



## Juries

### Jury News

#### Research Services

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### **An Internet Jury Hoax**

*(Court Manager 16, 4)*

In early January I received an e-mail from Mike Garrahan of the New Jersey Administrative Office of the Courts saying, in part:

“Yesterday we had a situation arise in New Jersey in which citizens in at least seven counties reported receiving an e-mail that reported to be a notification of jury service. It is not a legitimate notice, and the New Jersey judiciary issued a press release yesterday to advise citizens of that fact and to seek their assistance in the investigation. I wanted to let you know about it for two reasons: 1) to find out if you are aware of this taking place in other jurisdictions and 2) so you can advise other jurisdictions.

The notice does not identify a state or even a courthouse address but instead states that it is from the “Department of Online Juror Notification” in the Superior Court. It notes, too, that this new notification became effective January 1, 2002. The notification directs the recipient to complete the attached form and advises them that there may be a \$1,500 fine if they fail to comply.”

This message was distributed via the NCSC supported listserv Court2Court as a means of alerting the courts to this hoax. Interestingly the same medium that transmitted the hoax was used to try to thwart it. Our screens began to light up immediately with other states and courts reporting the problems it had caused and their efforts to investigate it and stop it. In addition to New Jersey, responses from many courts were received including those in Alaska, Arizona, California, Florida, Idaho, Michigan, Minnesota, Missouri, New Hampshire, North Carolina, Ohio, Washington, Wisconsin, and Wyoming. Several reported persons appearing at the courthouse with the bogus summons in hand.

Here is what we learned. The summons was available as a gag greeting card from a web site that provided many other messages that they also considered to be humorous. Flowgo.com is the website and to their credit, they later apologized. The user can select one of many gag cards and send them to friends. In fact, the jury summons card was reported by the website to be among their “top 5.” The “card” contained a summons as described above. No actual reporting to a courthouse was requested. The recipient was asked to be available for jury service for the week of Feb. 11 and was asked to complete a questionnaire that was several pages long. The questions started off being quite serious asking about citizenship etc. and then went into strange questions and ending up with some being ribald, as one reader cited them. One question was whether you thought it is permissible to take somebody else’s property. In fact, some were no sillier than many I have seen on some real voir dire questionnaires. Thank heavens none of the questions sought information that might be used to steal an identity. When the questionnaire was submitted to the website by the citizen, the final screen indicated that this was a gag and for more “hilarity” see a new Warner Bros. TV show premiering soon. If one got to that point the seriousness was lost, however many recipients never got beyond the first page and considered the summons seriously. The summons did not carry an indication of a specific court, real or otherwise. Warner Bros. had paid eUniverse to send the “summons” to 7 million persons.

Some states did as New Jersey did, and issued a press release about the hoax hoping to reduce the concern of citizens that were summoned. Other states such as Michigan and Wisconsin issued a warning to the courts about the scam through their state information system. The Ohio Jury Management

Association distributed the word via their association website. The dialog on Court2Court showed a diversity of opinions as to what to do. Some did not want to reward the foolishness and publicity seeking purposes and chose to let it go away.

Some states and courts considered legal action including the thought that such a "document" was a violation because it was "simulating legal process," was "false representation or forgery of government documents," or "impersonating a court official." To date I have not heard of any legal action planned.

The listserv of the state and court Public Information Officers carried information immediately. The problem was also picked up on talk shows and newscasts, and articles appearing in the press.

Gloria Gomez, Director of Jury Division of the Los Angeles Superior Court called eUniverse Inc. of Los Angeles, the operator of the website, and Warner Bros. to see if they had any idea of the problems they caused to citizens across the country. The response from Warner Bros. was a bit apologetic and the card was withdrawn from the website immediately. Several other courts also reported calling the company.

Tim Shea of the Utah Courts said he was concerned in that they are considering using the web for jury summoning. In fact several jurisdictions such as Maricopa County, Arizona and the new statewide system in South Dakota permit jurors to complete their questionnaire on a web page instead of submitting the paper directly. However none do the first notification via the web. The web is simply an alternative to mailing in the form. Interactive Voice Response, or IVR, which uses the touchtone phone keypad for data input is also used in many courts as an alternative to mailing in the questionnaire. It did bring back memories of some Virginia courts in which summoning consisted of the Sheriff calling the prospective juror. They claimed it was very effective.

I thought of the recent request published in the newspaper from the Federal District Court for the District of Columbia that asked citizens to fax back or bring in their questionnaires because the mail was delayed due to anthrax screening of all mail received. Wouldn't the web provide a nice answer to that security problem as I reported in the last issue of this column?

So what does this all mean? The web is so pervasive as I am always amazed to see. The recipients who were bothered were, in many cases, not the web savvy persons one would imagine them to be. The elderly woman that reported with the hoax summons was not a geek. Who would send such a message to such a person and how did she receive it? The lack of knowledge among the citizenry of the jury process and their belief that the courts could use such a process is a strong message to us. Orientation materials, out reach programs and web informational sources should tell the jurors how they are or will be summoned and that other requests for information, purported to involve jury duty, should be reported to the court. When I first heard of this hoax from Mike, I feared it was a repeat of a scam in which summoned jurors were called and information such as their social security numbers were requested. That should also be communicated to jurors, as something the court will never do. The last point is the degree of communication that is now available to courts and the many who are using these channels to help each other and to carry on an informative dialog.

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Inquiries regarding **Juries** or to obtain copies of any of these resources  
may be directed to the Research Division Office

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