

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF MISSISSIPPI

## FAQs - Frequently Asked Questions

Jurors perform a vital role in the American system of justice. The protection of our rights and liberties is largely achieved through the teamwork of judge and jury who, working together in a common effort, put into practice the principles of our great heritage of freedom. The judge determines the law to be applied in the case while the jury decides the facts. Thus, in a very important way, jurors become a part of the court itself.

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### 1. **How am I selected for jury duty?**

Your name was randomly selected from the voters registration list for the State of Mississippi. You were mailed a Juror Qualification Questionnaire to be completed and returned to this court. After the court determines that you are qualified to serve, your name is entered into a pool of qualified jurors and you may be randomly summoned either as a grand or petit juror.

### 2. **What is a petit jury?**

A petit jury is a trial jury for both civil and criminal cases. The petit jury listens to the evidence offered during a trial, and returns a verdict. A verdict in a civil case

may be a finding for the plaintiff or the defendant. A verdict in a criminal case finds the defendant involved guilty or not guilty. For further information, [Click here for Introduction to Petit Jury Service.](#)

3. **What is a grand jury?**

A grand jury does not determine guilt or innocence, but whether there is probable cause to believe that a crime has been committed. The evidence is normally presented only by an attorney for the government. The grand jury must determine from this evidence whether a person should have formal charges filed by the government. If the grand jury finds probable cause, then it will return a written statement of the charges, which is an indictment. Grand jurors sit on a panel of 16 to 23 jurors and generally serve one to three days per month for 18 months. Grand jury terms may be extended if necessary. For further information, [Click here for Introduction to Grand Jury Service.](#)

4. **What should I wear for jury duty?**

Your responsibilities as a juror are of utmost importance and your attire is indicative of that importance and the seriousness you attach to your duties. Therefore, you should wear comfortable but appropriate, business-like clothing. Shorts are not allowed. We would encourage you to bring a sweater or jacket as the courtrooms can be cool.

5. **What if I fail to report for jury duty?**

Any juror who fails to report for jury duty and who is not excused by the court may be served a Show Cause Order by a Deputy United States Marshal. Those jurors will be ordered to appear before the court to show cause why they should not be held in contempt of court for noncompliance with the court summons. Contempt penalties range from a fine of not more than \$1,000, imprisonment not more than three days, performance of community service, or any combination thereof.

6. **Can I get a postponement or be permanently excused from jury duty?**

The court realizes that from time to time jurors may need to request a temporary absence from jury service. These absences are generally for appointments with a physician, scheduled vacation time, business obligations, etc. The court will make every effort to accommodate temporary absences. Absences do not constitute a valid reason for being excused from the entire term.

When requesting a temporary absence, you must make your request in writing a minimum of five days in advance of the date(s) you need to be excused. If you know the dates you need to be excused, you should include them on the back of your Juror Information Form or send your request by FAX to (601) 608-4095. You will receive notification of the court's decision by mail.

7. **What do I bring with me when I report for jury duty?**

You should bring your **FEDERAL JURY SUMMONS & A PHOTO ID** with you when you report for jury duty. This photo identification may be in the form of driver's license, employee identification card, personal identification card, etc.

8. **Will I serve on a civil or criminal trial and what happens if I'm selected to serve on a trial?**

The court tries both civil and criminal cases, and it is possible that you may be selected for either or both types of trials. If you are selected to serve on a trial, you must follow the instructions of your trial judge or courtroom deputy.

9. **What if I am late?**

It is extremely important that you be prompt both in the morning and when returning from lunch. It is particularly important when you are selected to serve on a trial since the entire proceeding can be delayed because of the tardiness of one juror, and you could be held in contempt of court. If you are delayed due to circumstances beyond your control, call the jury office to inform the court of your situation. Once in service you will be asked to remain in the Jury Assembly Room or courtroom and should not leave without permission from the presiding judge or the jury clerk.

10. **What is the courthouse security like?**

Due to increased security at all federal courthouses and buildings, it will be necessary for you to pass through a metal detector as you enter the court facility. Your purses, bags and briefcases will be x-rayed also. To expedite your entrance, it is recommended that you wear as little jewelry as possible and leave any excess metal at home. **THE FOLLOWING LIST INCLUDES SOME ITEMS NOT ALLOWED IN THE COURTHOUSE.**

**Cellular Telephones/BlackBerry/PDA  
Pagers  
Cameras  
Pocket Knives**

**Pepper Spray**  
**Laptops**  
**Any Sharp Instruments**  
**Electronic or Battery Operated Equipment**  
**(including video/audio recorders)**  
**Weapons (18 USC Section 930 - "It is illegal to possess Firearms and Dangerous Weapons in Federal Facilities.**

**The following battery operated items ARE ALLOWED:**

**Insulin Pump**  
**Pacemaker**  
**Hearing Aids**

**11. How long will I be on call for jury duty?**

You will be "**On Call**" for a one (1) month period. Although you are on call, the number of times you will be required to report for jury selection may vary depending on the needs of the court. Jurors instructed to report are rotated within the panel to help minimize appearance dates. If you are selected for a trial that exceeds the one month service period, you will be required to serve until the completion of that trial.

**12. What if my employer does not want me to serve?**

Your job is protected under Title 28 U.S.C.A. Section 1875, which reads, in part:

No employer shall discharge, threaten to discharge, intimidate, or coerce any permanent employee by reason of such employees jury service, or the attendance or scheduled attendance in connection with such service, in any court of the United States.

Any employer who violates the provision of this section:

Shall be liable for damages for any loss of wages or other benefits suffered by an employee by reason of such violation;

May be enjoined from further violation of this section and ordered to provide other appropriate relief, including but not limited to the reinstatement of any employee discharged by reason of his jury service; and

Shall be subject to a civil penalty of not more than \$5,000.00 for each violation as to each employee.

**13. What if my employer wants proof that I am serving on jury duty?**

After reporting for service, you will receive a Certificate of Attendance showing the dates of your jury service.

**14. Is my employer obligated to pay me my normal wages if I'm serving on a jury?**

No, there is no mandatory law that employers pay employees for the time they missed while on jury duty. Prior to reporting, please check with your employer regarding their jury duty policy. Such policies are discretionary with employers; employers are not required by law to continue jurors' regular pay during jury service.

**15. Will I be compensated for jury duty?**

The U. S. District Court will pay you a \$40.00 attendance fee for each day you report for your assigned jury duty. You will not be paid if you appear and request to be excused for reasons which were well known to you at the time you received your Jury Summons and returned your completed Juror Information Form.

**Federal government employees will receive their regular salary while on jury service and will not receive the \$40.00 attendance fee.** You will receive 55.5 cents per mile round trip from your home to the federal courthouse building and parking fees vary by divisional office. If a juror travels more than 50 miles one-way the day of trial, that person has the option to stay at a hotel/motel with reimbursement according to the fee schedule for the division in which they will be serving. Any overnight stay must be approved by the Jury Administrator or Jury Clerk in advance of your service. **Hotel receipts will be required.**

**Jury checks are prepared and mailed to jurors at the beginning of each month to cover service and mileage for the previous month.**

**16. Is smoking allowed in the federal courthouse building?**

No, smoking is only permitted in designated areas.

**17. Must I report my jury fee to the Internal Revenue Service?**

Any income received for jury attendance would be reported as income for tax purposes. The court will issue you an IRS Form 1099 if your income from jury attendance exceeds \$600. The attendance fee is the only portion of your jury payment that is considered income and therefore taxable. You do not need to

report travel and parking reimbursement as income.

18. **Can my family reach me in case of emergency?**

Your family may contact the jury office at (601) 608-4080 in case of an extreme emergency and a jury clerk will deliver a message to you.

19. **What if I am over 70 years of age?**

In state court you may request to be excused at age 65. In federal court the statutory age for requesting an excuse is age 70. If you wish to claim your age as an excuse, you must submit a request in writing in addition to returning your completed Juror Information Form.

20. **What are the procedures for not being able to obtain reporting instructions?**

You have been summoned to be “**On Call**” for federal court jury duty for a one (1) month period. This court uses a telephone call-in system for your reporting instructions. You must call the toll-free number **(1-866-885-3001)** every evening after 6:00 P.M., to obtain your reporting instructions. The automated system will prompt you to enter your nine digit identification number which is located next to your name and address on your summons. If you are unable to retrieve these instructions due to inclement weather conditions or phone service malfunctions such as continuous busy signals or continued ringing, then it will be necessary for you to call the **Jury Office** located in the **Jackson Division** at **601-608-4080**, as soon as possible on the **next working day** for your instructions. **DO NOT REPORT for jury duty until instructed to do so by the toll-free message, or the jury office.** If you report to the court in error, the court is not authorized to pay you or give you credit for that day’s attendance. Failure to appear will not excuse you from jury service for the entire term.