

# Memorandum

To: Judge Higgins, The Charlottesville-Albemarle Bar Association,  
Albemarle Commonwealth's Attorney's Office, The Office of the  
Public Defender, and the Criminal Law Section of CABA

From: Jon Zug, Albemarle Circuit Court Clerk

Re: Changes to the Jury System in Albemarle Circuit Court

Date: April 24, 2017

Effective with the June, 2017 term of Court, the Albemarle Circuit Court Clerk's Office will be going with a new jury system known as "One and Done". Over the last year since I took office as clerk, getting jurors assigned to specific days, particularly in multi-day trials, has been a challenge that is inflexible for the court and counsel, time consuming to the clerk's office, and, frankly, unfair to many jurors in terms of the amount of jury duty each juror is required to serve. One and Done is designed to cure most of these issues.

Here is how it works:

- 1) Jurors summonsed for jury duty (and it will be about 500 each term) will be required to provide the clerk with three weeks of availability, each week commencing with Monday and ending on Friday, and they are to prioritize that availability by assigning it a value of 1 – 3, representing 1<sup>st</sup> priority, 2<sup>nd</sup> priority, and 3<sup>rd</sup> priority.
- 2) Jurors will only be assigned to **one** of the weeks, but they will be expected to come in each day of that week that a jury commences, and they will serve on a jury trial, once selected as a juror, until it ends, whether it is 1 day, multiple days, or multiple weeks. Once they have been selected to actually sit on a jury and that trial finishes, they are excused from further jury service for the remainder of the year. If they are not selected for a jury on a particular day, they will return the following day until either they are selected to serve on a jury or the week ends. At that point in time their service ends for the year.
- 3) **NO JURIES CAN COMMENCE ON A FRIDAY.** All juries must be scheduled to start on a Monday through Thursday and they can continue to be

heard on Fridays, but they cannot commence on a Friday as according to all jurisdictions that use this system, it unbalances the system for jurors. Thus Fridays where it is known that no jury will continue onto that day can be reserved for motions and bench trials.

This system of juries takes between 50 and 60 jurors for each week (hence why I have to summons 500 people for jury duty each term), and there will be a letter designation given to jurors to stagger their appearance start date during each given week so that we don't have too many jurors come in on any given day. However, feedback from jurors in other jurisdictions who have this system, and from discussions that I have had with citizens of Albemarle about going to this system, has been very positive.

Inevitably there will be some ironing out of details and issues that will arise as we go forward, but I am confident that this will introduce a level of flexibility into our current jury system that has not existed in order to deal with speedy trial or other urgency issues that may occur in getting cases set for a jury trial. I look forward to working with you all in enhancing our judicial system and making it as convenient for our citizens serving jury duty as it can reasonably be.

JRZ