



Raised Bill 328  
Public Hearing: 3-3-08

TO: MEMBERS OF THE JUDICIARY COMMITTEE  
FROM: CONNECTICUT TRIAL LAWYERS ASSOCIATION (CTLA)  
DATE: MARCH 3, 2008

**RE: SUPPORT RB 328 – AAC JUROR COMPENSATION**

The CTLA **supports raised bill 328**, and respectfully contends that the bill should be passed.

The Connecticut Trial Lawyers Association (“CTLA”) supports Raised Bill 328 “An Act Concerning Compensation of Jurors”, an amendment to C.G.S. §51-247.

The current statute obligates an employer to compensate an employee for jury service for five days including the day of jury selection. Thereafter, a juror receives fifty dollars per day for jury service paid by the state. Employers can make application to the office of the Chief Court Administrator in the case of financial hardship pursuant to subsection (b). The same rules apply regardless of the size of the employer. Thus, employers with one hundred or five hundred employees have the same legal obligation to compensate an employee chosen for jury service.

Connecticut is blessed to have a number of employers who fully support the justice system and employees who serve on juries by continuing employee compensation for an indefinite period of jury service. On the other hand, Connecticut also has a great number of employers who limit their commitment to the minimum mandated by statute.

The hallmark of the jury system is the ability of the parties to select juries that are fully representative of the community. The principle is underscored by the concept of a jury of my “peers”. The current system of remuneration of jurors distorts and delays the selection process. The delay is occasioned by the countless potential jurors who appear for jury selection and have no idea what remuneration policy, if any, the employer has for jury service. Few jury trials are concluded with less than six days of jury service including the day of voir dire. Many potential jurors testify during voir dire that they would experience a financial hardship if they were uncompensated for even a day of service and there is little solace for many that the state will pay fifty dollars a day. A more lengthy trial would only compound the hardship. Further, delay is often occasioned by the need to interrupt the voir dire process to give the potential juror the opportunity to telephone the employer to determine the compensation policy. Part of this problem could be addressed with an amendment to the juror summons that was specific in requiring potential jurors to bring such information at the time of reporting for service and a requirement that employers post their policy concerning jury service.

The distortion of the process occurs as a result of the practical disqualification of potential jurors for financial hardship. Raised Bill 328 creates a graduated system that imposes a great financial responsibility on larger employers. By increasing the requirement of employers underwriting juror service, there exists a greater probability that juries will be more representative of the community as a whole. In particular, based upon anecdotal evidence, hourly wage employees are more likely than salaried employees to have compensation for jury service limited to the existing five day requirement. There are also many salaried employees who work for large employers who limit their obligation to the existing five day requirement.

From a public policy standpoint, the state should embrace a jury system that spreads both the privilege and obligation of jury service across the most representative cross-section of the population as possible. The policy should also impose upon larger employers, which likely use and benefit from the judicial system to a greater extent than smaller employers, a greater financial obligation. To the extent that employer experiences a financial hardship, the existing system can be used to relieve such burden.

While it is difficult to quantify the financial impact of this amendment on the state, it is highly likely that the legislation will produce a cost savings for the state. The proposal should be a factor in expediting the voir dire process thus saving the judicial department funds that are attributable to staff and facilities required for a more protracted voir dire process. The state should also experience a savings by reducing the number of days that the state must absorb the per diem cost of jury service for those jurors whose employers are required to expand their compensation policy. It is unlikely that employers who presently provide indefinite compensation for jury service will alter their policies.

**WE RESPECTFULLY URGE YOU TO PASS RAISED BILL 328. Thank you.**