

# IADC NATIONAL JURY TRIAL INNOVATIONS PROJECT

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## Connecticut Jury Innovations

### 1. Note Taking

N/A

### 2. Juror Handbooks/Notebooks

N/A

### 3. Juror Questions and Questioning of Witnesses

N/A

### 4. Juror Pay/Compensation

#### **Compensation of jurors**

Each full-time employed juror shall be paid regular wages by the juror's employer for the first five days, or part thereof, of jury service. Such payment shall be subject to the requirements of section 31-71b and any employer who violates this section shall be subject to the provisions of sections 31-71g and 31-72. A person shall not be considered a full-time employed juror on any day of jury service in which such person (1) would not have accrued regular wages to be paid by the employer if such person were not serving as a juror on that day, or (2) would not have worked more than one-half of a shift which extends into another day if such person were not serving as a juror on that day. Each juror not considered a full-time employed juror on a particular day of jury service pursuant to subdivision (1) or (2) of this subsection shall be reimbursed by the state for necessary out-of-pocket expenses incurred during that day of jury service, provided such day of service is within the first five days, or part thereof, of jury service. Each part-time employed juror and unemployed juror shall be reimbursed by the state for necessary out-of-pocket expenses incurred during the first five days, or part thereof, of jury service. Necessary out-of-pocket expenses shall include, but not be limited to, twenty cents for each mile of travel from the juror's place of residence to the place of holding the court and return, and shall exclude food. The mileage shall be determined by the shortest direct route either by highway or by any regular line of conveyance between the points. A reimbursement award under this subsection for each day of service shall not be less than twenty dollars nor more than fifty dollars. For the purposes of this subsection, "full-time employed juror" means an employee holding a position normally requiring thirty hours or more of service in each week, which position is neither temporary nor casual, and includes an employee holding a position through a temporary help service, as defined in section 31-129, which position normally requires thirty hours or more of service

in each week, who has been working in that position for a period exceeding ninety days, and "part-time employed juror" means an employee holding a position normally requiring less than thirty hours of service in each week or an employee working on a temporary or casual basis. In the event that a juror may be considered to be both a full-time employed juror and a part-time employed juror for any day of the first five days, or part thereof, of jury service, such juror shall, for the purposes of this section, be considered to be a full-time employed juror only.

Conn. Gen. Stat. § 51-247(a) (2004)

The Jury Administrator shall establish guidelines for reimbursement of expenses pursuant to this section.

Conn. Gen. Stat. § 51-247(b) (2004)

Each juror who serves more than five days shall be paid by the state for the sixth day and each day thereafter at a rate of fifty dollars per day of service. A juror receiving payment under this subsection shall not be entitled to any additional reimbursement.

Conn. Gen. Stat. § 51-247(c) (2004)

## **5. Alternate Jurors**

### **Alternate jurors in civil cases.**

In any civil action to be tried to the jury in the Superior Court, if it appears to the court that the trial is likely to be protracted, the court may, in its discretion, direct that, after a jury has been selected, two or more additional jurors shall be added to the jury panel, to be known as "alternate jurors". Alternate jurors shall have the same qualifications and be selected and subject to examination and challenge in the same manner and to the same extent as the jurors constituting the regular panel. In any case when the court directs the selection of alternate jurors, each party may peremptorily challenge four jurors. Where the court determines a unity of interest exists, several plaintiffs or several defendants may be considered as a single party for the purpose of making challenges, or the court may allow additional peremptory challenges and permit them to be exercised separately or jointly. For the purposes of this subsection, a "unity of interest" means that the interests of the several plaintiffs or of the several defendants are substantially similar. A unity of interest shall be found to exist among parties who are represented by the same attorney or law firm. In addition, there shall be a presumption that a unity of interest exists among parties where no cross claims or apportionment complaints have been filed against one another. In all civil actions, the total number of peremptory challenges allowed to the plaintiff or plaintiffs shall not exceed twice the number of peremptory challenges allowed to the defendant or defendants, and the total number of peremptory challenges

allowed to the defendant or defendants shall not exceed twice the number of peremptory challenges allowed to the plaintiff or plaintiffs.

Conn. Gen. Stat. § 51-243(a) (2004)

Alternate jurors shall be sworn separately from those constituting the regular panel, and the oaths to be administered shall be as provided in section 1-25.

Conn. Gen. Stat. § 51-243(b) (2004)

Alternate jurors shall attend at all times upon trial of the action. They shall be seated when the case is on trial with or near the jurors constituting the regular panel, with equal opportunity to see and hear all matters adduced in the trial.

Conn. Gen. Stat. § 51-243(c) (2004)

If, at any time, any juror shall, for any reason, become unable to further perform his duty, the court may excuse him. If any juror is so excused or dies, the court may order that an alternate juror who is designated by lot to be drawn by the clerk, shall become a part of the regular panel and the trial shall then proceed as though the alternate juror had been a member of the regular panel from the time when the trial was begun.

Conn. Gen. Stat. § 51-243(d) (2004)

A juror selected to serve as an alternate shall not be segregated from the regular panel except when the case is given to the regular panel for deliberation at which time he shall be dismissed from further service on the case.

Conn. Gen. Stat. § 51-243(e) (2004)

## **6. Discussions pre-deliberation**

### **Duty of jurors. Prohibited conversations. Fines. Assistance of interpreter for deaf and hearing impaired jurors**

If any juror converses with any person except other members of the jury concerning the cause while it is under consideration, or voluntarily suffers any other person to converse with him, the verdict, on motion, may be set aside. The court before which the action is pending shall cause the juror to come before it and, if on inquiry the court finds him guilty, it shall fine him ten dollars. If any juror is convicted a second time of such offense, he shall be forever disqualified to sit as a juror in any case.

Conn. Gen. Stat. § 51-245(b) (2004)

If the officer appointed to attend on the jury, or if any juror, is guilty of any disorderly conduct or neglect of duty, or disobeys the orders of the court, the court may fine him not more than ten dollars.

Conn. Gen. Stat. § 51-245(c) (2004)

Notwithstanding the provisions of subsections (a) and (b) of this section, if any juror is deaf or hearing impaired, such juror shall have the assistance of a qualified interpreter who shall be present throughout the proceeding and when the jury assembles for deliberation. Such interpreter shall be provided by the Commission on the Deaf and Hearing Impaired at the request of the juror or the court. Such interpreter shall be subject to rules adopted pursuant to section 51-245a.

Conn. Gen. Stat. § 51-245(d) (2004)

### **7. Deliberation**

#### **Duty of jurors. Prohibited conversations. Fines. Assistance of interpreter for deaf and hearing impaired jurors**

After a cause has been committed to a jury, the jurors shall be under the charge of an officer appointed by the court, who shall permit no other person to be present with them or to speak to them when assembled for deliberation. The jurors shall not converse with any person who is not a member of the jury relative to the cause under consideration before they have returned their verdict. When the jurors have agreed upon a verdict, they shall return it to the court.

Conn. Gen. Stat. § 51-245(a) (2004)

### **8. Length of Service**

#### **Length of term of service as juror.**

The length of the term of service for jurors shall be one day except that (1) if a juror is impaneled on a jury trial which lasts more than one day, then the term of service shall be the length of that trial, or (2) if a juror is administered the voir dire oath and examination of such juror is not completed during that day, then the term of service shall be through the completion of the examination, if the juror is not selected, or the length of the jury trial, if the juror is selected, or (3) if the court otherwise orders, then the term of service shall be such number of days as the court may order.

Conn. Gen. Stat. § 51-238a (2004)

### **9. Length of Time Restrictions on Trials**

N/A

### **10. Judge's Responses to Jury Questions**

N/A

### **11. Jury Size**

#### **Number of jurors for each town.**

The number of jurors to be chosen from each town shall be equal to a percentage of the town's population rounded off to the nearest whole number, such percentage to be determined by the Jury Administrator. Such population figures shall derive from the last published census of the United States government.

Conn. Gen. Stat. § 51-220 (2004)

### **12. Number of Jurors Needed to Return a Verdict**

N/A

### **13. Juror Admonition**

N/A

### **14. Jury Nullification**

N/A

### **15. The Use of Plain English**

N/A

### **16. Absence of the Jury**

#### **Permission for juror to be absent.**

Any juror summoned to appear may, in the discretion of the judge of the court to which he is summoned, be permitted to absent himself from the court until a jury on which he may be serving is being impaneled if the judge is satisfied that the juror will return pursuant to the direction of the court. The juror shall not be compensated as provided in section 51-247 for any day in which he is not directed to return.

Conn. Gen. Stat. § 51-237a (2004)

### **17. Jury Instructions**

N/A

### **18. Child-Care for Jurors**

N/A

### **19. Jury Room**

N/A

### **20. Accommodation**

#### **Accommodations for jury panel.**

The Office of the Chief Court Administrator shall provide a suitable assembly room in the courthouse for the common jury panel.

Conn. Gen. Stat. § 51-234 (2004)

**21. Juror's Bill of Rights**

N/A

**22. Materials Permitted in Possession of the Jury**

N/A

**23. Various Rules**

**Court may require jury to remain together in certain cases.**

In the trial of any capital case or any case involving imprisonment for life, the court may, in its discretion, require the jury to remain together in the charge of judicial marshals during the trial and until the jury is discharged by the court from further consideration of the case.

Conn. Gen. Stat. § 51-246 (2004)

**24. Various Recommendations**

N/A