

# Jury duty - you can be called at any time

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It can happen to you at any time. You learn your name has randomly been drawn and you're to serve on a jury panel.

Although jury duty might look like a common occurrence to people who watch television courtroom dramas, only a comparative small number of people are actually chosen each year to serve.

The number of prospective jurors called in one year varies. For example, about 1.5 per cent of the population of Hamilton-Wentworth is called, while about one-half of one per cent of the population of Oxford County in southwestern Ontario will be subpoenaed for jury duty.

For those who are chosen, there is no common response.

Some see it as an honor. Others aren't quite as thrilled by the news. They feel it is dragging them away from their business or work.

Alastair Wheway, the senior deputy sheriff in the judicial district of York, says most people tend to see the call as an honor.

"The majority enjoy coming here and finding out what's going on," he said. "Because it's not everybody that would go through a

jury trial.

"It may be an inconvenience at that point in time, but they do respond. In general, they're pretty good."

The potential candidates are part of a jury roll, created from the list of citizens' names at the Ministry of Revenue.

Questionnaires are sent to citizens, who are legally obligated to answer and return them.

The sheriff's office uses the returned questionnaires to determine who is eligible for jury duty.

Basic criteria, such as age, citizenship status and other factors, is used to measure eligibility.

If you are eligible, you may then be called to sit on a jury panel.

In general, Toronto (judicial district of York) has four jury panels each week, although other communities require fewer.

In most areas outside of Ontario's largest cities, it is unlikely there would be more than one jury panel called in a given week.

For example, areas such as Belleville or Haileybury would normally use one jury panel to handle all jury trials. A jury panel usually has 60 to 90 members.

Any individual asked to sit on a jury panel is generally asked to set aside two weeks for jury duty.

In fact, a trial may last longer and jurors could spend months on a jury.

### AT RANDOM

The 12- or six-man juries are chosen from the jury panels. Names are drawn at random. Defence lawyers and Crown attorneys can veto prospective jurors - without citing reasons. Twelve jurors are selected for criminal trials; six for civil cases.

People who arrive to serve on a jury panel receive plenty of information in advance. Gail Sellers, the manager of the jury office for the judicial district of York, said most people are well prepared.

"They have a basic idea," she said. "They have an idea of what duties and responsibilities they have to meet."

Before a jury is picked, some members of a jury panel may seek deferrals for a short time period

while others may be unable to sit on a jury for a lengthy period because of physical disabilities or other problems.

Wheway says arrangements are not difficult to make.

"We're very understanding," he said. "As long as people indicate they want to serve, we'll try to accommodate them."

The only real problem is a person who ignores the summons to appear for the jury panel.

That person can be charged with contempt of court and face a fine, a prison sentence, or both.

Fortunately, Wheway said such

cases are rare.

Depending on the length of the trial, people chosen for juries may receive a fee.

Under legislation enacted May 1, jurors only receive travelling expenses for the first 10 days of a trial.

For the 11th to 49th days, there is a fee of \$40 per day and jurors receive \$100 per day from the 50th day on.

That changes a previous fee structure that provided \$10 per day for the first 10 days and \$40 per day afterwards.

Individuals might also be asked to sit on more than one jury.

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