

Juror Basics

Summons and Qualification Form

A summons for jury service and a juror qualification form are the initial documents that call you, as a prospective juror, to service. The qualification form is a questionnaire sent to citizens to determine if they are qualified to serve as a juror. You may or may not receive a qualification form with your summons. When you receive a summons and/or qualification form, read it and follow the instructions. Respond honestly and within the time indicated. It is important to take the summons seriously because a person who fails to appear or respond may be guilty of civil contempt, enforceable by an order to show cause for the failure to comply and by a fine up to \$500. If you have any questions, contact the jury office of the court that summoned you at the phone number on the documents you received. (Sections 494.415, 494.450.)

Eligibility and Ineligibility/Disqualification

A person is eligible for jury service if he or she is over age 21; a United States citizen; a resident of the county or city sending the summons, unless serving in another county by order of the court; and able to read, speak, and understand English. A person is not eligible for jury service if convicted of a felony, unless restored to civil rights; in the active military; a judge; or a person who the court or jury commissioners find incapable because of mental or physical illness. (Sections 494.425, 494.505.)

Excusals

Upon timely application to the court, the court shall excuse from jury service:

- A person who has served on a jury within the preceding two years.
- Any person whose absence from his or her regular place of employment would, in the judgment of the court, tend materially and adversely to affect the public safety, health, welfare or interest (this does not usually excuse law enforcement or fire suppression employees from service)
- Any person upon whom service as a juror would, in the judgment of the court, impose an undue or extreme physical or financial hardship
- Licensed health care workers, if such person can provide a written statement certifying that he or she is actually providing health care services to patients, and that the person's service as a juror would be detrimental to the health of the person's patients.
- Licensed health care workers are any physician, hospital, health maintenance organization, ambulatory surgical center, long-term care facility, dentist, registered or licensed practical nurse, optometrist, podiatrist, pharmacist, chiropractor, professional physical therapist, psychologist, physician-in-training, and any other person or entity that provides healthcare services under the authority of a license or certificate. But only if such person provides a written statement to the court certifying that she/he is providing health care services to patients, and that the person's service as a juror would be detrimental to the health the persons patients.

- Any employee of a religious institution whose religious obligations or constraints prohibit them serving on a jury. The certification of the employment and obligation or constraint may be provided by the employee's religious supervisor. (Section 494.430)

Postponing Service

If you are unable to serve during the time requested on your summons, contact your local jury office. You can apply for a postponement. When requested, postponements shall be granted, provided that:

- (1) The prospective juror has not previously been granted a postponement;
- (2) The prospective juror appears in person or contacts the board of jury commissioners by telephone, electronic mail, or in writing to request a postponement; and
- (3) Prior to the grant of a postponement the court shall set the date on which the prospective juror will appear for jury service that is not more than six months after the date on which the prospective juror originally was called to serve and on which date the court will be in session. If a prospective juror is a full-time student of any accredited institution, the court shall set the date on which the prospective juror will appear for jury service that is not more than twelve months after the date on which the prospective juror originally was called to serve and on which the court will be in session. (Section 494.415, 494.432)

Employment Safeguards

An employer may not terminate, discipline, threaten or take adverse action against an employee on account of that employee's receipt of or response to a jury summons. An employee discharged in violation of this law may bring a civil action against the employer within ninety days of discharge for recovery of lost wages and other damages and for an order reinstating the employee. If the employee prevails, the employee shall be entitled to receive a reasonable lawyer's fee.

An employee may not be required or requested to use annual, vacation, personal, or sick leave for time spent responding to a summons for jury duty, time spent participating in the jury selection process, or time spent actually serving on a jury. (Section 494.460.)

Compensation

Compensation and mileage allowance for service varies by county or city. See "local jury offices" link on the side bar. (Section 494.455.)

Common Questions

1. What if I cannot speak, read, and understand English?
¿Qué si yo no puedo hablar, leer, y no entender inglés?

En Español: Una persona que no puede hablar, leer, y entender el lenguaje inglés no es elegible para el servicio del jurado y puede ser descalificado. Escriba la razón para su descalificación en el convoca/cuestionario y lo vuelve a la oficina del jurado, específicamente expresar: "I cannot speak, read, and understand English."

Si usted no puede completar la forma de la calificación del jurado, otra persona lo puede hacer para usted. La persona debe indicar que él o ella ha completado la forma para usted y que él o ella completó la forma para usted porque usted no leyó, habla, y entiende inglés.

Si se determina de un examen de la forma de calificación de jurado que usted no es calificado a servir como un jurado, usted será notificado, no será requerido a conformarse con el convoca, y será borrado de la lista magistral del jurado. Así, usted debe aparecer en el tribunal en la fecha en su convoca a menos que usted reciba otra notificación.

A in English: A person who cannot read, speak and understand the English language is not eligible for jury service and may be disqualified. Write the reason for your disqualification on the summons/questionnaire and return it to the jury office, specifically stating: "I cannot read, speak and understand the English language."

If you are unable to fill out the juror qualification form, another person may do it for you. The person should indicate that he or she has filled out the form for you and that he or she filled out the form for you because you do not read, speak, and understand English.

If it is determined from an examination of the juror qualification form that you are not qualified to serve as a juror, you will be notified, will not be required to comply with the summons, and will be deleted from the master jury list. Thus, you should appear in court on the date on your summons unless you receive other notification.

2. Can my employer discipline or fire me?

A: No. Under Missouri law, an employer cannot terminate, discipline, threaten, or take adverse action against an employee on account of that employee's receipt of or response to a jury summons. Any employee discharged due to jury service may bring a civil action against his or her employer within ninety days of discharge for recovery of lost wages and other damages caused by the violation and for an order directing reinstatement of the employee. (Section 494.455.)

3. Am I required to take annual, vacation, personal, or sick leave for time spent performing jury service?

A: No. Under Missouri law, an employer cannot require or request an employee to use annual, vacation, personal, or sick leave for time spent:

1. Responding to a summons for jury duty.
2. Participating in the jury selection process
3. Serving on jury

4. How much do I get paid?

A: By law, each juror receives at least \$6.00 per day for every day he or she actually serves and seven cents for every mile traveled to and from his or her residence and the courthouse. Most counties pay more. Select "[local jury offices](#)" to view your county's compensation amount.

5. What if I care for a dependent child or adult?

A: If you have a dependent child or adult under your care, you may ask for a postponement or excuse from jury service. Please keep in mind that many citizens care for dependent children or adults, and only those situations that would impose an "extreme hardship" in the judgment of the court may be excused. (Section 494.430.)

6. Why do I always get summoned but other people don't?

A: All people selected for jury service are selected at random. (Have you ever noticed that sometimes when you flip a coin, heads will come up two or three times before tails, but eventually the odds will even out?) Counties may choose juror names randomly from the Missouri Department of Revenue driver's license records and from voter registration rolls. Some counties use other lists such as personal property tax rolls.

See also Common Question number 7.

7. What if I have been called twice or already have served in the past year?

A: If you have served on a state court jury within the preceding two years and received a questionnaire on your qualifications to serve as a juror, you can request to be excused from service. You must state this on your questionnaire or summons. However, you may be required to serve on multiple juries during your term of service, depending on the term of jury service in your county or city.

8. What should I do if I need special accommodations?

A: If you have a disability, indicate it on your jury summons/questionnaire, and let the local jury office know what type of assistance you would need. If you have questions about special services or devices that may be available to enable you to better participate in court proceedings, contact the [local jury office](#). If they cannot reasonably accommodate you, you may be excused from jury service.

9. How long does a trial take?

A: The length of trials varies depending on how complex the issues are and how long jurors spend in deliberations. In Missouri, based on the trials that occurred last year, most trials are completed in about two days.

10. Why do I have to wait around so much as a juror?

A: The judge, court staff, and attorneys work hard to reduce the time you spend waiting as a juror. However, waiting cannot be completely eliminated, for many reasons. For example, the lawyers may present a point of law to the judge that ought not to be argued in front of the jury. Although you may not see it, very often a delay actually saves time and brings the case to a quicker conclusion. In many counties, you may wish to come prepared with reading material or other means to occupy your time while waiting outside of the trial. Select "[local jury offices](#)" to see which counties permit such materials.

During trial, there are occasions when the lawyers may approach the bench. At such times, matters of law or procedure are being discussed. Because such discussions are between the judge and lawyers only, having the lawyers approach the bench avoids the inconvenience of sending the jury from the courtroom. Because the jury decides a case on factual issues alone, the discussions of law and procedure must take place outside of the jury's hearing to avoid confusing the issues or influencing the jurors. Do not draw any conclusions as to what is being said out of your hearing.

11. Can I take notes or ask questions during the trial?

A: In some cases, you may be permitted to take notes or ask questions. The judge will inform you if you are permitted to so.

12. Is my privacy protected during and after the trial?

A: The judge will take your privacy into consideration when making decisions about the case. The judge must balance the requirement in the Constitution that guarantees people a public trial on the one side and the juror's real concerns about privacy on the other side. If you have concerns about privacy, please let the judge know. If a newspaper or television reporter, or a lawyer or a friend of one of the people involved in the case, approaches you during the trial, let the judge know immediately. Such contact is inappropriate during a trial. After the trial is over, the media and the parties in the case can contact you, but you do not have to talk to them.

13. How can I get out of jury service?

A: Jury service is a civic duty that every eligible adult in Missouri has. This service to your community is the most direct, hands-on involvement in government that most Missourians will experience. The law provides, however, several categories that, upon timely application to the court, excuse a summoned juror. (Section 494.430.) Write the reason for your excuse on the summons/questionnaire and return it to the jury office. You may have to appear in court on the date on your summons in order to explain to the judge the reason for your excuse.

14. What if I think a mistake was made and I am not eligible for jury service?

A: A person is eligible for jury service if he or she is a United States citizen; at least age 21; a resident of the county or city unless serving in another county by order of the court; not convicted of a felony unless restored to civil rights; and able to read, speak, and understand the English language.

Active military, judges, and persons who the court or jury commissioners find incapable because of mental or physical illness are ineligible to serve. (Sections 494.425, 494.505.)

If you are not eligible, you may be disqualified from serving as a juror. Write the reason for your disqualification on the summons/questionnaire and return it to the jury office. If it is determined from an examination of the juror qualification form that a person is not qualified to serve as a juror, the juror will be notified, will not be required to comply with the summons, and will be deleted from the master jury list. Thus, you should appear in court on the date on your summons unless otherwise notified.

15. Can I postpone jury service?

A: If you are unable to serve during the time requested on your summons, contact your [local jury office](#). You may apply to postpone your service to a later date. You may have to appear at the courthouse in order to tell the judge the reasons why you cannot serve. Please be prepared to come to court on the date the summons says.

16. What should I wear to the courthouse?

A: While you need not "dress up," appropriate attire is requested. In keeping with the dignity and serious nature of court proceedings, in most courtrooms, participants may not wear hats, t-shirts, tank-tops, tube-tops, cut-offs, or shorts. If you have questions concerning attire, contact your [local jury office](#).

To view statutory sections, visit www.moga.mo.gov.