

¹ New York City, Los Angeles and Baltimore also had low juror yields (below 20%), which compelled those jurisdictions to adopt or consider adopting new juror summoning techniques. See *Improving Juror Response Rates in the District of Columbia*. G. Thomas Munsterman. National Center for State Courts. Pages 7-8. March 23, 2006.

The DC Superior Court created a new “master DC jury wheel” in 2005, using the suggested trial steps from the NCSC study’s April 2005 interim report. The master DC jury wheel is the list from which DC citizens are randomly selected to receive a juror summons that both tests jury service eligibility and assigns a jury service date unless the citizen does not meet eligibility criteria. In creating the master jury wheel, the DC Superior Court must balance the need for a current and inclusive list - critical to ensure that persons or groups of persons are not disenfranchised from jury service - against the administrative costs of processing and mailing juror summonses.

The master DC jury wheel is also used by the US District Court for DC, though that court does not participate in the assembly or maintenance of the master jury wheel. Instead, the US District Court for DC requests a specific number of randomly-selected records from the master jury wheel and summons citizens for jury service using its own, separate juror summons. Because it is using selections from the same jury wheel, the US District Court for DC experiences similar rates of undeliverable summons and non-response to those of the DC Superior Court.

Improving Juror Response Rates describes the assembly of the 2005 master DC jury wheel as following four steps:

1. merging several DC Government lists;
2. comparing the newly merged list to the previous master jury wheel (to update records from the previous wheel);
3. eliminating duplicate records; and
4. sending the merged list to an outside vendor to check the names and addresses against the persons who filed change-of-address forms in United States Postal Service’s National Change of Address (NCOA) registry.

As described in the NCSC report, the DC Superior Court began the process of assembling the 2005 master jury wheel by requesting lists of names and addresses from several DC Government agencies, a process that is undertaken annually. Four of the five government lists generally available to the DC Superior Court were used to create the 2005 master jury wheel. Those lists supplied to the Court in 2005 were: (1) DC individual income taxpayers from the **DC Office of Tax and Revenue**, (2) drivers and non-drivers identification card holders from the **DC Department of Motor Vehicles**, (3) registered voters from the **DC Board of Elections and Ethics** and (4) unemployment insurance recipients from the **DC Department of Employment Services**. The fifth list generally used to construct the master jury wheel - adult beneficiaries of Temporary Assistance for Needy Families (TANF) from the **DC Department of Human Services** – was unavailable at the time of the creation of the 2005 master jury wheel. Combining the four lists produced an initial aggregate total of 1,019,452 records.²

² *Improving Juror Response Rates in the District of Columbia*. Table 3. Page 31. This figure is the sum of “records used.”

The District of Columbia's total population in 2000 was approximately 572,000, with about 457,000 (80%) being age 18 or older and therefore age-eligible for jury service.³ Because of the size of the aggregate master jury wheel list in relation to the District's over-17 population, it is evident that many names are duplicates or are no longer accurate and should be eliminated.⁴ Since citizens often appear on multiple government lists, such as the lists of registered voters and registered drivers, the DC Superior Court applies a series of rules to merge the several lists and then to identify and purge duplicate and outdated records.

The second step in the wheel-construction process, comparing the records of the new list to the 340,608 records returned to the Court as undeliverable from the previous list, resulted in updating the addresses in 51,520 records and adding 99,825 records that were not on the previous list.⁵ At this point, the new list grew to 1,119,277 records.

For the third step, the DC Superior Court identified duplicate names using either the citizen's social security number or, if one or more names did not have a social security number, the Court then considered the name using the citizen's date of birth, last name, and first two letters of the first name. If there were duplicate records using either of these criteria, the Court then used the record from the DC Government list to which it assigned the highest priority, based on the frequency with which each list is updated. The priority order assigned to the lists was:

1. DC Office of Tax and Revenue
2. DC Department of Motor Vehicles
3. DC Board of Elections and Ethics
4. DC Department of Human Services TANF adult beneficiaries (this list was not available for the assembly of the 2005 master jury wheel; the report says that the Court has agreed to move up this list in the priority order when it is available, because of its presumed accuracy)
5. DC Department of Employment Services

For example, if social security number 123-45-6789 produced three records from the Office of Tax and Revenue, the Department of Motor Vehicles, and the Board of Elections and Ethics, the DC Superior Court would select the record from the Office of Tax and Revenue as having the best current address. As a result of this duplicate-elimination process, the DC Superior Court found 242,056 duplicate records. Eliminating these reduced the size of the master list to 877,221 records.

For the fourth step of constructing the new DC master jury wheel, the 877,221 records were sent to an outside vendor to compare against the NCOA registry. This process updated the addresses for 98,125 records, of which 6,466 had previously been undeliverable, and, according to the NCSC study, "found many addresses which are not valid."⁶

³ United States Census Bureau. <http://quickfacts.census.gov/qfd/states/11000.html>. Data retrieved on January 26, 2006.

⁴ "Coverage of the population in excess of 100% is common when many lists are used ... [h]owever ... coverage of 200% indicates problems." See *Improving Juror Response Rates*. Page 22. Footnote 18.

⁵ *Improving Juror Response Rates in the District of Columbia*. Page 32.

⁶ *Ibid.*

At the start of this NCSC study, it was speculated that certain sections of the District may have been disproportionately over- or under-represented on the master jury wheel. This concern was refuted by the NCSC research. *Improving Juror Response Rates* addresses this issue by providing an analysis of the geographic distribution by ZIP code of both the master jury wheel and juror yield. That analysis shows that “postal delivery effects and citizen responses [to the juror summons] are uniform across the District.”⁷ For this reason, any future public jury outreach and education campaign undertaken by the DC and federal courts should be applied uniformly throughout the District of Columbia, not targeted to particular segments of the city.

As discussed above, the DC Superior Court has already implemented the NCSC preliminary report’s recommendation to revise the rules for list merging. The NCSC final *Improving Juror Response Rates* report makes four recommendations to further improve jury list management and to address non-responders and other jury system issues. The recommendations are to improve automation support for the jury process, to perform functions now done manually and to produce management reports; to make a variety of additional efforts to improve the quality of the master jury list, including purging undeliverable names after a fixed period of time and implementing a feedback program from the US District Court for DC; to expand the follow-up program for non-responders; and to revisit the Superior Court’s decision to disqualify convicted felons from jury service for ten years after completion of their sentences, rather than the one year cited in the DC Code.

⁷ *Improving Juror Response Rates in the District of Columbia*. Page 37.

NATIONAL CENTER FOR STATE COURTS
Court Services Division

**IMPROVING JUROR RESPONSE RATES
IN THE DISTRICT OF COLUMBIA**
Final Report
March 23, 2006

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**IMPROVING JUROR RESPONSE RATES
IN THE DISTRICT OF COLUMBIA**

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Disclaimer

The views expressed in this report are those of the author and not necessarily those of the National Center for State Courts.

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The Federal District Court provided reports of their studies of the summons response and list problems. These are referenced in this report

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Improving Juror Response Rates District of Columbia

March 23, 2006

I. Introduction

Problems with the low response of citizens summoned for jury service in the District of Columbia have been the subject of great concern and speculation, but limited examination for a long time. Low response rates reduce the demographic representation of juries, result in an inequitable distribution of both the educational value and the burden of service across the population, and impose costs on the employers of those that do serve. Moreover, the cost to the court and, hence the taxpayer, increases as more names are summoned and processed to compensate for those who do not serve.

Exacerbating these concerns is the fact that fewer than 20% of the people summonsed for jury service actually report and serve as prospective jurors. The immediate interpretation is that the 80% of summonsed jurors who do not respond are recalcitrant persons who simply disregard the summons. Speculation about the sources of non-response ranges from recalcitrant citizens to computer problems, to list inadequacies, to Post Office delivery problems. Citizens question why some people are never called and others are regularly summonsed every two years. Confidence in the jury process erodes further upon learning that the Superior Court Master Jury List contains approximately 900,000 names, but the U.S. Census Bureau reports that the population in D.C. in 2000 was only 457,067 people age 18 and over. Approximately 289,000 names on the Master Jury List are held out from selection due to bad addresses – that is, the U.S. Postal Service was unable to deliver the summonses the most recent time those names were selected.

To answer these questions, the Council for Court Excellence¹ asked in 2004 that the National Center for State Courts (NCSC) undertake a study of the juror response problem in the Superior Court of the District of Columbia. The list of names used by the U.S. District Court to summon prospective jurors is provided by the Superior Court.²

This report describes the operation of the jury system in the Superior Court, explains a number of analyses that were conducted to examine the problem on non-response, and makes recommendations for consideration by the Court. The merging of the source lists in 2005 provided new insights into the reasons for the low response rates. In particular, the response rate improved considerably following the merging and updating process in 2005. The NCSC also examined the utility of using all five source lists. The results of this examination should be of interest to the agencies that provide those lists to the Court.

Many of the problems found can be summarized by the following story. A panelist at a recent Inns of Court session on the jury process stated that he had lived in the District for eight years and had never been summoned. With his permission, his jury summoning history was examined. Those records indicated that he was summoned, but did not respond. When later asked about this, he explained that the address used dated to “several moves back.” He also confided that when he tried to renew his driver’s license and update his driver’s license address he was told he could not do so because he had no proof with

¹ The Council for Court Excellence is a nonprofit civic organization founded in Washington, D.C. in 1982. see <http://www.courtexcellence.org/index.html>.

² The Federal District Court had also undertaken some independent studies to address these problems.

Juror Address Report dated October 3, 2002, examined the high non-response, 40%, and the high undeliverable rate, 20%. The report recommended additional lists as now used.

Address Verification Report dated July 2, 2003. The Court used many of the list audits reported in Section VI of this report and reported improved yields however some of the audits were very expensive and the yields showed a large fluctuation term to term. A follow-up notice showed improvements in the yield and is discussed in Section III.

him that he had actually moved. Since he had already spent many hours waiting, he simply renewed his license using his old address, which was perfectly acceptable to the Department of Motor Vehicles.³ Another summons sent to what should have been his correct address, was also ignored. It might have been after he had moved again. It is also curious why both the summons were not returned as undeliverable. In this context, the the citizen, the government agency, the Court and perhaps the postal service could have all played a part in this situation. All of these possibilities are considered in the following sections.

³ Why the jury system did not catch the wrong address via the other lists or when compared to the Postal Service's National Change of Address (NCOA) listing is not known.

II. Executive Summary

A snapshot of jury trial summoning is instructive. Table 1 provides the yield of prospective jurors for Monday, October 24, 2005 in the District of Columbia Superior Court, which was 19.5%. This is typical of the yield for most days during that period. The daily yield from August 22, 2005 to October 27, 2005 averaged 18% and varied from a low of 15% to a high 23%. This variation will be examined in Section VI.

Table 1 Yield of Prospective Jurors⁴

DC Superior Court Jury Call of October 24, 2005

Served/Reported	19.5%
Responded but did not show	2.2%
No response	34.0%
Undeliverable	30.5%
Deceased	1.6%
Unqualified	12.2%
Total	100.0%

An examination of the other categories quickly illustrates the response rate problems. A large percentage (30.5%) are not deliverable and a significant number of people (34%) are never heard from (non-responders). Another 2.2% respond by submitting their qualifying information by mail or via the internet, but did not report on the 24th.⁵

A yield of 19.5% is comparable to other metropolitan jurisdictions. The yield in Baltimore City is currently about 20%, again due to non-response. The New York City yield was 16% before the court began to follow-up on these summonses. Over several

⁴ These figures include people who changed their reporting date to October 24 and some who asked that they be given a more convenient date. The Court is very accommodating to these requests.

⁵ Similar figures were found in a study done by the Council for Court Excellence in 1997 as part of its District of Columbia Jury Project, *Juries for the Year 2000 and Beyond*, The Report of the District of Columbia Jury Project, the yield was 19%, the undeliverables were 46%, and the non response was 20% with the balance making up 15%. Page 80 of the document references the report: Council for Court Excellence, "Civic Apathy or Governmental Deficiency? An Examination of Low Juror Yield in the District of Columbia," Richard Seltzer, December 1997. The data from the report has been normalized to 93% in order to be comparable to the data given in this report. The normalization is needed due to the inclusion of the deferred persons in the calculation from 1997.

years, the yield has doubled thanks to a considerable and ongoing follow-up effort and a public outreach program. In Los Angeles, the yield increased from about 15% to 25% due to a number of efforts including improved lists, a follow-up effort, a reduced term of jury service, and implementation of juror-friendly automation. This was also a multi-year effort. The yield in the District is therefore about where other large courts are or were before improvement efforts were undertaken.

When the D.C. study began in 2004, the yield was much lower. Previous drafts of this report and presentations on this study used April 5, 2004, when the yield was 15.5%, to illustrate a typical day. The average yield for the first seven months of 2004 was 13.1%. When the more recent source lists were merged with the Master Jury List in 2005, the Superior Court implemented a number of changes that reduced the undeliverable rate from almost 44% to the 30.5% figure in Table 1.

An improvement in the yield from 15.5% to 19.5% may not appear to be a great accomplishment, yet it represents progress toward obtaining better addresses and could potentially result in a 26% reduction in administrative costs including postage, forms, and processing costs.⁶ It also means summoning fewer people to maintain the same number of prospective jurors needed for jury selection. This in turn will increase the amount of time before a person is summoned again, which is a serious consideration to many District residents, and will reduce the burden on jurors and their employers.

Over the years, the Superior Court has implemented a number of improvements including a one day/one trial term of service, initiating the first annual juror appreciation

⁶ The estimated reduction in administrative costs is based on the percent increase in the yield divided by the previous yield: $4\% / 15.5\% = 25.8\%$. The average yield increased 38% from 2004 to 2005. To realize the reduction in administrative costs, the Superior Court will have to decrease the number of people summonsed accordingly. See Section VI.

observances in the United States (with help from the Council for Court Excellence), and recently improving the jury system technology to permit citizens to respond via the Internet or an automated telephone response system.

The Court has also addressed some of the non-response and failure-to-appear problems. People who respond but do not report are issued a letter and are asked to appear before the Chief Judge. They are then given the option of selecting a new date and reporting, which most readily accept. When the Court implemented a program to find those that had never responded – the 34% in Table 1 – they were successful, but the effort was extremely labor-intensive because it was not automated. This leads to the first and most important of the recommendations of this report: the need for improved automation support for the jury process.

The existing automation support system was designed many years ago to serve as a basic qualifying and summoning system. At that time, court staff was manually summoning several hundred thousand people per year. The system was one of the first computer jury support applications in the United States and used punch card technologies. Over the years, the Court has implemented many changes to the summoning system, but basic management information has not been readily or consistently available. For example, all of the data for this study had to be obtained through special queries of the database; none was available from any regularly produced report. The lack of management information makes it difficult to evaluate improvements in the yield resulting from the changes.

Table 2 lists the four recommendations based on this study. They are discussed in more detail in Section III.

Table 2 Recommendations

Recommendation 1: Improve automation support

Recommendation 2: Continue efforts to improve the master jury list

Recommendation 3: Expand the follow-up program for non-responders

Recommendation 4: Revisit the decision on the 10 year holdout of names of convicted felons.

An interim report for this project, dated April 18, 2005, was circulated for comments. At that time, the Court had begun to update the master jury list with the latest source lists. The master list was also to be updated using the National Change of Address (NCOA) database provided by the United States Postal Service. This report includes findings about that updating process and the resulting yield based on the actual summoning of persons to serve on jury duty. These results are very positive in that many more people are responding. The recommendations from the interim report have been modified and consolidated based on the improvements introduced by the court and the comments of many reviewers.

The prior interim report also contained a recommendation on randomizing the pool of prospective jurors each morning rather than relying on a process which should be random but which many questioned. This change was implemented in 2005. The background and discussion of the problem can be found in Appendix E.

This report also includes findings which do not merit a specific recommendation for change. For example, many people believed that duplicate names on the master jury

list was a significant factor in the overall size of the list compared to the resident population. This study found the number of duplicate names to be a few percent of the total list and not a problem. It was believed that the undeliverable and non-response rates were local to some neighborhoods in the District, which was not found to be true. The Court undertook a great deal of work to add the list from the Department of Tax and Revenue to the lists already used. This report documents the advantage to the jury system of adding this list, which contains more up-to-date addresses. Finally, this report documents the very complex process of the merging and updating of the lists, the selection of names for summoning and the process used in the assembly room to select panels of jurors for the courtrooms.

Other improvements have also been made to the jury process over the period of this report. Based on the suggestion from a juror, the Court now requests that all reporting jurors show positive identification. Jurors are now asked if the Court has their correct address and many volunteer their now correct address. Not only will this help to reduce the undeliverable rate and probably the non-response rate in the future, but it gives the Court even more up-to-date juror information which should be of interest to the agencies that provide the source lists to the Court.

III. Recommendations

Recommendation 1: Improve Automation Support

The software supporting the jury system was designed to provide for operational functions but has not been extended to cover management functions. Some efforts were made to develop management screens for the jury office, but those were never completed.

For example, the random parameters for selecting names from the master list are manually determined and managed from the Jurors' Office. These are then entered into the selection program. There is no internal random number generator that scrambles or randomizes the names except as described in Appendix E.

The automation support of the jury system needs major enhancements. This could be achieved either by in-house implementation or by purchasing one of several available jury management software packages. This build-or-buy decision should be based on the availability of staff and the cost and time needed to implement the changes needed.

Some of the recommendations require changes in the file structure and operational programs – for example, to track non-responders, prepare second notices, and send additional follow-up notices. The system should also be expanded to provide essential management functions and reports, such as those needed to evaluate the implementation of the recommendations made in this report and to monitor the operation of the jury system. A suggested list of management reports is provided in Appendix D.

Recommendation 2: Continue Efforts to Improve the Master Jury List

The list merging and updating conducted in 2005 decreased the undeliverable rate from 44.0% to 30.5%. The process was carefully documented to better understand the contribution of the various source lists, the improvement based on comparisons to the USPS address database, and the quality of the resulting final master jury list. This is detailed in Section VI. For instance, more than 92,000 addresses were found to be invalid when compared through the USPS address validation process. Before these records are deleted from the master jury list, an analysis should be done to determine if anyone reported the last time a person was summoned from those addresses. It would also be

interesting to see if the various source lists contained these thought to be invalid addresses and the last time these addresses were found to be valid. Although the Court should always be cautious about removing people from consideration for jury service, many of these records could probably be removed after undertaking a reasonable effort to confirm their validity.

One way to further the accuracy of the Master Jury List would be to verify addresses more often using the NCOA process.⁷ Based on the number of names for which new addresses were obtained in 2004 and 2005, this would appear to be very cost effective. It would be worthwhile for the D.C. courts to test a mid-year NCOA comparison. If it proves to be cost effective, it should become a regular policy. Some courts now have direct access to the NCOA files via their software vendor,⁸ which permits all summons addresses to be verified again before they are mailed. This would be even more effective than the semi-annual updating proposed.

The names of people whose summonses are undeliverable are currently kept on the master list but not used in any selections until a new address is received. In this way, if these names become active via an updated address, the history file on that person will then be available. This would happen, for example, if a person moved back into the District or if a new address is found and verified from one of the new source lists or the National Change of Address service. Based on the data from the 2005 list merging, it is recommended that names be purged if their address is not corrected after two years. This would purge 82,573 names from the master jury list

⁷ This is done in some courts which have a high population mobility and growth such as Clark County, Las Vegas, Nevada.

⁸ ACS, Affiliated Computer Systems and JSI, Jury Systems Incorporated, the major jury software vendors, offer this service. The ACS automated system is used by most of the federal courts including the Federal District Court for the District of Columbia.

Each year the D.C. Superior Court supplies names to the United States District Court for summoning jurors for service in that court. The 40,000 names supplied each year are not considered to be available to the Superior Court for a two-year period. Thereafter, they are made available for selection again just as are jurors who served in the Superior Court. Feedback from the federal District Court about new addresses or disqualifying information would be valuable in that it could eventually improve the overall yield in both courts. The improved automation suggested in Recommendation 1 should include the capacity to accept information from the District Court as soon as it is available. Currently no information is provided to the Superior Court based on the results of the summoning in the District Court.

New names and more accurate addresses are always welcome. If these can be provided by lists not currently used, then the new lists should be sought. Related to this, it is worth noting that the Advisory Committee has an open question regarding the status of that portion of the current D.C. Jury Plan that includes the newly naturalized citizen list as an approved source. At the time of this writing, such a list is not being used as a source nor is it known if such a list exists. Newly naturalized citizens may well be summoned for jury service. However, they would be called to serve by means of one of the other source lists currently being used by the court. This could happen when the person registers to vote, obtain a drivers license, I.D. card or files a tax return.

The system used before 2005 required that any new address for a person on the master list be verified by the NCOA to make sure that the address changes were valid, but this requirement was also discarding many new addresses. Because inaccurate addresses are the greatest jury list problem found in this study, any and all updated information should be welcomed, not set aside because the existing Master Jury List still contains the

outdated address. This requirement was changed in the 2005 merge, resulting in 98,125 address changes. In addition, the list merging process was documented in detail.

Reporting should be continued for each annual merging as suggested in Appendix D.

Recommendation 3: Expand the follow-up program for non-responders.

Follow-up efforts for people not responding should target two groups. The first group is those who respond to the summons by calling the court or submitting their qualification form by first-class mail, over the telephone, or online, but do not then report on their service date. In the D.C. Superior Court this enforcement effort is referred to as Phase I and appears to be working well. It consists of mailing an order to show cause to people who fail to appear (FTA). Most respond or appear for a hearing at the Court. The ultimate goal of this effort is to get the person to report. Before the judge begins the hearings, FTA jurors are given the option either to name a date on which they will appear for jury service or to explain to the judge why they should not be held in contempt. Needless to say almost everyone selects a new date for service, although how many actually do report as promised is unknown. This is part of the management data problem previously discussed.

The second group is comprised of people from whom nothing was returned or the Court was not notified in any way, usually about 25% to 35% of those summoned. The Superior Court attempted to find a number of these people under a pilot program referred to as Phase II. This effort was not continued due to the poor results in light of the large manual effort required to accomplish this follow-up effort.

The Phase II pilot effort consisted of sending a letter, similar to that used in Phase I, to those that had not responded. Those not responding to the letter were sent a second

notice by certified mail. Because of the manual effort required to select the names, issue the letters, and follow-up on the individual results, the letters were sent in several small groups during four weeks in July and August 2003. Of the 145 letters and follow-up certified letters sent, the postal service could not find 48% of the people. Of the 76 letters (52%) that could be delivered, 45 people (31%) eventually served and the remaining 31 people (21%) were excused or were not qualified. Disqualifications were usually due to lack of residency or English proficiency. The percent of certified letters returned undeliverable further demonstrates the list address problem. If the yield is 19.5% and the non-response is 34% as given in Table 1 and if 35% of the non responders could be found, this follow-up effort would increase the yield to about 31%.

The U.S. District Court also tried a follow-up program in 2002 that sent a second summons to 200 jurors summoned for service in the District Court. The non-response to the second notice was 62% and the undeliverable rate was 14% with 24% responding.⁹ This compares to the 31% responding in the Superior Court Phase II effort.

People who do not respond to the summons are currently given a two year respite as are persons that do serve. Thereafter, they are all subject to being selected and summoned again. Non-responders should not simply be placed in a two-year service category. Instead they should be subject to prompt action. A second notice should be sent within a week of a person's non-response to the summons similar to the one used in the pilot of Phase II. A new questionnaire should be part of the second notice package.

The random selection parameters in the automation system should be configured to allow the Court to specify how many are selected for the follow-up effort. The court could then vary this number based on the experience of the follow-up process and the capacity of

⁹ Address Verification Report. July 2, 2002, U.S. District Court for the District of Columbia, See footnote 2

the court to handle the additional work and expense. This recommendation will require that the software supporting the jury system be modified to not only send the notices to non-responders, but to gather the data on the effectiveness of each step of the follow-up process.

Although the summons follow-up effort for jurors remains an unpopular endeavor, follow-up programs are now recognized as necessary,¹⁰ and are in place in many courts with results similar to those seen in the Phase II project. Typically about one-quarter to one-third of non-responders eventually become jurors. Many are excused or disqualified. New York has a rigorous enforcement procedure in place. Data from 2003 in Kings County (Brooklyn) showed that after three mailings the qualified juror yield increased from 15% to 28% and the non-response was reduced from 55% to 24%.¹¹ In Maricopa County, Arizona (Phoenix), a strict excuse policy and follow-up effort resulted in a doubling of the yield. Also included was a publicity campaign to let the public know of this new policy.¹² In 2003, the follow-up effort in Los Angeles County consisted of mailing 109,292 second notices. After two additional steps they had resolved 52% of the non responses. In the DC Superior Court's Phase II effort 52% were resolved.

¹⁰ The American Bar Association adopted new Principles for Juries and Jury Trials at their mid-year meeting in February 2005. Standard 10, paragraph 2 states: "Courts should adopt specific uniform guidelines for enforcing a summons for jury service and for monitoring failures to respond to a summons. Courts should utilize appropriate sanctions in the cases of persons who fail to respond to a jury summons."

¹¹ Data provided to the National Center for State Courts by the Office of Court Administration, Unified Courts of New York State

¹² *Innovation in Jury Management from a Trial Courts Perspective*, Hon. Colin F. Campbell and Bob James, *Judges Journal* Vol. 43, No. 2, Fall 2004.

Recommendation 4: Revisit the decision on the 10 year holdout of names of convicted felons.

Chapter 19 of the District of Columbia Code, Section 11-1906, “Qualification of jurors” states that “(2) an individual shall not be qualified to serve as a juror (B) if the individual has been convicted of a felony or has a pending felony or misdemeanor charge, except that an individual disqualified for jury service by reason of a felony conviction may qualify for jury service not less than one year after the completion of the term of incarceration, probation or parole.”

The Superior Court has adopted a 10 year holdout of these names to accommodate possible probation time following a felony conviction.¹³ Since this issue is of recent interest to the Judiciary Committee of the DC Council, the Court may wish to reexamine this issue. The change would make more names available, however the number could not be determined since the conviction date is not on the juror master file. Because of the inability to track a person’s conviction record, people indicating that they have a felony or misdemeanor conviction on the questionnaire are disqualified and then made available for re-summoning in two years just as persons who have served. The court relies on the person to keep track of their conviction date and to indicate their conviction or availability if summoned again.

¹³ The general operation of the jury system is described in the Jury Plan for the Superior Court of the District of Columbia. This would need to be modified to support many of the recommendations.

IV. Background to This Study

In the final report of District of Columbia Jury Project, dated February 1998, Juries for the Year 2000 and Beyond, the Project made 32 recommendations of which six pertain to the response rate problem.¹⁴ They are:

Recommendation 1 - that the courts use positive means to encourage participation in the jury system. The imposition of available sanctions for delinquent jurors should be administered cautiously.

Recommendation 5 - that the court administration work with the District of Columbia government and with agencies contributing juror source lists to facilitate managing the master juror source list in a way that keeps mailing data on formerly summoned jurors up to date.

Recommendation 6 – that the courts expand the current juror source list to include D.C. income tax mailing lists, D.C. public assistance lists, and the list of newly naturalized citizens in order to increase the number of citizens called upon to serve as jurors. Since implementation of this recommendation will invariably create more duplicate names, the D.C. Jury Project recommends that that the courts require each provider of a source list to include the social security number, when available, for each person listed in order to minimize duplications on the ultimate master juror source list.

Recommendation 7 – that the master juror source list in D.C. include those citizens who are qualified and have indicated a willingness to serve, but who are not included on one of the existing juror source lists.

Recommendation 8 – that the D.C. Superior Court and the U.S. District Court for D.C. increase levels of cooperation in the areas of jury management and utilization and in the provision of juror services by designating one judge in each court as a jury liaison with the other court. Areas of cooperation could include utilizing compatible computer systems, sharing child care facilities, and exploring the possibility of sharing jurors on an emergency basis.

¹⁴ See reference in footnote 5.

Recommendation 9 – that the courts exempt from service those jurors who have served in either court within a two year period.

Some of these recommendations have been implemented. Implementing the means to keep addresses up to date as given in Recommendation 5 resulted in a major change to the master list structure.¹⁵ Recommendation 6 resulted in an expansion of the number of source lists used.

Previously the various source lists were merged and then names were selected as prospective jurors subject to their not being in one of several categories.¹⁶ It was recommended by that the court use an approach that is used in most courts today. Namely the court now considers the master list as an ongoing list and uses the new lists to update the master list. In that way the history of a person’s prior jury service is not lost but can be referenced as needed and the master list can be updated at anytime whenever a new list is available.

Several of the other recommendations were also implemented. Yet it is not obvious if the changes resulted in any improvements. For instance after a great deal of work to make the Tax and Revenue list available and to include the social security numbers on that list the expected yield improvement was not noticed. This is examined in Section VI.

¹⁵ Appendix B, “Executive Summary, An Examination of Low Juror Yield”, Juries for the Year 2000 and Beyond, page 78.

¹⁶ These categories are those that result in a name that should not be considered at the time and are called suppression files. These files would contain the names of persons who have served or were undeliverable within the last two years, are permanently excused for medical reasons, are felons, or deceased.

V. Procedures Used to Select Names of Jurors

A) Master Jury File Procedures

The Jury Master File is the database containing: (1) all persons who have served, (2) all who were summoned but have not yet reported, (3) persons summoned whose summons was undeliverable, (4) persons available but have never been summoned or (5) have been summoned but did not report on their summons or venire date. The names are obtained by the Court from the five source lists.¹⁷ These lists are:

1. D.C. Department of Tax and Revenue
2. D.C. Department of Motor Vehicle Services: Drivers and ID card holders
3. D.C. Board of Elections and Ethics: Registered voters
4. D.C. Department of Human Services: Temporary Assistance for Needy Families (adult beneficiaries)
5. Department of Employment Services

The order given above is the priority order of the lists previously used in the matching of names to recognize duplicates. For instance if two names are found to be duplicates, the name and address as given on the highest priority list is used. Because the Office of Tax and Revenue addresses are updated annually as persons file their income tax returns, it is assumed to be more current than the voters list or any of the other lists. This is verified and discussed in Section VI (5) of this report. The public assistance lists are up to date and should have very accurate addresses but are small in comparison to the other lists. A recommendation that the welfare lists be considered for the top priorities was implemented in the 2005 list merge.

¹⁷ Following Recommendation 6 of CCE's "Juries for the Year 2000 and Beyond" Report, the Board of Judges of the Superior Court also added newly naturalized citizens to the D.C. Jury Plan. Such a devoted list has not yet been created by any governmental entity.

The Master file is updated annually as new information is obtained from persons summoned or serving. Unfortunately, as names and addresses are added, names are seldom removed. Within this file is the most recent history of jury service of all persons whose names have been selected. That is, a person's history of jury service prior to the current summoning or non-response is not kept in this file but is kept in a separate history file.

The Master File currently contains about 900,000 names. Since the adult population of the District of Columbia was 457,067 in the 2000 U.S. Census, there are many names that could and should be removed.¹⁸ Recommendation 2 sets forth a suggestion to accomplish the needed purging. The list is so large because the names of persons to whom a summons has been sent are kept with the old address and are not reactivated for selection until a new address is found from one of the source lists or from the NCOA updating.

The data fields of primary interest in each juror's record are:¹⁹

1. Social Security Number (SSN) 88% of the records contained the SSN in 2004. This increased to 89% in 2005.²⁰
2. Juror ID Number. As a new name is obtained, a sequential number is assigned. This number is never changed for an individual. The number is in the range from 1 to 999,999.
3. The Juror Status Code. These are codes as to why a person is not available. Some are temporary and others are permanent.

¹⁸ Coverage of the population in excess of 100% is common when many lists are used. See Jury System Management, G. T. Munsterman, 1998, NCSC, Williamsburg, VA. However the DC master list coverage of 200% indicates problems.

¹⁹ The juror's race could be of interest. The juror's race is asked but is noted as optional on the questionnaire and is provided on only 40% of the completed questionnaires.

²⁰ The excessive size of the list is often attributed to internal duplicate records. Because the SSN is available on most records, the duplicate levels are low as discussed in Section VI (6)

4. The Venire Date. This is the date that the person is expected to report, 2) did report for service 3) the reporting date for which the summons was undeliverable of 4) the date the person was expected but did not report.

An annual cleanup of the master list is performed. First internal duplicates are eliminated. Internal duplicates are the result of a change of information in a juror's record over the year due to their having served and correcting their record. The duplicate matching scheme used is:

1. If two or more records contain the same SSN then the name and address from the highest priority list is kept and the other records are eliminated.
2. If one or both names does not have a SSN, then the names are considered a duplicate if both have the same date of birth (DOB), same last name and same first two letters of the first name. The name and address are taken from the record having the SSN or if neither record has a SSN then the name and address from the highest priority list is used.

At least once a year "new" source lists are provided by the various agencies to be added to the Master List. December 2003 was the first time that all five lists were available. In 2005, the Department of Human Services list was not used due to the timing problems in obtaining the new list. Any new name provided on any of the source lists without a SSN is eliminated from consideration. In 2005 this amounted to the elimination of 71,556 records.²¹ The purpose of this annual updating is to obtain names not already on the master file and to correct the addresses of persons already on the master list. The new lists are compared to the names on the master file by matching SSN's and duplicates are removed meaning the name is already on the list. The address from the highest priority list is kept. A new ID number is assigned to new names not already on the master list. In the

²¹ The voter registration list contained 64,130 names that did not have a SSN. This is just over 16% of the names on the list. .

2005 merge 99,825 new names were added as a result of the merge with the new lists. A description of the ID assignment process follows.

The new names are given the first available ID number. This could be a low number if the name associated with that number has been purged. However since few names are purged, most new names are at the high end of the ID list. In the 2005 merge 99,825 new names were added.

As part of this annual cleanup the entire master list is sent to a vendor who is licensed to run the National Change of Address (“NCOA”) updating process. This updating examines all names and addresses for possible updates. This was done for the first time in January 2003 and about 11% of the addresses were corrected. In 2005, 98,125 corrected DC addresses were provided by the NCOA process.

B) List of Available Persons

To make names available for summoning by the Jurors’ Office, the following process is used. All names on the master list are available unless:

1. They have a service date of less than two years from the current date. This holds out about 600,000 names.
2. Their names were given to the United States District Court within the past two years. This is about 40,000 names per year.
3. Excluded are:
 - a. Persons whose last summons was undeliverable. These names will not be considered as available until a new address is received.
 - b. Medically excused
 - c. Not qualified
 - d. Persons having an out of state address
 - e. Deceased

f. Convicted felons

This process of making names “available” is done many times a year because there are so few that meet the definition of being available at any given time. Typically the process finds about 90,000 available names from the 900,000 names on the list. The 90,000 names will be used up in about 3 to 4 months. Thus, despite the very large list, relatively few of the names (about 10%) are “available” at any one time. Persons who do not respond and persons who serve are held out for two years. Two years after they have served or were to have served, they will be available again for summoning. A recommendation to change this policy concerning those who do not respond and to implement a follow-up program is given in this report.

C) Selection of Names for Summoning

Names are selected from those “available” to receive a questionnaire and summons from the court. The Juror’s Office requests that the computer select a given number of names for each date and gives the random selection parameters for that selection. The file of available names is in alphabetical order when the selection is made. The Juror’s Office gives the point within the list of those available of the first name to be selected and the interval to the next name.²² The interval is continuously applied until the end of the list of available names is reached. The number available is decreased as more are summoned. When the Juror’s Office has depleted the available names, the office requests that more names be made available. This request is made approximately four times a year. This process usually uses all “available” names on the list. The fact that residents will say that they have never been called for jury service is difficult to understand given this process. A

²² This is referred to as a random start, fixed interval selection method. For instance if 80,000 names are available and the court wants 2,000 names, the interval is 40. Every 40th name will be selected. A random number in the range 1 to 40 is selected by the Jurors’ Office. For example if the number 23 is selected then the 23rd name on the list is selected then the 63rd name, then the 103rd etc.

copy of the form used by the Jurors' Office to keep track of the number of available names and to transmit the selection parameters is given in Appendix B.

The summoned person is requested to complete the questionnaire and return it to the court and to report for service on the date given on the summons. The person can request a deferral to another date. Persons can also respond via an Interactive Voice Response System, ("IVR" system) or via an interactive web page which was implemented in July 2005.²³ Each day 50 to 75 persons complete their qualification questionnaire online. Information on to use these new methods is given in the back of the summons (Appendix A).

D) History File

Any name made available via the process described that has a previous service date for that name is transferred to a History File. It is used to verify prior service for inquires from the juror's employer or to verify that a person had served before. This History File has a record for each time a name has been made available. This file was begun about 2 years ago and would have information from that time on all persons who have been summoned more than once.

E) Panel Assignments from the Pool

When jurors report, they check in at a front desk in the Jurors' Office and are asked for some positive identification. Thereafter, their name is available for assignment to courtrooms for venire panels. No panels are selected until all persons have checked in, scheduling conflicts have been resolved, and those not qualified have been excused. Court staff designates to the computer the number requested for a panel. Names were

²³ The web address is www.dccourts.gov

sequentially selected from those who had been checked-in. However, the recent randomization change replaces the sequential list by juror I.D. with a random selection.

VI. Analysis of Lists and Procedures

1. Master List Updating with United States Postal Service Files.

As previously described, the master juror list is suspect based on the high undeliverable and non-response rates. A series of analyses of the list were undertaken to examine the problems. Some of the preliminary recommendations were implemented in the 2005 list merge providing this study with additional data.

In 2004 and 2005 the master juror lists were sent to Anchor Computer for several list audits.²⁴ The Court had used Merkle Computer of Lanham, Maryland for their 2003 list updates. NCSC selected Anchor Computer because of their experience in support of the list merging and updating for the New York State Courts. The United States District Court for the District of Columbia had also used Anchor for their examination of the juror master file in 2003.²⁵

In August 2004 the entire master file which then had 897,735 records was sent to Anchor Computer. Anchor provided three services.

- 1) Delivery Point Validation (DPV). Anchor verified that the address given is a valid address as recognized by the United States Postal Service (USPS). This was a verification of the address only and did not consider the name associated with the address.

²⁴ See <http://www.anchorcomputer.com/>

²⁵ Address Verification Study, see footnote 2

- 2) National Change of Address (NCOA) Analysis. This compared the name and address of each record on the master list to determine if the person has filed a change of address with the USPS.²⁶
- 3) Deceased Persons Assessment. The names on the master file were compared to the list of deceased persons as given by the Social Security Administration.

Various levels of accuracy in these comparisons are possible. Because a false match would result in the disenfranchisement of an individual, an exact match of the social security number was the required criterion.

The results of these three tests done in 2004 indicated some inaccuracies in the master file. Of the nearly 900,000 addresses, 60,284 (or about 7%) of the addresses were determined to be invalid addresses. New addresses were found for 57,569 persons who had moved within the District of Columbia, and 6,588 persons moved out of the District. The comparison found that 33,551 of the persons on the master list were deceased.

When the updated master list was submitted to Anchor Computer in 2005, the number of invalid addresses was over 92,650. This is greater than the 2004 number since none of the invalid addresses found in 2004 were removed. The court should be looking at the past experience in summoning from these addresses as a further validation of accuracy of the addresses. In 2005 there were 98,125 new addresses found. This would include the 57,569 found in 2004. One hope of using the NCOA service is that names currently classified as undeliverable, and not considered as available, would now be available. However, only 7,754 were from previously undeliverable persons and addresses. The

²⁶ Such analysis can be done to many levels of accuracy. For juror purposes, the court would want to be very sure that the person filing for the change is the person on the master list. For other applications, the user might be willing to accept a lower level of accuracy. An example of this would be if the list was used for advertising or for distribution of catalogs.

majority of the new addresses, 92%, were from persons who had either served or had not responded. So although this did not significantly reduce the undeliverable addresses, it does give the court better information for the next time that person is selected to be summoned or for the follow-up process.

2. Results of 2005 List Merging and Master List Update

In March 2005, the court merged four source lists. The Department of Human Services list was not used due to schedule and availability problems. Data were gathered to better understand the list merging process and the nature of the lists provided.

Data on the four lists used are given in Table 3. The Department of Employment Services list (DOES) is by far the smallest list, having 10,077 records as compared to the other three, which have 291,465 for the tax list to 420, 426 for the Department of Motor Vehicles (DMV) list. Any name without a social security number is not used in the merging process. This eliminated 7,426 names from the DMV list and 64,130 from the Board of Elections (BOE) list. If a substantial number of these names are unique, that is not found on any of the other lists, then the decision to eliminate names without SSNs should be reconsidered.

Table 3 Source List Characteristics

	Department of Employment Services	Office of Tax and Revenue	Board of Elections	Department of Motor Vehicles
Number of Records	10,077	291,465	391,798	420,426
Records Without SSN	0	0	64,130	7,426
Non DC Resident	0	0	18	3,858
Names duplicated within list	0	950	19,198	326
Records used	10,077	290,665	309,765	408,945
Unique Names	859 (9%)	46,091 (16%)	70,018 (23%)	101,561 (25%)

There are also names duplicated within each list. The surprise is that 19,198 names on the BOE list are duplicated in that they have duplicate SSN and the same name. These duplicates were removed in the list merging process. Another 16,570 (not given in Table 3) on the BOE list have duplicated SSNs but the names are different. These duplicates would be very difficult to resolve and would require individual verifications of each person.

Table 3 also gives the number of records used in the list merging process and the number of unique names on each list. These unique names are names not duplicated on any of the other 3 lists. The percent of the unique names varies from 9% for DOES to 25% for the DMV list.

It is suggested that the court examine the 64,130 names from the BOE files and determine the percent that had previously been used to summon a person and if the person responded. The court could then examine their policy of eliminating those names that do not have an SSN.

The names from the new and updated merged lists were then compared to the old master file to update addresses and to add new names not on the old master list. Of the 340,608 undeliverable names on the old master list, new addresses were found for 51,520 names, or 15% of the previously undeliverable persons. The matching produced 99,825 new names for the master file. The availability of 151,345 more names for the master jury list is significant. When compared to the District of Columbia over 18 population of 457,067 persons, this increase is quite significant. This increase represents about 1/3 of the 18 and over population of the District of Columbia. When this new list was used the yield improved and the undeliverable percent was significantly reduced.

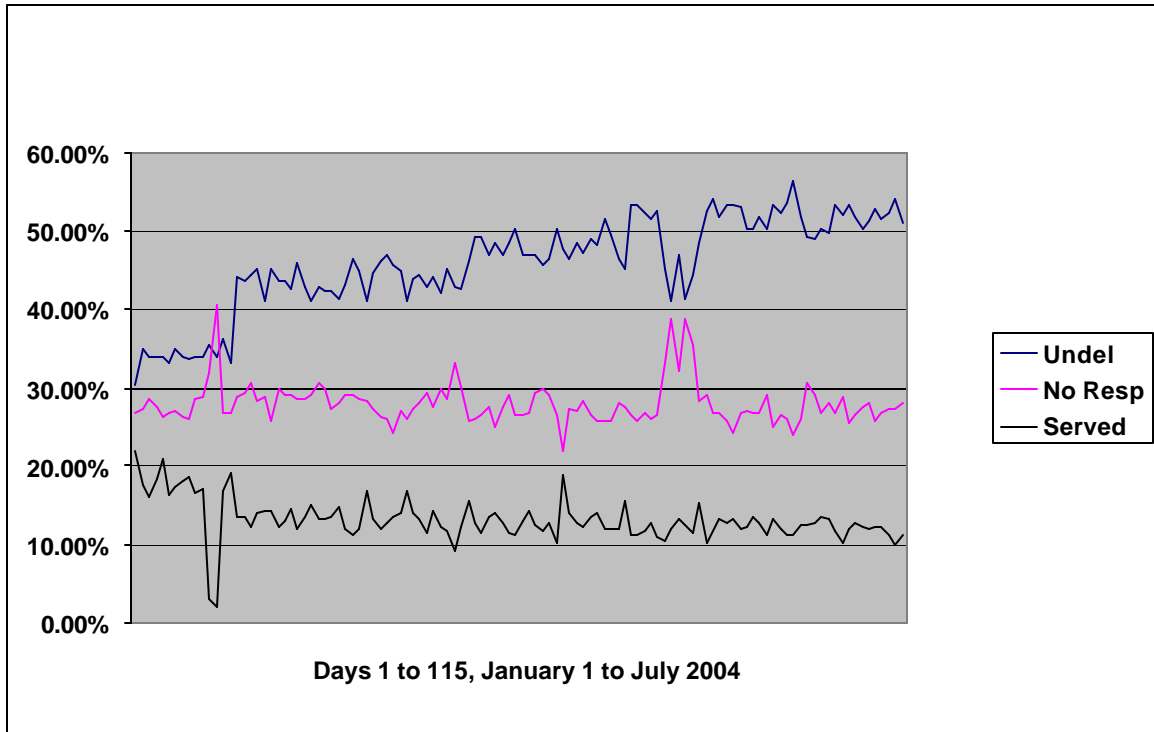
The new master file contained 877,221 names. The new merged file was then sent to Anchor Computer for updating and another 6,466 previously undeliverables were found to have updated addresses. Anchor Computer also found many addresses which are not valid. The Court should examine how many of these addresses were valid in that a person responded when previously summoned from that address. If the vast majority were undeliverable then those addresses could be eliminated.

3. Variation of the Yield

In a previous draft which was based on data from 2004 the yield was reported as 15.5%. That was on April 5, 2004. Figure 1 shows the trend of the yield data for the first

115 days that jurors were summoned in 2004. This is from January 1 to July 29, 2004, and the average is 13.1%.

Figure 1 Trend of the Yield – 2004



The yield is the bottom line. It shows a steady decline from well over 15% to approximately 10%. In fact the rate of the decline is very high. It might be assumed that this is due to the mobility of the population. However, if we maintain that assumption, the decline down to one half of the initial value over this period would suggest that half the population moves or at least changes address every year. That can hardly be so. Of additional concern is the rapid increase in the undeliverable rate, the top line, which corresponds to the decrease in the yield. Figure 1 shows the non response rate to be fairly constant and independent of the undeliverable problem. The non response issue should be treated separately from the undeliverable problem as recommended.

Figure 2 – Trend of the Yield - 2005

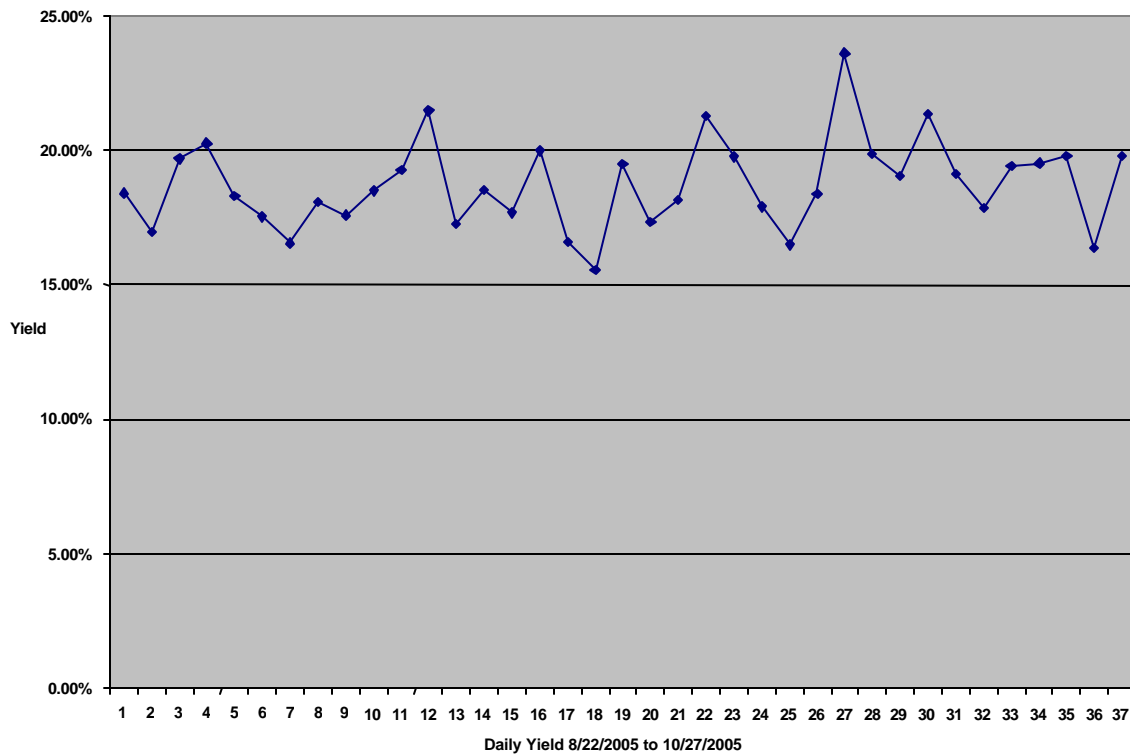


Figure 2 gives the daily yield after the new list merging in 2005 from 8/22/05 to 10/27/05. Over this period the yield was 18.1% and is significantly above that shown in Figure 1. The daily variation also indicates a possible increase in the trend of the yield.²⁷

4. Geographical Distribution of the Yield

A new feature was introduced in the 2000 U.S. Census. The Bureau of the Census now makes data available on the demographic characteristics of the population by zip code or, more precisely, by Zip Code Tabulation Area [“ZCTA”]. The ZCTA is roughly equivalent to the United States Postal Service zip code. This provides a valuable and simple tool for studying activity over geographic segments. For the purposes of this report it was easy to do a zip code tabulation of the master juror file. Without this listing by

²⁷ The expected statistical variation is $\pm 2.3\%$

ZCTA it would be necessary to code each address into some geographical area such as the census tract or census block. However, for this study, a broader and more graphic examination is desirable. The zip code has the additional advantage because people know their zip code and can more readily associate with the analysis. Few, if any, know their census block. In the analyses below, the 22 zip codes that contain the vast majority of the population of the District of Columbia were used. By this means, it was possible to compare the U.S. Census data to the zip codes in order to examine the coverage of the master list, the yield of persons summoned, the non-response and undeliverable rates, and the impact of using the Office of Tax and Revenue list. The coverage of the master jury list was also examined by ranking the zip codes according to the percent of minority populations as reported by the Census. Table 4 sets forth the master list address zip codes for 2002 according to 22 zip codes. The listings for all possible District of Columbia zip codes are given in Appendix C. Based on the previously discussed address problems, it may not be a surprise that many addresses on the master list are in non-residential zip codes. For example, it is not expected that anyone lives at the Kennedy Center for the Performing Arts. Table 4 also compares the Census data to the master list. To illustrate the data, zip code 20019, the first row of data in Table 4, contains 8.2% of the population and 8.4% of the names on the master jury list. In general the percentages are fairly close and do not indicate that a particular area of the city is under represented. A statistical test was applied to the results to determine if any zip code is over or under represented as the master jury list. The arrows or triangles in the column on the far right indicate that only a few zip codes are somewhat under represented.

Table 4 Master List Coverage by Zip Code

Zip	Population		Master List			
	N	%	N	%		
20019	37,203	8.2	76373	8.4		
20032	20,981	4.6	45849	5.0		
20020	33,705	7.4	67743	7.4		
20018	13,310	2.9	25886	2.8		
20011	45,165	10.0	95230	10.5		
20001	26,319	5.8	56252	6.2		
20012	11,201	2.5	20717	2.3		
20002	38,826	8.6	84494	9.3		
20017	15,890	3.5	26767	2.9		
20024	9,940	2.2	18816	2.1		
20003	19,608	4.3	37470	4.1		
20010	22,532	5.0	49815	5.5		
20009	40,267	8.9	86545	9.5		
20005	9,542	2.1	17935	2.0		
20004	882	0.2	1391	0.2		
20015	12,780	2.8	24130	2.6		
20006	1,864	0.4	3177	0.3		
20037	12,453	2.7	15486	1.7	▼	▼
20016	27,147	6.0	47923	5.3	▼	
20008	23,889	5.3	52906	5.8		
20036	3,726	0.8	10538	1.2		
20007	26,505	5.8	45270	5.0	▼	▼
--	0	0	2908	0.3		
Total	453,735		910,713			

^a Based on a linear regression model. Arrows indicate the proportion represented in each zip code falls outside of the specified confidence intervals (80% and 90%). See footnote 28.

Table 5 gives the summoning results for 2002 by zip code. Included in this table are the percentages of those summons undeliverable, non responses, those not found qualified, and the number that served. The zip codes are grouped by percent of minority population in that zip code. The first group is ranked by decreasing Black population in the zip code, then the decreasing Latino population etc. The triangles indicate an over representation (if the triangle is pointing up) or an under representation (if the triangle is

pointing down). Two levels of statistical significance are given, 80% and 90%.²⁸ This means that we would expect to get a result such as this by chance 80 or 90 percent of the time.

The results for the undeliverable show that most zip codes are equally represented. Only two zip codes are significant at the 90% level, an under representation of 20011 and an over representation in zip 20009. Overall, the problems in any of the categories are not concentrated in any zip code. This means that postal delivery effects and citizen responses are uniform across the District. Accordingly problems should be addressed District wide. Put another way, there does not seem to be any reason the recommendations should not be equally applied across the District.

²⁸ A downward pointing triangle appears in the table when the zip code was under-represented as compared to the expectations from the population and an upward pointing triangle if it over-represents the population. The decision criteria was based on a linear regression prediction equation. $E(Y) = (\text{percent responding}) = \beta_0 + \beta_1(\text{jury eligible for zip code}) + e$

Where simply speaking: β_0 is the intercept or mean for the county, β_1 is a weighted estimate for each zip code, and e is an error term. The regression model, in essence, provides confidence intervals (a lower and upper bound estimate) predicting what is expected in the response from each zip code. The confidence interval (C.I.) bounds are generally defaulted at 90%. A 90% confidence interval allows for a 10% error rate (100-90= 10) in statistically predicting the lower and upper bound limits of the expected value. However, allowing more error in the prediction of each data point narrows the upper and lower bound interval thus capturing more over and under-representation. In the table, we report both a more inclusive 80% and a more restrictive 90% confidence interval. If the zip code attendance fall outside the confidence intervals, the C.I. column denotes whether the attendance over-represents (O) or under-represents (U) the individual prediction intervals for each zip code.

Table 5 Summoring Results

Zip	Population		Undeliverable				Did Not Respond				Not Qualified				Served				
	N	%	N	%	80	90	N	%	80	90	N	%	80	90	N	%	80	90	
20019	37,203	8.2	9,998	8.8	▲		10,839	9.4			1,861	7.9			3,964	8.1			} Predominantly Black Population
20032	20,981	4.6	7,156	6.3			6,502	5.6			720	3.0			1,910	3.9			
20020	33,705	7.4	8,334	7.3			10,238	8.8			1,432	6.1			3,622	7.4			
20018	13,310	2.9	2,285	2.0			3,883	3.4			819	3.5			1,581	3.2			
20011	45,165	10.0	8,944	7.9	▼	▼	14,747	12.7			2,881	12.2	▲		4,988	10.2		▼	
20001	26,319	5.8	7,670	6.7			9,330	8.1			943	4.0			1,958	4.0		▼	
20012	11,201	2.5	1,984	1.7			2,697	2.3			699	3.0			1,445	2.9			
20002	38,826	8.6	10,494	9.2			11,849	10.2			1,851	7.8			4,238	8.6			
20017	15,890	3.5	2,558	2.3			3,540	3.1			809	3.4			1,765	3.6			
20024	9,940	2.2	2,709	2.4			1,852	1.6			494	2.1			1,206	2.5			
20003	19,608	4.3	4,574	4.0			4,397	3.8	▲		817	3.5			2,453	5.0		▼	} High Latino Population
20010	22,532	5.0	6,271	5.5			8,373	7.2			1,050	4.4			1,654	3.4			
20009	40,267	8.9	13,066	11.5	▲	▲	9,668	8.4			1,720	7.3			4,232	8.6			
20005	9,542	2.1	2,706	2.4			2,210	1.9			382	1.6			707	1.4			
20004	882	0.2	226	0.2			102	0.1			27	0.1			84	0.2			} Predominantly White Population
20015	12,780	2.8	2,021	1.8			1,919	1.7			1,168	4.9	▲		2,038	4.2		▲	
20006	1,864	0.4	565	0.5			382	0.3			60	0.3			59	0.1			
20037	12,453	2.7	2,412	2.1			1,257	1.1			475	2.0			760	1.5			
20016	27,147	6.0	5,510	4.8			3,552	3.1	▼	▼	2,063	8.7	▲	▲	3,449	7.0			
20008	23,889	5.3	6,708	5.9			3,694	3.2	▼		1,760	7.5	▲		3,584	7.3		▲	
20036	3,726	0.8	1,442	1.3			982	0.8			258	1.1			636	1.3		▲	
20007	26,505	5.8	5,997	5.3			3,724	3.2	▼	▼	1,327	5.6			2,735	5.6			
Total	453,735		113,630				115,737				23,616				49,068				

^a Based on a linear regression model. Arrows indicate the proportion represented in each zip code falls outside of the specified confidence intervals (80% and 90%).

5. Impact of Using the Office of Tax and Revenue List

The reason for using additional lists is to obtain more names and more current addresses. The Office of Tax and Revenue (“OTR”) list in particular was added because persons file for their income tax annually in comparison to the relative inactivity of the drivers and voters lists. This dynamic was specifically investigated. The first concern was whether the list was including the secondary filer. That is, if a husband and wife file a joint tax return, does OTR provide the court with both names with the information such as the social security number and date of birth correct for each person. An examination of several persons indicated that these names were correctly given to the Court.

To further examine the utility of the use of the OTR list, the responses from persons who are on the tax and revenue list and who were summoned was tabulated. These names are for persons who are on the tax list and may well be on the other lists. In other words, they are not unique to the tax list. Table 6 gives this information compared to the April 5, 2004 yield data previously discussed. The percent of persons who served is much higher: In fact it doubled from 16% to 32%. The undeliverable rate is reduced from 44% to 14%. The down side of the use of the OTR list is that the unqualified rate increased significantly from 7% to 23%. Yet, the desired net result was demonstrated. The addresses are better and the response rate is higher.

Table 6 Impact of Using the Tax and Revenue List

DC Superior Court Jury Call of April 5 , 2004 Yield Figures			Response from Tax List	
Served/Reported	354	15.47%	75846	31.72%
Responded but did not show	30	1.31%	4537	1.90%
No response	673	29.41%	70256	29.38%
Undeliverable	998	43.62%	33244	13.90%
Deceased	19	0.83%		0.00%
Excused after lunch	4	0.17%		0.00%
On Hold	20	0.87%		0.00%
Medical	31	1.35%		0.00%
Unqualified	159	6.95%	55223	23.10%
Total: Jurors with Venire date of 4/5/2004	2288	100.00%		
			239106	100.00%

6. Duplicate Names on Master List

High volume duplicates have been one possible explanation for inflation of the size of the master list. An estimate of the level of duplicates was performed. Five groups of 100 names each were selected from the master list. These were sorted alphabetically by last name in consecutive groups of 100. The five groups were randomly selected by randomly selecting 15 letters from the alphabet and grouping them in three letter sets. For instance the first three letters chosen were “ETJ”.

The Court was requested to select the first person whose last name begins with ETJ or the next person following ETJ, and list the next 100 consecutive alphabetic names. The name Etkin was the first name selected and the data from that person and the next 99 names was listed. The data consisted of:

- 1) First name, initial, last name
- 2) Address with zip code
- 3) Date of birth

- 4) Social security number
- 5) Status as to undeliverable

This was done for 5 groups of 100 names each. The lists were manually reviewed to recognize duplicates. The results are given in Table 7.

Table 7. Estimation of Duplicates on Master Juror List

<u>Requested Starting Point</u>	<u>First Name Starting Point</u>	<u>Duplicates Found</u>	<u>No DOB</u>	<u>No SSN</u>	<u>No DOB and No SSN</u>
ETJ	ETK	4	11	15	8
HIR	HIR	2	13	9	3
CLA	CLA	5	11	10	2
WFO	WHA	3	10	13	5
MQN	MRA	5	21	8	8
Totals		19	66	55	26
Estimated Percent of Master List		3.8%	13.2%	11%	5.2%

Based on the duplicates found, it is estimated that about 3.8% of the names are duplicated. Stated another way, the master list would be reduced by about 4% if the duplicate matching program could find the duplicates which were found manually. This percentage is very low considering that the master list is the product of merging five lists. The availability of the social security number for 89% of the records, and 87% for the date of birth records is the reason for this low duplicate level. The estimate is that 5.2% of the records have neither a date of birth nor a social security number. The duplicates were a “mixed lot” therefore improved duplicate recognition rules are not obvious. Several had the same name or close abbreviations, the same birthday but different address and lacked a social security number. Typographical errors were obvious in several cases, such as the reversal of digits or one digit not matching in the social security number. In one case the digits not matching were a 3 and an 8. No change in the duplicate matching rules is recommended.²⁹

²⁹ The matching rules are given in Section IV.

The technique used could not find misspellings of the last name which extended beyond the 100 names. The groups did contain some variations. For instance, the CLA group continued Clagett, Claggett and Clagget. Thankfully none of the groups were segments of larger groups, for example, Jones, Smith, etc. Name changes or hyphenations beyond the 100 name group could not be found. These could be found by comparing all social security numbers or dates of birth. This was not pursued due to the low level of duplicates found. Of the 500 names studied 37% were in an undeliverable status. Duplicates do not appear to be a problem and as more names with a social security number are obtained, the duplicate levels will be reduced.

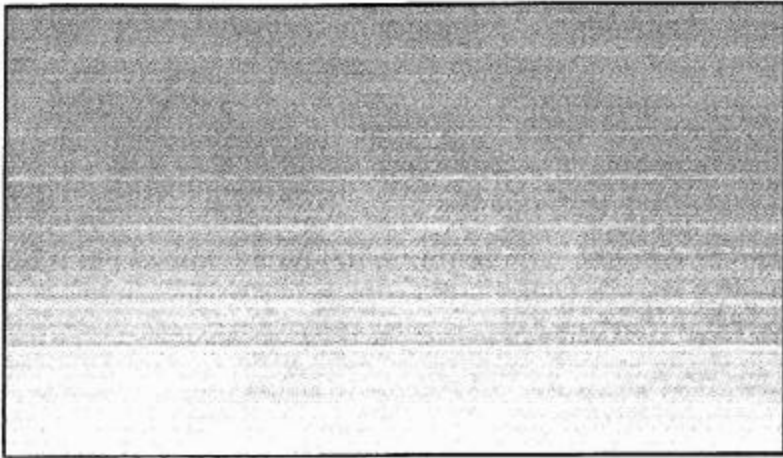
Appendices A - E



Jury Summons

PLEASE BRING THIS UPPER SECTION WITH YOU WHEN YOU REPORT FOR JURY DUTY. DO NOT MAIL THIS FORM BACK.

BY ORDER OF THE CHIEF JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA, YOU ARE HEREBY SUMMONED TO SERVE AS A JUROR AS INDICATED BELOW. PLEASE COMPLETE THE ENCLOSED JUROR QUALIFICATION FORM AND RETURN IT WITHIN FIVE (5) DAYS. FAILURE TO APPEAR AS DIRECTED BY THIS SUMMONS MAY RESULT IN A FINE OF NOT MORE THAN THREE HUNDRED DOLLARS (\$300) OR IMPRISONMENT FOR NOT MORE THAN SEVEN (7) DAYS OR BOTH. D.C. CODE 11-1906.



JUROR

▲ DETACH HERE FOR JUROR BADGE ▲



Parking is not provided. Public transportation is suggested.

PLEASE READ IMPORTANT INFORMATION ON THE BACK OF THIS FORM

▼ DETACH HERE ▼

JUROR QUALIFICATION FORM - PLEASE READ AND PRINT YOUR ANSWERS TO THE QUESTIONS BELOW.

You are required by law to return this form, duly completed and signed, within five (5) days of its receipt, whether or not you report on the original summons date. A prepaid envelope is enclosed for this purpose.

- 1. ARE YOU A CITIZEN OF THE UNITED STATES? YES NO -1-
- 2. ARE YOU NOW AND FOR ALL OF THE PAST SIX MONTHS HAVE YOU BEEN A RESIDENT OF THE DISTRICT OF COLUMBIA? -2-
ADDRESS CHANGE IF ANY _____
- 3. ARE YOU 18 YEARS OF AGE OR OLDER? -3-
- 4. CAN YOU READ, SPEAK AND UNDERSTAND THE ENGLISH LANGUAGE? -4-
- 5A. ARE YOU HEARING IMPAIRED? -5A-
5B. IF YES, ARE YOU REQUESTING AN INTERPRETER? CHECK ONE: ASL ___ PSE ___ ORAL ___ -5B-
- 5C. DO YOU HAVE ANY PHYSICAL OR MENTAL DISABILITY WHICH WOULD NOT PERMIT YOU TO SERVE AS A JUROR? IF YES, EXPLAIN BRIEFLY AND ENCLOSE VERIFIABLE MEDICAL CERTIFICATE. -5C-
- 6. HAVE YOU SERVED ON JURY DUTY IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA WITHIN THE LAST TWO YEARS? IF YES, GIVE DATES: _____ -6-
IF YES, LIST DATES AND SPELLING OF NAME UNDER WHICH YOU SERVED _____
- 7. DO YOU HAVE A PENDING FELONY OR MISDEMEANOR CHARGE IN ANY D.C., FEDERAL OR STATE COURT? -7-
- 8A. HAVE YOU EVER BEEN CONVICTED OF A FELONY? -8A-
- 8B. IF YOUR ANSWER TO 8A WAS YES, HAS IT BEEN TEN (10) YEARS SINCE THE COMPLETION OF YOUR JAIL/PRISON TERM OR PAROLE, OR PROBATION? -8B-
- 9A. IF YOU WORK FOR A PRIVATE EMPLOYER, DURING YOUR JUROR SERVICE WILL YOU RECEIVE YOUR FULL SALARY? -9A-
- 9B. IF YOUR ANSWER TO 9A WAS YES, DOES YOUR EMPLOYER REQUIRE YOU TO TURN OVER YOUR JURY FEE CHECK TO THE COMPANY? -9B-
- 10. WOULD YOU LIKE TO DONATE YOUR \$4.00 TRANSPORTATION FEE? -10-

JUROR'S NAME _____ ADDRESS CHANGE IF ANY _____ STATE/ZIP CODE _____
 HOME _____ BUSINESS _____ NO. _____ AGE _____ SEX: M F
 TEL. NO.: _____
 HIGHEST LEVEL OF EDUCATION COMPLETED: _____
 SINGLE MARRIED DIVORCED SEPARATED WIDOW/WIDOWER
 MARITAL STATUS (CHECK ONE):
 RACE (OPTIONAL) _____ JUROR'S SOCIAL SECURITY NUMBER _____
 FED. D.C. STATE OR LOCAL GOVT. NON-GOVERNMENT UNEMPLOYED RETIRED
 EMPLOYMENT (CHECK ONE):
 OCCUPATION _____ EMPLOYER: _____
 EMPLOYER'S ADDRESS: _____
 CITY: _____ STATE: _____ ZIP CODE: _____
 PLEASE LIST ANY SPECIAL ACCOMMODATIONS YOU REQUIRE TO ENABLE YOU TO SERVE: (THIS SPACE FOR JURORS WITH DISABILITIES ONLY)

Any person who willfully misrepresents a material fact on a juror qualification form for the purpose of avoiding or receiving service as a juror may be fined not more than \$300 or imprisoned not more than 90 days, or both. D.C. CODE 11-1906.

I hereby certify under the penalties of perjury that any responses to the foregoing questions are true to the best of my knowledge.

Date _____ Signature _____

DETACH HERE
PLEASE COMPLETE THIS FORM, SIGN YOUR NAME AND RETURN IN THE ENCLOSED ENVELOPE WITHIN 5 DAYS
DETACH HERE

RETURN THIS PORTION IN PREPAID ENVELOPE ENCLOSED

DETACH
HERE

PLEASE COMPLETE THIS FORM, SIGN YOUR NAME AND
RETURN IN THE ENCLOSED ENVELOPE WITHIN 5 DAYS

DETACH
HERE

JUROR QUALIFICATION FORM - PLEASE READ AND PRINT YOUR ANSWERS TO THE QUESTIONS BELOW.

You are required by law to return this form, duly completed and signed, within five (5) days of its receipt, whether or not you report on the original summons date. A prepaid envelope is enclosed for this purpose.

1. ARE YOU A CITIZEN OF THE UNITED STATES?
 YES NO -1-

2. ARE YOU NOW AND FOR ALL OF THE PAST SIX MONTHS HAVE YOU BEEN A RESIDENT OF THE DISTRICT OF COLUMBIA?
 ADDRESS CHANGE IF ANY -2-

3. ARE YOU 18 YEARS OF AGE OR OLDER?
 -3-

4. CAN YOU READ, SPEAK AND UNDERSTAND THE ENGLISH LANGUAGE?
 -4-

5A. ARE YOU HEARING IMPAIRED?
 CHECK ONE: ASL PSE ORAL -5A-

5B. IF YES, ARE YOU REQUESTING AN INTERPRETER?
 -5B-

5C. DO YOU HAVE ANY PHYSICAL OR MENTAL DISABILITY WHICH WOULD NOT PERMIT YOU TO SERVE AS A JUROR? IF YES, EXPLAIN BRIEFLY AND ENCLOSE VERIFIABLE MEDICAL CERTIFICATE.
 -5C-

6. HAVE YOU SERVED ON JURY DUTY IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA WITHIN THE LAST TWO YEARS? IF YES, GIVE DATES: _____
 -6-

IF YES, LIST DATES AND SPELLING OF NAME UNDER WHICH YOU SERVED _____

7. DO YOU HAVE A PENDING FELONY OR MISDEMEANOR CHARGE IN ANY D.C., FEDERAL OR STATE COURT?
 -7-

8A. HAVE YOU EVER BEEN CONVICTED OF A FELONY?
 -8A-

8B. IF YOUR ANSWER TO 8A WAS YES, HAS IT BEEN TEN (10) YEARS SINCE THE COMPLETION OF YOUR JAIL/PRISON TERM OR PAROLE, OR PROBATION?
 -8B-

9A. IF YOU WORK FOR A PRIVATE EMPLOYER, DURING YOUR JUROR SERVICE WILL YOU RECEIVE YOUR FULL SALARY?
 -9A-

9B. IF YOUR ANSWER TO 9A WAS YES, DOES YOUR EMPLOYER REQUIRE YOU TO TURN OVER YOUR JURY FEE CHECK TO THE COMPANY?
 -9B-

10. WOULD YOU LIKE TO DONATE YOUR \$4.00 TRANSPORTATION FEE?
 -10-

Any person who willfully misrepresents a material fact on a juror qualification form for the purpose of avoiding or receiving service as a juror may be fined not more than \$300 or imprisoned not more than 90 days, or both. D.C. CODE 11-1906.

I hereby certify under the penalties of perjury that any responses to the foregoing questions are true to the best of my knowledge.

JUROR'S NAME _____ BUSINESS _____ ADDRESS CHANGE IF ANY _____ STATE/ZIP CODE _____
 HOME _____ NO. _____ AGE _____ SEX M F
 TEL. NO. _____

HIGHEST LEVEL OF EDUCATION COMPLETED: _____

MARITAL STATUS (CHECK ONE): SINGLE MARRIED DIVORCED SEPARATED WIDOW/
 WIDOWER

RACE (OPTIONAL) _____ JUROR'S SOCIAL SECURITY NUMBER _____

EMPLOYMENT (CHECK ONE): FED. D.C. STATE OR LOCAL GOVT. NON-GOVERNMENT UNEMPLOYED RETIRED

OCCUPATION _____ EMPLOYER _____

EMPLOYER'S ADDRESS _____ CITY _____ STATE _____ ZIP CODE _____

PLEASE LIST ANY SPECIAL ACCOMMODATIONS YOU REQUIRE TO ENABLE YOU TO SERVE
 (THIS SPACE FOR JURORS WITH DISABILITIES ONLY)

Date _____ Signature _____

**RETURN THIS PORTION IN
 PREPAID ENVELOPE ENCLOSED**

You have been selected for service as a Superior Court juror. **The law requires that you complete and return the enclosed juror qualification form in the next five (5) days. Unless the court advises or notifies you otherwise, you are required to report for service.** For more information regarding jury service, call 879-4604 or visit our Web site at www.dcbarr.org and click "For the Public"; "going to Court"; then "Juror Information".

Your service will be either as a **petit juror** or as a **grand juror**, as indicated on your summons. **As a petit juror you may be selected to sit on a trial on the day you are summoned, so prepare to serve at least 3-5 days.** Panel selections can often last more than one day. If you are not selected for a trial on your first day, your service to the court will end, **unless you are required by the Clerk of the Court to return the following day to continue to serve, based on critical needs of the court.**

Grand jurors serve for 25 workdays plus 2 "recall" days unless extended by the Chief Judge. There is no "call in" system for Grand jurors to see if you will be needed. **It is mandatory that you report each day for 27 days.** It is your responsibility to notify your employer of the terms of your summons well in advance of your scheduled service.

Jurors who serve only one day are paid a \$4 travel fee. Jurors who serve more than one day are paid a daily \$4 travel fee plus a \$30 jury fee for each day served including the first day. Full-time government employees (federal, state & local) and private sector employees **who are paid their normal salary** while on jury duty will not receive jury pay but will receive the travel fee.

District of Columbia law does **not** provide excuses from jury service **based on your employment.** Your employer is required to give you time off from work to serve as a juror. If it is impossible for you to serve on your summons date, contact the Jurors' Office immediately. You may receive one deferral of your service. You must provide the Jurors' Office with a mutually agreeable date on which you can serve that is no later than 90 days from your original date. You must serve on the deferred date. **The deferred date must be one on which you are able to serve at least 3-5 days if you are selected.** Contact the Jurors' Office at 879-4604 to obtain a deferral. **Complete and return the juror questionnaire form immediately.** Retain the original summons and bring it with you when you report for service. If an emergency prevents you from appearing on the *deferred* date, contact the Jurors' Office at 879-4604 immediately for advice.

Be prepared to spend time waiting in the Jurors' Lounge prior to serving as a juror. Since trials are scheduled to begin at various times during the day, predicting when, or if, you will actually serve as a juror is very difficult. The Jurors' Lounge has a television set, vending machines and telephones. A business center with carrels, modem access, facsimile and copier is also available.

Selection Process: Random selection from Voter Registration, Motor Vehicle rolls & Tax rolls.

Warning: Weapons such as "scissors", "pocket knives" or "Swiss army knives" are **not permitted** in the courthouse. If found, such items will be confiscated and not returned.

Recording equipment, tape recorders and cameras are not permitted in the building.

Employment Notice: If you are a full-time government employee serving on your day off, the court will need written verification of such so that you may be paid for your jury service if selected for a trial.

Attire: Appropriate courtroom dress is required. Work/military uniforms are not permitted. Dress shorts of modest length are permitted. Business attire is most appropriate. Extremes in dress will cause jurors to be sent home to change.

Accommodations: Please notify the Jurors' Office upon receipt of this summons if you have a disability that requires special accommodations in order for you to serve (i.e.; reader, general assistance, interpreting services, listening equipment, real-time captioning, etc.) at 879-4604 or 879-1656 (TDD). The Superior Court is an accessible building.

A Child Care Center is located in Room C185 of the Main Courthouse to provide free day care for children 24 months (must be fully toilet trained) to 12 years. Center hours: 8:30 a.m.- 5:00 p.m. weekdays. As the Center is unable to provide lunches, parents must arrange to take the child out for lunch.

A Health Unit is located in Room 1195 at the Indiana Avenue entrance of the Courthouse. A staff of Registered Nurses is on duty weekdays, 8:30 a.m. to 5:00 p.m.

Public Transit to the Courthouse is strongly recommended. Meter parking is scarce in the area surrounding the Courthouse and jurors will not have time to keep meters running.

Text Telephone- a coin-operated TDD is available in the Jurors' Lounge.

Sincerely,

Duane B. Delaney
Clerk of the Court

Appendix B: Venire Selection Parameters



SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20001-2131

(Date)

MEMORANDUM

To: Mr. Kenneth L. Foor, Jr.
Director,
Information and Technology Division

DRAWING FROM THE MASTER WHEEL TO MAIL

JUROR QUALIFICATION SUMMONS

The Master Wheel now contains _____

After determining a quotient, the
Juror's Office has established a
starting number of _____

from number one through _____

This is to draw names from the
Master Wheel to which jury summons
will be sent _____

This is to select jurors that will serve as PETIT JURORS FOR

_____ in the Superior Court of the District
of Columbia.

Suzanne Bailey-Jones
Juror Officer
Special Operations Division

Number of names remaining on the Master Wheel _____

below line for use by Data Processing

Date Pulled _____ Date Printed _____

Tape # _____ Last Sequence # _____

Appendix C: 2004 Master File by Zip Code

Zip	Pop 18+	Percent of Pop	Master Jury File	Percent of Master File
20000		0.00%	55	0.01%
20001	26,319	5.80%	56252	6.16%
20002	38,826	8.56%	84494	9.25%
20003	19,608	4.32%	37470	4.10%
20004	882	0.19%	1391	0.15%
20005	9,542	2.10%	17935	1.96%
20006	1,864	0.41%	3177	0.35%
20007	26,505	5.84%	45270	4.96%
20008	23,889	5.26%	52906	5.79%
20009	40,267	8.87%	86545	9.47%
20010	22,532	4.97%	49815	5.45%
20011	45,165	9.95%	95230	10.42%
20012	11,201	2.47%	20717	2.27%
20013		0.00%	985	0.11%
20014		0.00%	31	0.00%
20015	12,780	2.82%	24130	2.64%
20016	27,147	5.98%	47923	5.25%
20017	15,890	3.50%	26767	2.93%
20018	13,310	2.93%	25886	2.83%
20019	37,203	8.20%	76373	8.36%
20020	33,705	7.43%	67743	7.42%
20021		0.00%	22	0.00%
20022		0.00%	15	0.00%
20023		0.00%	35	0.00%
20024	9,940	2.19%	18816	2.06%
20025		0.00%	5	0.00%
20026		0.00%	143	0.02%
20027		0.00%	86	0.01%
20028		0.00%	4	0.00%
20029		0.00%	820	0.09%
20030		0.00%	486	0.05%
20031		0.00%	13	0.00%
20032	20,981	4.62%	45849	5.02%
20033		0.00%	74	0.01%
20034		0.00%	11	0.00%
20035		0.00%	123	0.01%
20036	3,726	0.82%	10538	1.15%
20037	12,453	2.74%	15486	1.70%
				0.00%
Totals	453735		913566	100.00%

Appendix D: Recommended Management Reports

1. Suggested Data from List Merging Process Before Merging

1. Master List size and distribution of status codes
2. Number of out of District zip codes on the master list
3. Distribution of length of time undeliverables have been on the list.
Using venire date is fine. To see if many can be purged
4. Results of master list cleanup.

For each of the five lists

5. Size of each list
6. Number of names rejected due to lack of SSN or other address field problems
7. Number of internal SSN duplicates.

When lists are merged, before NCOA application

8. Duplicates found as lists are rolled up.
9. Number of addresses updated and resultant source of new address.

After NCOA

10. Number of names with NCOA update and number of these formerly undeliverable
11. Number of undeliverable names updated by lists but not verified by NCOA.
12. Statistics of master file by status codes, for comparison to #1
13. Use DPV from Merkle or Anchor, what happened the last time a summons was sent to that address? This is a test of DPV.

2. Qualification and Summoning

Report on each week summoning by yield components and by day
Report on each step of follow-up giving the yield based on the follow-up level

3. Pool Management

“The Day at a Glance Report” which was developed to the prototype stage should be implemented.

Appendix E Randomization of the Daily Assembly Room List

A number of judges and attorneys have questioned the minority make up of the first panels sent from the daily pool versus those sent later in the day. To confirm or dispel such impressions would require extensive data collection and analysis. It would be necessary to ask each prospective juror to self-classify their race and ethnicity. Then the identity of each prospective juror on each panel would need to be tracked and the minority characteristics gathered by panel. Doing this while maintaining the privacy and trust of the prospective jurors would take careful planning, and implementation. Moreover, a high level of cooperation from jurors would be needed to get meaningful results. For instance, the current questionnaire portion of the summons asks for the juror's race. However only 40% provide this information.

The selection procedures used to select names from the source list to the selection of names for panels is described in Section V. Although it is hard to conceive that the suggested demographic bias occurs, the many alphabetic and numeric sortings used do not preclude such an occurrence.

This concern for the minority make up of the panels was considered to be beyond the scope of this project. Nevertheless this issue was raised many times in meetings concerning this study. This issue was also raised years ago and concerned the fact that persons who were deferred to a new date were placed "at the top of the list" on the new date. This was changed and could not be a factor now. Another change in the software was implemented in mid-2005 whereby the pool is randomized so that each panel will represent the make up of those in the assembly room. Some statistical variation will still exist from panel to panel.

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- improving public access to justice, and
- increasing public understanding and support of our justice system.

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