

SPECIAL  
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# Jury Matters

JULY 2011

## Juror Appreciation Week 2011

Did you know that over 90 percent of all the world's jury trials are held in the United States? Juries are one of the ways our society guarantees the rights of citizens on trial.

Every year, over 100,000 Fulton County residents report for jury service. They freely set aside their professional and personal obligations to fulfill their civic duty. The courts could not do its work without them.

Consequently, during the week of **July 18-22, 2011**, the Superior Court will celebrate its first **Juror Appreciation Week**. Jurors reporting for jury service will experience several different treats, such as:

- goodie bags
- free morning and afternoon beverages
- movies
- speakers



- coupons and discounts

Jurors will also have the opportunity to participate in a **Give-back Program**. Jurors are always given the opportunity to donate their jury service fees to the Atlanta-Fulton County Public Library. During **Juror Appreciation Week**, they will also have the opportunity to donate their fees to several other agencies:

- Fulton County SPCA
- Fulton County Office of Aging—Home Delivered Meals

- Fulton County Office of Children and Youth—Teen DADS
- Trees Atlanta

The Court will also kick-off a new program for those individuals interested in volunteering in a court setting. The **Jury Docents** program will begin soliciting volunteers at the **Juror Appreciation Week Information Fair** being held at the Justice Center Tower on July 22, 2011 in the atrium. Fair attendees will have the opportunity to receive:

- brochures and pamphlets from Court partners
- free health screenings
- free legal advice
- community information
- free popcorn

For more information, call 404-612-4600, after 10:00 am. Monday through Friday.

## How to Enjoy Your Jury Service Experience

Jury service represents a vital part of the American democratic system. As a prospective juror, jury service is both your duty and an honor. Here are a few suggestions that can help make your jury service experience an enjoyable one.

- Do not stress
- Be patient
- Understand that the court could not do its job without you
- Be open to new experiences and meeting new people
- Do not expect the judges, attorneys, parties or court staff to act like the ones you see on TV
- Be proud that you live in a country that offers the opportunity to participate in the process

# How Did I Get Selected?

Jurors often wonder how they were selected for jury duty. The jury list for Fulton County is composed of residents' names from two sources.

First, names are selected from the voter's registration list. If you are a registered voter and you reside in Fulton County, your name and contact information is forwarded to the State of Georgia. The State then sends this informa-

tion to the Jury Services Divi-



sion for inclusion on the County's master jury list.

Sometimes residents choose not to register to vote believing that will keep their name off the jury list. However, that

is not the case.

If you are not a registered voter but you have a Georgia driver's license or State identification card, the Jury Services Division obtains your name from the Georgia Department of Driver Services.

From these two sources, a master list is composed. A computerized jury management system then randomly summons residents for jury service.

## Jury Service is a Duty

Each U.S. citizen and Fulton County resident has a duty to serve as a juror when called. Unfortunately, many residents discard or ignore their jury summons.



Georgia law allows judges to impose up to a \$500 fine for jurors

who refuse to serve. Additionally or alternatively, those jurors could also be ordered to serve 20 days in jail. Fulton County Superior Court judges have enacted a court-wide policy, described below, to deal with those jurors who fail to appear for jury service.

If an individual does not respond to their initial jury summons, the Court will send them a failure to appear letter. The letter will advise these

individuals how to contact the Court to re-schedule their jury service. A second summons will then be mailed out to them with a new jury duty date.

For those individuals who fail to respond to the letter, they will be personally served with notice to appear before a Superior Court judge for a show cause hearing. At that time they will have to explain to the judge why they ignored the first jury summons and failed to respond to the failure to appear letter. The Presiding Judge will determine whether to assess a fine and/or order the individual to jail. In lieu of a fine or jail time, the Judge also has the discretion to impose other penalties.

Should an individual fail to appear in court for the show cause hearing, the Presiding Judge will issue a warrant for

their arrest.

It is imperative that when a citizen is called for jury service that he or she reports as directed. First, this is the law. A jury summons is not an invitation which can be ignored. Additionally, it is unfair to all those individuals who do appear when called, that others simply ignore their summons without any penalty for doing so. That is no longer the case.

It can be difficult to put aside your life for service on a jury. However, this is the system we have in our country and the Court cannot do its work without the participation of its citizens.

If you receive a summons and have a conflict or a question regarding jury duty, call the Jury Services Division of Superior Court at 404-612-4600, after 10:00 a.m. Monday through Friday.

# The Reservist

Judge Ural D. Glanville has been on the Superior Court bench almost 8 years. Prior to becoming a Superior Court Judge, he served as a Magistrate Judge for 8 years. He said, “I enjoy being a judge. The thing I like most is the variety. Every day is something different.”

When Judge Glanville is not on the bench, he enjoys travelling. He recently visited Jamaica.

The Judge also shared that he watches a wide variety of movies—comedies, action and adventure. “Some of my favorites are *My Cousin Vinny*, *The Other Guys* and *The Hangover*.”

Judge Glanville is also a Colonel in the Army Reserves. He has 26 years of commissioned service both on active duty and as a reservist. As a Judge Advocate, he commands a legal support organization with 50 lawyers and



**Judge Ural D. Glanville**

36 enlisted soldiers.

The Judge shared, “What I like most about the Reserves is the types of people you meet. For instance, there’s a Delta pilot who is also an attorney and then there’s a home healthcare nurse. We have all types of lawyers—criminal and civil. That’s the rich-

ness of being a citizen soldier.”

As a Reservist, Judge Glanville has been deployed to Kuwait, Iraq and Afghanistan. He said, “I often tell jurors that no matter how inconvenient jury duty is, there is a service member somewhere in the world who gives you the opportunity to feel irritated. You have the right to have an opinion, but you also have a duty to serve when called.” He continued, “I would like jurors to know that patience goes a long way. Understand that jury service is one of the highest callings—it ranks with public service, military service and voting.”

*Understand that jury service is one of the highest callings—it ranks with public service, military service and voting.”*

-Judge Ural D. Glanville,  
Superior Court  
of Fulton County

**We must never cease to proclaim in fearless tones the great principles of freedom and the rights of man which are the joint inheritance of the English-speaking world and which through Magna Carta, the Bill of Rights, the Habeas Corpus, Trial by Jury, and the English common law, find their most famous expression in the American Declaration of Independence.**

-Winston Churchill, Former British Prime Minister

# History of the Jury

The jury began in the form of a grand or presentment jury whose role was started by Frankish conquerors to define the King’s rights. Henry II regularized this type of proceeding to establish royal control over the justice system in both civil and criminal trials. When Henry VI came to power, the jury transitioned into the trier of evidence.

During the reign of Henry III, trial by

petit jury began. At that time the jury was essentially a body of witnesses, called to testify about their knowledge of a case. It was not until the 17th century that the jury became a safeguard for the criminally accused.

The right of trial by jury was guaranteed in the constitution of the original 13 states, in the body of the United States Constitution

and in the 6th Amendment.

Every state constitution hereafter included the protected right to a jury trial in criminal cases.



# The Public Servant

*“There is no greater honor in the legal profession than being a judge.”*

-Judge Craig L. Schwall,  
Superior Court of  
Fulton County



**Judge Craig L. Schwall**

Judge Craig L. Schwall has spent the past 15 years on the bench in Fulton County—Magistrate Court, State Court and Superior Court. He said, “There is no greater honor in the legal profession than being a judge. I

enjoy making a difference in people’s lives.”

The native Atlantan attended Auburn University for his undergraduate degree and Emory University for his law degree. After graduating from law school, Judge Schwall practiced law with his father, Emory Schwall, who has been a member of the Georgia Bar since 1950.

Judge Schwall is married to Anne Schwall and they have two sons, Craig Jr. and Austin. Both boys are active swimmers and tee ball participants. The Judge shared, “no matter what kind of work you do, spending time with your children is very

important.”

Judge Schwall comes from a long history of public service. Good friend and fellow jurist, Judge Ural Glanville shared, “Craig’s father and late mother have been involved in numerous charities and civic activities over the years. His family believes in public service and you can see that belief evidenced in Craig’s life. He feels a deep sense of service to his community.”

According to Judge Schwall, “being a judge gives me the opportunity to be around all kinds of people from all walks of life. I really enjoy that.”

## Heart Healthy Snack

If you would like a great high-energy snack, this pecan snack mix is a good pick-me-up.

- 2 cups pecans**
- 3 cups cheese flavored crackers**
- 1 cup pretzels**
- 1/3 cup olive oil**
- 1/4 cup cranberries**
- 3 cups popcorn**

- 3 cups Chex mix**
  - 4 oz buttermilk salad dressing mix**
  - 1/4 cup raisons**
- First, preheat the oven to 250 degrees. Next, in a large bowl combine pecans, popcorn, crackers, pretzels and cereal. In another bowl, mix together salad dressing mix and olive oil.**

- Pour this mixture over the dry ingredients and toss well.**
- Transfer the mixture into an ungreased pan and bake for about 10 minutes. Once finished let stand for 5 minutes and then stir in the raisins and cranberries. Store in an air tight container, if need be.**

## ADA Requests



Jurors who are hearing impaired are not prohibited from participating in jury service. Sign language interpreters can be provided for anyone who requests interpreting assistance.

For an accommodation, please notify the Jury Services Division at (404) 612-4600 upon receipt of your summons and prior to your jury service date.

# Why Do Judges Wear Black Robes?

Have you ever wondered why judges wear robes and why they are black? The answer to that question goes back to the early history of the United States.

In the early days, Judges and attorneys dressed similarly to British judges and attorneys. They wore white powdered wigs and black robes in the lower courts. In the higher courts, judges wore red robes with black markings.

Historians believe that judges wearing black started when all of the judges in England attended the funeral of Queen Mary II in 1694. They all wore black, the color of mourning, and since the mourning period lasted a few more years after the Queen's death, the custom of wearing black robes

became a custom for the English judiciary.

After the American Revolution, many of the Founding Fathers wanted to

get rid of British attire for judges. Thomas Jefferson suggested that judges wear suits instead of robes. However, others, led by John Adams (who was an attorney), argued for continuing the custom of judges wearing robes. Both sides eventually reached a compromise that judges would no longer wear wigs but would



wear robes. As time went on, the robes evolved from being ermine-trimmed to the plain black robes that most judges wear today.

There are some state courts where their justices wear unique styles of robes. For example:



- The Maryland Court of Appeals judges wear red robes with white British-style tab collars.
- The Delaware Superior Court judges wear red sashes over their black robes for ceremonial occasions.

Prior to Chief Justice John Marshall's tenure as Chief Justice of the United States Supreme Court, the justices wore red robes with ermine trim and wigs, similar to British court attire. However, Chief Justice Marshall began the practice of only wearing a black silk robe with no wig. Today, the Justices continue that tradition with the female justices sometimes wearing white collars.

In some less formal settings in the United States, judges may or may not wear robes. For instance, some administrative law judges wear business suits when presiding over cases, while others wear black robes.



*“Have you ever wondered why judges wear robes and why they are black?”*

**We Appreciate Jurors—  
Thank You for Your Service!**

*In a democracy, law is made by the will of the people and obedience is given to it not out of fear but from good will . . .*

*The jury is the means by which people play a direct part in the application of the law.*

*-Patrick Devlin, British justice and jury scholar*

# No Googling Allowed

For years jurors have been told that watching television news casts, reading newspapers and listening to radio news casts were forbidden while serving on a jury. Times have changed and today the list of forbidden activities has grown to include several online resources.

Most judges have modified their instructions to jurors to include an admonition regarding the Internet. Jurors are told to refrain from conducting their own research about cases.

Unfortunately, these admonitions sometimes fall on deaf ears. For example, in February 2010, a juror disobeyed a Fulton County judge's instructions and conducted their own online research during the trial of a rape case. The judge had to declare a mistrial and fined the juror \$500.

This is only one example of a trend all across the United States. Some individuals do not grasp how important this issue really is. Jurors are only to consider testimony from the witness stand and exhibits

admitted during trial. When



jurors go outside of these parameters, not only is the trial process undermined, but mistrials, overturned convictions and court delays are often the result.

A Reuters Legal analysis found that jurors' online research has resulted in dozens of mistrials, appeals and overturned verdicts in the past two years. The study cited several examples of jurors disobeying judges' instructions:

- A Florida appellate court overturned the manslaughter conviction of a man charged with killing his neighbor, citing the jury foreman's use of an iPhone to look up the definition of "prudent" in an online dictionary.
- The West Virginia Supreme Court of Appeals

granted a new trial to a sheriff's deputy convicted of corruption, after finding that a juror had contacted the defendant through MySpace.

- The Nevada Supreme Court granted a new trial to a defendant convicted of sexually assaulting a minor, because the jury foreman had searched online for information about the types of physical injuries suffered by young sexual assault victims.

Not only do actions such as these affect the parties involved in a case, but they also affect taxpayers. Trials are costly and when a judge must order a retrial, the costs for the case are doubled. And, it is taxpayers who must pay the bill.

New jury instructions are being developed around the country to deal with jurors who use search engines and other online resources such as social media sites. The Superior Court Pattern Jury Instruction Committee is doing the same in Georgia.

# Free Wi-Fi Access

Wireless Internet service is available in the Jury Assembly Room.

The user name is *guest* and the password is also *guest*.

Feel free to check email and conduct any work you need to do. However, please stay away from social networking sites.

Also, researching or looking for information about a case while you are a juror is strictly prohibited and could result in contempt of court charges — a stay in jail and/or payment of a fine.



# Your Opinion Counts !

## JURY SERVICE EXIT SURVEY

Jury Service	
1.	On what date did your service begin? ____/____/____
2.	How many days did you report for jury service ____
3.	Did you go into a courtroom? ____Yes ____No If yes, what was the courtroom number? ____ If yes, what was the judge's name? _____
4.	How many different cases were you questioned for during your term of service? ____
5.	(A) Were you selected to serve on a jury? ____Yes ____No <b>*(If yes, answer B through G below)</b> (B) In which courtroom? ____ (C) What was the judge's name? _____ (D) About how long did it take to select the jury? ____ (E) For what type of case were you selected? ____Civil ____Criminal (F) Did the trial start? ____Yes ____No (G) If the trial started, did the jury render a verdict? ____Yes ____No

Jury Summons & Orientation	
1.	Was the jury summons you received clear and understandable? ____Yes ____No
2.	Did you find the juror orientation (video and announcements) useful to you as a juror? ____Yes ____No If no, why not? _____ _____

Court Personnel					
	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Court personnel in the jury assembly room were always available to offer information and assistance.					
The sheriff's deputies at the security check-in were courteous, professional and helpful.					
The sheriff's deputies in the courtroom were courteous, professional and helpful.					
The jury clerks in the courtroom were courteous, professional and helpful.					
The judge was courteous, professional and helpful.					
The courtroom non-judicial staff was courteous, professional and helpful.					

Please complete this page and the next one and return the completed survey to the Jury Services Division in person, by mail or by fax:

**Jury Services Division**  
**Superior Court of Fulton County**  
**185 Central Avenue, Suite T-7100**  
**Atlanta, GA 30303**  
**Phone: 404-612-4600**  
**Fax: 404-730-7178**

Facilities				
How would you rate the:	Excellent	Good	Fair	Poor
Ease of getting into the courthouse				
Physical comforts of the jury room?				
Physical comforts of the courtroom?				
Physical comforts of the jury deliberation room?				
Personal safety in the courthouse?				
Cleanliness of the courthouse?				
Cleanliness of restrooms?				
Access to food service?				
Quality of the food service?				
Convenience of parking?				

Overall Experience
<p>1. Overall, how much of your time was spent in waiting? <input type="checkbox"/> None <input type="checkbox"/> 1-25% <input type="checkbox"/> 26-50% <input type="checkbox"/> 51-75% <input type="checkbox"/> Over 75%</p> <p>2. Where did you spend most of your time waiting? <input type="checkbox"/> Jury Assembly Room <input type="checkbox"/> Jury Selection <input type="checkbox"/> Courtroom during trial <input type="checkbox"/> Jury deliberations</p> <p>3. Were you ever requested to wait in the hallway in excess of 15 minutes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>4. Were you kept informed of the reasons for waiting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>5. My impression of jury service before I served was <input type="checkbox"/> Favorable <input type="checkbox"/> Unfavorable</p> <p>6. My impression of jury service is generally more favorable than before I served. <input type="checkbox"/> Strongly Agree <input type="checkbox"/> Agree <input type="checkbox"/> Neutral <input type="checkbox"/> Disagree <input type="checkbox"/> Strongly Disagree</p>

Personal Data
<p>1. Employment status (Check all that apply)</p> <p><input type="checkbox"/> Employed full-time <input type="checkbox"/> Employed part-time <input type="checkbox"/> Self-employed <input type="checkbox"/> Homemaker <input type="checkbox"/> Retired</p> <p><input type="checkbox"/> Student <input type="checkbox"/> Unemployed, not seeking employment <input type="checkbox"/> Unemployed, seeking employment</p> <p>2. Sex:</p> <p><input type="checkbox"/> M <input type="checkbox"/> F</p> <p>3. Age:</p> <p><input type="checkbox"/> 18-20 <input type="checkbox"/> 21-24 <input type="checkbox"/> 25-34 <input type="checkbox"/> 35-44 <input type="checkbox"/> 45-64 <input type="checkbox"/> 65 and over</p>

Comments