



# MINNESOTA JUDICIAL BRANCH

## Minnesota State Jury Administration Plan

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# Minnesota State Jury Administration Plan

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## Authority

This Jury Administration Plan is established as required by Rule [804](#) and in accordance with Minnesota General Rules of Practice for District Courts, Title IX, [Jury Management Rules](#), and adopted by all ten Minnesota judicial districts. This plan shall be used for the administration of the jury system in all the districts and counties in the State of Minnesota. This plan applies to both grand and petit jurors except where noted. This plan is effective August 2021 and supersedes any previous plans.

## Definitions

- Consolidated Jury Unit (CJU): The office of subject matter experts who perform pre-service tasks to support Minnesota's consolidated statewide model of summoning and qualifying jurors.
- Grand Jury: A group of jurors that listens to evidence, presented by the county attorney, to determine whether there is probable cause to believe that a crime was committed.
- Jury Commissioner: As defined in Rule 803, a Jury Commissioner is established in each county to administer the jury system under the supervision and control of the chief judge of the judicial district. The jury commissioner is the judicial district administrator or designee. Although the day to day work of the courts to fulfill all the steps of the jury process is typically carried out by local court staff, all jury work is the responsibility of the Jury Commissioner. A list of the current Jury Commissioners in Minnesota can be found on the MJB website.
- Jury Management System: The secure, web-based system Minnesota uses to store juror information, randomly select jurors for summoning, and then track information about juror activity and utilization through each step of the process.
- Petit Jury: A group of jurors that listens to evidence presented by both parties during a trial and determines a verdict.

## Jury Administration Plan

### Rule 804(b)(1) – Description of the jury system

As required by Rule 801, persons selected for jury service are selected at random from the broadest possible cross-section of people in the areas served by the court. As defined by Rule 802(h), "Random selection" means the selection of names in a manner totally immune to the purposeful or inadvertent introduction of

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subjective bias and such that no recognizable class of the population from which names are being selected can be purposely included or excluded.

Qualified citizens are obligated to serve as jurors when summoned. As required by Rule 812, the time that persons are called upon to perform jury service and to be available for jury service is the shortest period consistent with the needs of justice. The number of jurors summoned is the minimum needed to sufficiently accommodate trial activity.

Per Rule 811, the term of service for petit jurors is related to the population of the county as follows:

100,000 or more	Term of service must not exceed 2 weeks or the completion of one trial, whichever is longer.
More than 50,000 and less than 100,000	Term of service must not exceed 2 months. No juror must continue service after reporting to the courthouse 10 days or after completion of one trial, whichever is longer.
Less than 50,001	Term of service must not exceed 4 months. No juror must continue service after reporting to the courthouse 10 days or after completion of one trial, whichever is longer.

For grand jurors, the terms of service are as follows:

Ramsey and Hennepin	Term of service is four months.
Anoka, Dakota, St. Louis-Duluth, Washington, and Wright	Term of service is six months.
All other county courthouses	Term of service is 12 months.

**Rule 804(b)(2) - (4) Detailed description of the random selection procedures used in all phases of juror selection; the lists of names, if any, which shall be used to supplement the source list, and the storage media by which the lists shall be maintained; and whether a master list is used**

The Minnesota Jury Source List is created annually from two major state databases, as required by Rule 806(b): (1) the Secretary of State's database of registered voters; and (2) the Department of Public Safety's database of licensed drivers and Minnesota State ID Card holders.

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These two lists are merged. During this process, and in each step of the source list creation process, there are attempts to remove duplicate data through a data merge that relies on a three-way exact match of the full name, date of birth, and address.

A third state database, the Department of Health's database of deceased persons, is matched against the merged drivers and voters list, and deceased persons are removed from the jury source list. Additional logic is used to identify and remove jurors who have served within the last four years.

The United State Postal Service's (USPS's) National Change of Address (NCOA) system is then used to update addresses in the merged list.

The final jury source list is loaded and stored in the court's jury management system and used for a calendar year. Random selection procedures are used throughout the juror selection process as required by Rule 805. The court's jury management system's automated randomization process provides each eligible and available person with an equal probability of selection. Throughout the year, jurors are randomly drawn from the jury source list, and summonses are mailed six (6) weeks prior to the start date of the counties' scheduled terms of service.

A master list, which is defined in Rule 802(f) as "a list of names and addresses, or identifying numbers of prospective jurors, randomly selected from the source list," is not needed or used. As explained in Rule 806(d), "When the source list is so large that its use for selecting prospective jurors and mailing out summonses and questionnaires is unreasonably cumbersome, burdensome, and non-economical, a second list may be created. This master list shall be randomly drawn from the source list." While a master list may have been necessary when jury records were maintained in paper form, the use of an electronic jury management system renders the use of a master list unnecessary.

Random selection procedures within the jury management system are employed at the county level for the:

1. Selection of persons to be summoned for jury service,
2. Assignment of prospective jurors to panels, and
3. Order prospective jurors are listed on a panel for voir dire.

The Jury Commissioner does not have control over the composition of the source list but is responsible to evaluate the inclusiveness of the source list and representativeness of the jury pool. Although permissible by Rule, no counties in Minnesota supplement the source list with additional lists because no other lists have

been identified as having sufficient content to perform the three-way match, and their use may result in overrepresentation of the populations included in the other lists.

### **Rule 804(b)(6) Description of the juror qualification questionnaire, which is used to gather information to determine if a prospective juror is qualified**

As required by Rule 807, the juror qualification questionnaire and summons are a single document. The summons is a legal document that requires a prospective juror to appear for jury service. Instructions regarding service and reporting obligations specific to the county are described on the summons. The summons lists the terms of service, including the date(s) and location, and explains the consequences of failure to respond.

The questionnaire and summons are written in plain language and sent by First-Class Mail to every prospective juror whose name is randomly selected. Minnesota uses a printing and mailing service that updates the addresses with the National Change of Address (NCOA) system before securely printing and mailing the summons and questionnaire to jurors for petit jury trials. The CJU or local county court prints and sends the summons and questionnaire to jurors for grand jury service.

The juror qualification questionnaire includes questions specific to the requirements of Rule 808, and requests contact information and demographic information. The questionnaire allows the prospective juror to provide information used to determine the juror's qualification to serve, or to request excusal or deferral (postponement) prior to the date the juror is to report for service. The questionnaire also allows for the prospective juror to correct any errors or make any needed updates to name and/or address, and to provide an email address to opt in to receive electronic communications. The questionnaire directs the prospective juror to either return the completed document by mail or complete [online](#) within 10 days of receipt.

The juror qualification questionnaire asks specific questions on each of the potential reasons for disqualification, which are that an individual:

- Is not a citizen of the United States,
- Is under the age of 18,
- Is not a resident of the county for which they are being summoned,
- Is unable to communicate in the English language,
- Is not physically and mentally capable of rendering satisfactory jury service,

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- Does not currently have civil rights restored after a felony conviction,
- Has served as a juror in the past four years in state or federal court, or
- Is a judge in the Minnesota Judicial Branch.

Based on the information provided on the juror qualification questionnaire, the State's Consolidated Jury Unit (CJU) or local county court determines whether the prospective juror is qualified for jury service. Any person who does not meet the qualifications under Rule 808(b) or (c) is disqualified from serving as a juror.

If a prospective jury is not qualified, the court documents the disqualification reason in the jury management system. If there are multiple reasons for disqualification, the court documents the first applicable disqualification code from the questionnaire. The prospective juror is notified of the disqualification.

### **Rule 804(b)(5) The conditions which will justify excusing a juror, as well as those which justify deferral**

Rule 810 allows otherwise eligible persons to be excused from jury service if they are unable to perform their duties as jurors or service would be a continuing hardship to them or to members of the public.

The Judicial Branch strives to make reasonable accommodations for jurors and all court users with disabilities under the Americans with Disabilities Act and the Minnesota Human Rights Act.

Information is provided to prospective jurors about requesting an accommodation both on the juror qualification questionnaire and on the [Minnesota Judicial Branch website](#). When a juror submits a request for accommodation:

- a. The CJU will document the requested accommodation in the jury management system and notify the county, or request additional information from the juror, if needed.
- b. Court administration will arrange for the requested accommodation, if possible, or contact the juror to get additional information or discuss alternative accommodations, if needed.
- c. If it is unclear whether the accommodation request can be met, the request will be brought to a judge who will determine whether written medical documentation is required, and whether the accommodation will be met, or whether it cannot be met and the juror is excused.
- d. The outcome of the request is documented in the jury management system.

A juror must qualify to serve on a jury in order to be considered for excusal or deferral.

### *Deferrals*

When a juror is summoned for jury duty and cannot serve at that time, the juror may request to defer (postpone) their service to another date. Minnesota uses the terms postponement and deferral interchangeably.

Deferrals of jury service for reasonably short periods of time (generally within the next 9 months) are permitted and encouraged to improve juror satisfaction. Upon request, a one-time deferral is granted without question for petit jurors if made prior to their service start date. For petit jury service, additional deferrals can be granted at the discretion of the CJU or the local county court.

Requests for deferral are reviewed and processed either through the CJU or by local court staff. For example, if a request is received by local court staff, a determination is made and appropriately processed by local court staff to ensure a timely response to the juror. When a person requests an excusal from jury service for hardship reasons, if at all possible, the juror is deferred (postponed) for a reasonable length of time, rather than excused. Each deferral request is reviewed, and a determination is made for that specific juror's unique situation. Independent discretion by the reviewer is exercised to ensure that whenever reasonably possible, and to ensure a full complement of jurors is available, the prospective juror is required to serve. Examples of when service may be deferred beyond the usual 9 months include, but are not limited to:

1. Employment of a seasonal nature;
2. Previously scheduled vacation or commitment;
3. Full-time student;
4. Recuperation from illness or injury, or care of a family member with a serious illness or injury;
5. Persons who must attend to their business personally or are the only employee of a business;
6. Child or adult day care issues;
7. Childbirth or care of a newborn;
8. Active military service;
9. A member, officer, or employee of the legislature while the legislature is in session; or
10. A candidate who has filed an affidavit of candidacy for elected office under Minnesota Laws until the day after the election for that office.

If the request for a deferral is approved, court staff document the reason for a deferral in the jury management system for both petit and grand jurors. If a prospective juror provides multiple reasons for



deferral, the court will document the deferral reason that best fits the situation. The juror is notified of the deferral and the new term start date. Prospective jurors will receive another summons and questionnaire as their new term approaches. The questionnaire for the new term must be completed to properly determine qualification as well as for statistical purposes. The questionnaire can be answered and submitted to the court by paper or [online](#).

For grand jurors, deferrals are not automatic and are not available in county courthouses where the grand jury term is 12 months long, because of the unique nature of service. Anoka, Dakota, St. Louis - Duluth, Washington, and Wright county courthouses have six-month grand jury terms. Ramsey and Hennepin county courthouses have four-month grand jury terms. The remaining county courthouses in the state have 12-month grand jury terms. In county courthouses where deferrals are not available for grand jury service, deferral requests from potential grand jurors are marked as a period of unavailability during the individual's term of service (dates when they would not be asked to serve during their regular term). For county courthouses with six-month or shorter grand jury terms, deferrals may be granted. However, when possible such requests are marked as a period of unavailability during the individual's term of service rather than resulting in a deferral to a new term.

When grand jury deferral requests are made for Anoka, St. Louis - Duluth, Washington, or Wright county courthouses, most frequently the CJU enters conflict dates or directs the potential grand juror to the local county court for a deferral. On occasion, the CJU may reach out to the local county courthouse for approval of a deferral on behalf of the grand juror.

For Ramsey, Hennepin, or Dakota grand juries, requests to defer are processed by the local county courthouse. Paper grand jury qualification questionnaires are returned directly to these counties, rather than the CJU. The CJU notifies these counties if a potential grand juror completes an [online](#) qualification questionnaire that needs local processing.

### *Excusals*

There are three reasons a juror is excused from jury duty:

1. Their ability to receive and evaluate information is so impaired that they are unable to perform their duties as a juror.
2. Service would be a continuing hardship to themselves or to members of the public.

3. They are 70 years of age or older and request to be excused from jury service, in which case they are automatically excused without having to submit evidence of an inability to serve.

Any request to be excused from jury duty for reasons of personal hardship or hardship to the community must be made in writing. These requests are reviewed and processed either through the CJU or by local court staff. For example, if a request is received by local court staff, a determination is made and appropriately processed by local court staff to ensure a timely response to the juror.

Requests for excusal on the basis of personal hardship are not automatically granted. When at all possible, the juror is deferred (postponed) rather than excused. Each written request is reviewed and a determination made for that specific juror's unique situation. Independent discretion by the reviewer is exercised to ensure that whenever reasonably possible, and to ensure a full complement of jurors is available, the prospective juror is required to serve.

Jury staff work to exhaust all options to defer service to another time that is less burdensome for a juror to fulfill their service. After all options are exhausted, the following are examples of situations that may result in excusal:

- A juror is travelling for their employment or out of state for school and there is no reasonable window of time when they will be in Minnesota.
- A juror is suffering from an ongoing and serious health condition, or is caring for a family member with a serious health condition and there are no other options for care.

If the reviewer determines there are not sufficient reasons to grant an excusal, the prospective juror must report as directed. If the juror persists in the request, local court staff instruct the juror to make a more detailed request for excusal in writing for judicial review and determination.

If the request for an excusal is approved, court staff document the reason for the excusal in the jury management system for both petit and grand jurors. If a prospective juror provides multiple reasons for an excusal, the court will document the excusal reason that best fits the situation. As with deferrals, the entity that receives the request processes the excusal. The juror is notified of the excusal.

### Rule 804(b)(7) Policies and procedures for enforcing a summons and for monitoring failures to respond

The following steps are taken to ensure compliance with the summoning process:

1. NO RESPONSE TO SUMMONS.
  - a. If a person fails to respond to any juror summons qualification form, the CJU sends a Fail to Respond Notice at least 10 days prior to the report date.
  - b. If a person fails to complete the qualification questionnaire and does not report for service, the county follows up as deemed necessary and appropriate.
  - c. If a person fails to complete the qualification questionnaire but reports for service as directed, the county will have the juror complete the questionnaire on paper or online at the courthouse to determine if the juror is qualified to serve.
2. SUMMONS RETURNED AS UNDELIVERABLE.
  - a. Petit jury summonses sent by the printing and mailing processor and grand jury summons mailed by CJU have CJU's address as their return address. Grand jury summonses printed and mailed by a local county court have the court's address as their return address. The entity receiving a returned summons processes the return. If the post office returns a juror summons as "undeliverable" and provides a new address that is within the county, CJU or the local county court mails a new summons to the new address. The new summons may give either the same or a new service date depending on when the summons was returned. If the post office returns a juror summons as "undeliverable" and does not provide a new address or provides an address that is not within the county, CJU or the local county court updates the jury management system to end the prospective juror's term of service based on the summons being undeliverable.
  - b. For petit jury summonses, the CJU also receives a National Change of Address (NCOA) report from the printing and mailing service that includes information on corrected addresses, "un-mailable" addresses, and suppressed addresses. The CJU is responsible for updating the court's jury management system with any corrected address and, as needed, mailing another summons. If an address is reported as "un-mailable" or suppressed, either because the addressee has moved out of county or the address is a foreign or out-of-state address, the CJU

will end service on the individual and document the reason as disqualified/non-resident or end service/undeliverable in the jury management system.

### 3. JURORS WHO FAIL TO APPEAR IN COURT.

- a. If a summoned and qualified juror, not yet assigned to a case, fails to report to the courthouse as instructed:
  - The jury commissioner may contact the juror immediately by telephone.
  - If the juror does not respond or contact the jury commissioner within 10 days of their scheduled report date, the jury commissioner may send the juror a Fail to Appear Notice and may reschedule the juror to a new date.
  - A judge may issue an Order to Show Cause for the failure to appear and have it served personally upon the juror by the Sheriff.
- b. If a juror who is assigned to or selected on a case fails to report to the courthouse, the jury commissioner will notify the presiding judge.

**Rule 804(b)(8) Description of juror orientation and instruction for jurors upon initial contact prior to service; upon first appearance at the courthouse; upon reporting to a courtroom for voir dire; following empanelment; during the trial; prior to deliberations; and after the verdict has been rendered or when a proceeding is terminated without a verdict**

Pre-service work, through the qualification of jurors, is uniform across the state. Qualified jury pools are managed by the counties. Qualified jurors are used as deemed necessary and appropriate by the local county court office based on their trial court needs.

#### *Prior to Service*

The summons gives basic information, including service location and contact phone number. The summons also directs jurors to the [Minnesota Judicial Branch juror webpage](#) for more information. The website gives jurors access to a juror handbook, the statewide jury orientation video, and other information regarding their service.

#### *First Appearance at the Courthouse*

The first-time petit jurors report to the courthouse for service, they are checked in and completion of their qualification questionnaire is verified. Once check-in is complete, jury pools are informed of the policies and procedures of service by court staff, a deputy, or a bailiff.

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Petit jurors are shown the statewide jury orientation video, further explaining their service, whenever possible. During orientation, local court staff, a deputy, or a bailiff, may instruct jurors on:

- local jury service processes (such as how to check the juror information line, what to do in case of emergencies during a juror's term of service, etc.);
- facility logistics and processes (such as courthouse layout, breaks, use of tobacco, security screening, and courtroom decorum, etc.); and
- compensation and proof of service (such as per diem and mileage calculation and paychecks, work service certificates, and daycare reimbursement).

Jurors may also be referred to the juror website for such information.

### *Reporting to a Courtroom through Completion of Trial*

Prospective petit jurors who report to a courtroom receive all instructions regarding the case exclusively from the trial judge or judge's staff.

### *Release from Service*

A juror can be released at any point in their service by a judge or local court staff when their service is no longer needed. At the conclusion of a trial, jurors will be released, or receive further instruction about continuing service, by a judge or by local court staff. Jurors are thanked for their service when they are released. [Additional Post-Trial Information for Jurors](#) to support their well-being and self-care is provided online and, in some cases, may be passed out to jurors prior to their dismissal. Additional services may be offered by the local court or county as determined by the judge on a case-by-case basis.

### *Grand Jurors*

Grand jurors are drawn and sworn to serve for the term. Terms and number of jurors drawn vary by county. The Rules of Criminal Procedure govern the empanelment procedures for the grand jury.

The first-time grand jurors report to the courthouse for service, they are checked in and completion of their qualification questionnaire is verified. Once check-in is complete, any additional orientation and instructions for grand jurors is handled by the judge or prosecutor.

### WORK REQUIRED OF JURY COMMISSIONER

As required by Rule 803, the jury commissioner shall collect and analyze information regarding the performance of the jury system on a regular basis in order to evaluate: (1) the inclusiveness of the jury source list and the representativeness of the jury pool; (2) the effectiveness of qualification and summoning procedures; (3) the responsiveness of individual citizens to jury duty summonses; (4) the efficient use of jurors; and (5) the cost effectiveness of the jury system. The jury commissioner should seek to secure adequate and suitable facilities for juror use in each court facility in which jury trials are held.

The jury commissioner shall review the jury source list once every four years for its inclusiveness and the jury pool for its representativeness of the adult population in the county and report the results to the chief judge of the judicial district.

If the chief judge, or designee, determines that improvement is needed in either the inclusiveness of the jury source list or the representativeness of the jury pool, appropriate corrective action shall be ordered.

Although authorized in court rule, no counties in Minnesota supplement the source list with additional lists because no other lists have been identified as having sufficient content to perform the three-way match, and their use may result in overrepresentation of the populations included in the other lists. Additionally, Minnesota uses a statewide source list creation process and summoning system; therefore, no corrective action can be implemented without changes to the statewide process.

### JUROR DEMOGRAPHIC INFORMATION

The state agencies that provide data for the compilation of the source list do not collect or provide demographic information to the Minnesota Judicial Branch. The only demographic information collected by the Minnesota Judicial Branch is the optional, self-reported demographic information provided by individuals who respond to and complete their qualification questionnaire. The data collected is used to evaluate the inclusiveness and representativeness of juries.

### APPENDICES

#### *APPENDIX A: PETIT AND GRAND JURY SUMMONSES WITH QUALIFICATION QUESTIONNAIRE*



Current Grand Jury  
Summons Front and



Current Petit Jury  
Summons Front and E

## APPENDIX B: PETIT JURY TERMS OF SERVICE BY COUNTY



Petit Juror Terms of  
Service.pdf