

Hear it From the Judge

Judge Randall J. Slieter

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Why is Serving on the Jury an Honor – as well as a Duty?

For many, receiving a summons from the District Court to serve on jury duty may initially be met with thoughts such as: “I don’t have time for that”; “What will I tell my employer?”; “I can’t make that difficult decision about someone else”; or similar thoughts. Certainly these are real concerns – and concerns which the Judge is well aware of and why Judges sincerely appreciate the time devoted by the juror. However, perhaps once we become more familiar with the critical role that a juror plays in our justice system, one may realize that being chosen for, and serving as, a juror is a great honor – in addition to duty.

Jury service is the most common way in which citizens are able to have a direct role in our country’s judicial process. I often comment to jurors upon completion of a trial and during my expression of gratitude for their service, that jury service is - for most people - the most direct role they will ever have in the constitutional form of government we have, short of voting. In criminal cases, a juror’s vote is one of either six or twelve. In civil cases (for those case involving claims of money damages for example) a juror’s vote is typically one of six, seven or eight jurors.

The right of a jury trial also has a long history that predates the forming our Nation’s Constitution. As early as the Magna Carta (1215) the existence of a jury was hailed as the protector of individual rights and liberties. The U.S. Constitution, Article III, Section 3 and the Sixth Amendment provide for an impartial jury trial in criminal cases. The Fifth Amendment provides for a grand jury indictment and the Seventh Amendment provides for juries in certain civil cases.

The jury trial right has been historically and inextricably intertwined with the freedom upon which our country is founded. The late Chief Justice of the U.S. Supreme Court, William Rehnquist, once stated: “The founders of our nation considered the right of trial by jury in civil cases an important bulwark against tyranny and corruption, a safeguard too precious to be left to the whim of the sovereign ...”. Judge Gibbons, of the U.S. Third Circuit Court of Appeals stated the significance of the jury with even more clarity than that of Chief Justice Rehnquist: “The jury is a sort of ad hoc parliament convened from the citizenry at large to lend respectability and authority to the process...Any erosion of citizen participation in the sanctioning system is in the long run likely...to result in a reduction in the moral authority that supports the process.”

The critical role of the jury has also existed in Minnesota since statehood. The Minnesota

Constitution establishes the right to a jury in civil cases (Article I Section 4) and criminal cases (Article I Section 6). Over 150,000 Minnesotans are summoned to take part in this jury honor annually.

In addition to a great honor to serve as a juror, it is certainly a great challenge as well. As a juror, you are asked to consider facts in very important matters of either a criminal or civil nature. These cases may either affect whether an individual ought to be convicted of a crime for which they have been charged or whether the private rights or property of a person has been wronged by another person such that money damages ought to be provided. These decisions are often not easy because a juror will often hear very credible but differing statements from witnesses as to the facts necessary to make a decision.

Yet, as with any great honor, this great responsibility is also part of the territory one must expect. It is, however, this great responsibility which ought to remind jurors how critical their role is in maintaining our great justice system and form of government for which we may be proud.

You can be assured that the Judges and Court Administrators, with whom you may have contact if you are asked to serve on a jury in the Eighth Judicial District, are aware of this great commitment and honor with which you will serve.

As we have again recently celebrated our Independence Day, perhaps we can also expand our reason for celebration by considering the great honor – along with duty – we have to serve on a jury.