

JUROR FEE PAYMENT GUIDELINES

I. PURPOSE OF GUIDELINES

The purpose of these guidelines is to define responsibility for the payment of jurors and to provide direction for controlling jury costs.

The guidelines shall be used by the Administrative Office of the Courts (AOC) to determine jury costs incurred by the district and magistrate courts. These guidelines supersede all policies and procedures previously in effect.

II. GENERAL GUIDELINES

A. Definition of Jury Costs

Jury costs are all allowable expenses incurred by the courts for the summoning, orientation, impanelment and selection of jurors. Costs for jurors' attendance at a particular trial, including mileage, compensation, lodging and meals, are also included in the definition.

B. Cost Control

Judges are urged to limit the number of times potential jurors are required to appear at court. AOC will not pay for the appearance in court of any person who is excused from jury duty at his own request.

Judges are urged to limit the jury panel size to the extent possible depending on the type of case, number of parties and other relevant factors.

III. PAYMENT RESPONSIBILITY

A. Proceedings

Payment for juror fees are allowable expenses in the following types of proceedings:

1. grand juries; and
2. All civil and criminal cases involving juries.

B. Jury Expenses

1. Hourly Rate

(a) Jurors shall be paid minimum wage, which is currently \$5.25 per hour. Jurors shall be asked if they wish to be compensated; if they answer in the negative, they shall not be paid.

(b) A public employee, including a state, local government or other state political subdivision employee, shall not be personally compensated for jury service during normal working hours. If the governmental employer requires juror compensation to be paid, the payment shall go directly to the governmental employer. The request for compensation reimbursement must be in writing. Pursuant to federal regulations it is a federal employee's responsibility to tender that payment to his or her employer.

(c) The lunch hour is included when calculating juror hours.

2. Mileage

(a) Payment of mileage is at the rate prescribed by DFA regulations for public employees (currently, the rate is twenty-five center (\$.25) per mile). Jurors shall be asked if they wish to be reimbursed for mileage; if they answer in the negative, they shall not be paid.

(b) Mileage shall not be paid to public employees if the court is located within 5 miles of the same town of the employee's duty station or the employee's home.

(c) Driving mileage is calculated by using an official road map unless beginning and ending odometer readings are provided.

3. Payment Times and Amounts

(a) Jurors should be paid for jury service every two weeks or at the expiration of the term of service, whichever is appropriate. In order to reduce processing costs, courts are encouraged to hold payment of jurors who are not sitting on a jury until after they have been selected for a trial or the expiration of the term.

(b) Hours should be rounded to either: quarter (.25), half (.50), three-quarter (.75), or one hour. Totals are required after last name is listed. Juror Fee: \$4.25/hr. Juror Mileage: \$.25/mi. Round to the nearest penny (hundredth); round up for 5 or greater; round down for 4 or less. Example of rounding: if you multiply 15.5 hrs. X \$4.25/hr.= \$65.875, your answer should be rounded up to \$65.88. If you multiply 5.25 hrs. X \$4.25/hr.= \$64.8125, your answer should be rounded down to \$64.81. All mileage should be rounded to the nearest mile.

(c) Notwithstanding any other provisions of law, rule, or these guidelines, in no event shall a warrant for less than \$5.00 be issued.

4. Parking

Parking expenses are allowable if incurred while a juror is being selected or is empaneled and if parking is not provided by the court. Appropriate receipts must be submitted to the AOC for reimbursement.

5. Meals

(a) Meal expenses are allowable only when jurors are deliberating or sequestered during the course of a trial or when inclement weather requires that jurors be provided with lodging. The cost per meal per juror shall not exceed six dollars (\$8.00) for lunch and eight dollars (\$10.00) for dinner, exclusive of gross receipts tax, and gratuities shall not exceed 15 percent for any meal. In no case shall AOC or the court pay for alcoholic beverages. If the jury is deliberating or sequestered, AOC requires that jurors eat as a group and payments for meals be made directly to the restaurant. For the purposes of this paragraph, "deliberating" means that the petit jury has retired to the jury room to reach a verdict; grand jurors will not be provided meals unless they are sequestered. All invoices must be verified and approved by the court bailiff before processing.

(b) Coffee, tea, sugar, cream, soft drinks, cups, coffee pots, coffee filters, plastic water pitchers, spoons and napkins are allowable expenses that will be paid from the jury and witness fee fund. Such items are for the benefit of jurors and prospective jurors. Court personnel must maintain control over the items to ensure that no abuse of supplies occurs. Donuts are not allowable expenses.

6. Lodging

(a) When the trial schedule requires that jurors be sequestered, lodging is to be provided at the least expensive cost, considering location and acceptable sanitary conditions of the hotel; if necessary, handicapped accessibility shall be considered also. It is the court's responsibility to ensure that lodging costs are at the most economical rate available. The payment for jurors' lodgings shall be made by AOC directly to the hotel.

(b) When inclement weather causes hazardous driving conditions, the presiding judge may approve lodging for those jurors who need it. Lodging costs shall be paid pursuant to subparagraph (a) of this section.

C. Documentation Required

The court shall submit a jury pay sheet for documentation of panel size and deliberation time. The jury pay sheet shall be attached to the prepared distribution voucher.

The original invoices for meals and lodging must be signed by the bailiff and attached to the prepared purchase voucher. The invoices must include the case number, the number of

persons served and the items purchased. The bailiff is responsible for verifying the correct amount of any such invoices.

Invoices for suitable refreshments and other supplies must be signed upon receipt of the purchase by the bailiff, must be verified as to accuracy and submitted with the purchase voucher. Machine tape invoices must be attached to an 8 1/2 by 11 inch sheet of paper to avoid their being misplaced.

IV. PROCESSING OF VOUCHERS

(a) The district, magistrate or metropolitan court clerk must submit a prepared distribution voucher in duplicate with a copy of the jury pay sheet and one original and one copy of all pertinent bills and receipts. The voucher shall be signed by the clerk in the lower, left-hand corner where it is labeled "verified". Court personnel shall review all documents for completeness and accuracy.

(b) AOC will process the payment request and mail payment directly to the appropriate district or metropolitan court. Magistrate court payments shall be mailed directly to the jurors, unless otherwise specified.

Revised and Effective