

16. Wives of men summoned to serve on the same jury panel.
17. Public, parochial and private school teachers.

In Federal Court:

1. Members in active service in the armed forces of the U. S.
2. Members of fire or police departments.
3. Public officials.

Note: Even though you are exempt, you must answer the summons unless you have arranged by mail or phone to be excused from appearing.

Note: Qualifications for exemption do not prohibit service on juries. Anyone desiring to serve may waive his exemption.

For what reason may the judge excuse or postpone your jury duty?

The judge may excuse any person at his own discretion for reason of hardship, sickness, etc. If it is necessary that you leave town, or in other emergencies, see the District Judge and arrange for an excuse. If you are sick, obtain a doctor's affidavit and mail to District Clerk (petit jury), or District Judge (grand jury). If you are exempt from jury service, see the District Clerk (petit jury), or District Judge (grand jury).

What may happen if the juror is absent or tardy?

If he is absent or late without a valid reason, the judge may hold him in "contempt of court", and he may be fined or given a jail sentence.

Are jurors permitted to separate?

During the trial of cases not involving a felony, jurors are permitted to separate and to go home at night. However, they must not separate during the period of deliberation. Jurors in felony cases, including special venire jurors, are not permitted to separate from the time of selection until the case is finished.

Are jurors paid?

District and county jurors are paid \$4 a day to serve on a petit or grand jury. If the petit jury is summoned by special venire, every person on the panel receives \$2 a day and the final 12 jurors selected receive \$4 a day. Transportation and meals are not provided, but jurors held over night are lodged in the courthouse where there are separate quarters for men and women. All federal jurors are paid \$7 a day. Transportation at 7 cts. per mile is allowed for one round trip each week. Subsistence of \$5 per night is allowed if the juror remains in Brownsville over night.

THE JUROR'S CREED

(The prize-winning statement of Judge John H. Flanigan, of Carthage, Missouri, in a contest sponsored by the American Citizenship Committee of the American Bar Association, 1945)

I am a juror.

I am a seeker after truth.

I must listen carefully and with concentration to all the evidence.

I must heed and follow the instructions of the court.

I must respectfully and attentively follow the arguments of the lawyers, dispassionately seeking to find and follow the silver thread of truth through their conflicting assertions.

I must lay aside all bias and prejudice.

I must be led by my intelligence and not by my emotions.

I must respect the opinions of my fellow jurors, as they must respect mine, and in a spirit of tolerance and understanding must endeavor to bring the deliberations of the whole jury to agreement upon a verdict; but

I must never assent to a verdict which violates the instructions of the court or which finds as a fact that which, under the evidence and in my conscience, I believe to be untrue.

In fine, I must apply the Golden Rule by putting myself impartially in the place of the plaintiff and of the defendant, remembering that although I am a juror today passing upon the rights of others, tomorrow I may be a litigant whose rights other jurors shall pass upon.

My verdict must do justice, for what is just is "true and righteous altogether"; and when my term of jury service is ended I must leave it with my citizenship unsullied and my conscience clear.

Who...

ME?

Serve On A Jury ! !

COURTESY OF THE
LEAGUE OF WOMEN VOTERS

BROWNSVILLE, TEXAS



JURY SERVICE - A CITIZEN'S PRIVILEGE AND RESPONSIBILITY

How many kinds of juries are there?

There are two types of juries: one examines accusations to determine whether a charge really exists; the other tries actual charges or cases.

1. The GRAND JURY investigates, hears sworn testimony and decides whether to "no bill" and dismiss the charge, or to "indict" for court action.
2. The PETIT JURY tries the actual case and makes the decision. It is the third part of the Court: the judge, the lawyers and the jury.

What different courts have we in Cameron County?

1. State Courts — all located in the Cameron County courthouse at 1150 E. Madison, Brownsville. Three Districts Courts: the 103rd, 107th and 138th. A County Court-at-Law. A County Court which also serves as a Probate Court.
2. Federal Court. The U. S. District Court for the Southern District of Texas located in the Federal or Post Office Building at 1001 E. Elizabeth, Brownsville.

Who is eligible for jury duty?

1. In District and County Courts: Any U. S. citizen 21 years of age or more, who is a freeholder in the State of Texas (owner of real estate), or a householder in Cameron County (head of a family or household — not necessarily a married person, nor a home owner), or the wife of a householder, who has resided in Texas for a year and in Cameron County for six months.
2. In Federal Court: Any U. S. citizen 21 years of age or more, who is a freeholder or householder or the wife of a householder, and who is a resident of the Southern District of Texas.

NOTE: Payment of the poll tax is NOT a requirement except for grand jury service.

NOT eligible for jury duty in the Federal, District or County Courts are the following:

1. One who is under indictment or has been convicted in a State or Federal Court of a crime punishable by imprisonment for more than one year and whose civil rights have not been restored.
2. One who is unable to read, write, speak or understand the English language.
3. One who by reason of mental or physical infirmities

is incapable of rendering efficient jury service.

4. One who has served as a juror for 6 days during the preceding 6 months in the District Court, or during the preceding 3 months in the County Court.

How is the District Court Grand Jury Selected?

The judge appoints a Grand Jury Commission of not less than 3 nor more than 5 persons. This commission selects 16 responsible, community-minded persons who have paid their poll taxes. This group of 16 forms the Grand Jury Panel.

The Grand Jury is composed of the first TWELVE persons taken from the Grand Jury Panel. The judge appoints the foreman.

The Grand Jury meets as often as necessary, usually not longer than 3 or 4 days during the term. NINE jurors must be present at each meeting. The foreman may excuse a member from attending a meeting.

The Grand Jury serves during the term of the court. There are generally three grand juries each year.

How is the Federal Court Grand Jury selected?

The U. S. Jury Commissioner (appointed by the judge of the Federal Court) and the court clerk make up a list of more than 300 names gathered in any manner they see fit — from city directories, telephone books, tax rolls, poll lists, civic club rosters, etc. These are put in a jury box and drawn as they are needed.

Not less than SIXTEEN nor more than TWENTY-THREE persons form the Grand Jury in the Federal Court.

How are Petit Juries selected in District and County Courts?

Source: The Tax Rolls and Poll Tax Lists.

Preparation: A list of qualified jurors is prepared by the Tax Assessor, District Clerk, County Clerk and Sheriff in August each year.

Selection: Each name is put on a card. These cards are put in a metal container known as a Jury Wheel. This wheel is locked with two keys—one kept by the District Clerk, the other by the Sheriff. The wheel is turned to mix the cards. Then in the presence of the Judge, District Clerk and Sheriff about 150 names are drawn at a time.

Number: TWELVE persons make up a Petit Jury in District Courts: SIX persons, in County Courts.

Foreman: The Petit Jurors select their foreman, or chairman, before they begin their deliberations.

How are Petit Juries selected in the Federal Court?

The Petit Jury in the Federal Court is selected in the same manner as the Grand Jury. It is composed of TWELVE persons.

What is a Special Venire Summons?

A special venire summons is sent out by a District Court to select a jury for a specific case, or cases, in which the death penalty may be invoked.

What are Tailsmen?

When the jury panel is deemed insufficient to provide a jury, the judge orders the county sheriff or U. S. Marshall to summon extra jurors or tailsmen to complete the jury. Names are drawn from the jury wheel or box. Deputy sheriffs or marshalls deliver summons verbally and in person.

What happens if your name is drawn?

The sheriff or marshall sends you notification by mail or in person. The notice states date, time, place and court. When the prospective jurors assemble, the roll is called. Requests to be excused are heard and either granted or denied by the judge. Those not excused are allotted to as many groups as there are jury cases to be tried.

Who can claim exemption from jury duty?

In District and County Courts:

1. Persons over 65 years of age.
2. Civil officers of Texas or the United States.
3. Overseers of roads.
4. Ministers of the gospel.
5. Physicians, dentists, attorneys and spouses of attorneys.
6. Railroad station agents, conductors, engineers and firemen.
7. Any person who acted as a jury commissioner within the preceding 12 months.
8. Members of the national guard, or militia, of Texas.
9. Members of the fire departments.
10. All females who have legal custody of a child or children under the age of 16 years.
11. Registered, practical and vocational nurses.
12. Practitioners who treat the sick by prayer or spiritual means.
13. Licensed morticians.
14. Registered pharmacists.
15. Agents and patrolmen engaged in forestry protection.