

## ***Jury News: Essential elements (and things to avoid) for an effective juror orientation video***

By Erika Bailey

*Where should I go? What should I bring with me? How long will this take? Will I be paid?*

Jurors entering a courthouse for the first time to begin their service are often brimming with questions. For some, this may be the first time they have ever interacted with the American justice system. It can be a daunting experience for someone who has never before set foot inside a courthouse. Even for those who have participated on a jury before, such opportunities are limited, and they may be unsure of how procedures have changed since their last visit to a courthouse. For courthouse staff, visiting the courthouse is a normal part of their daily routine, but for jurors, the event is anything but ordinary. Jurors rely heavily on jury staff to answer their questions and familiarize them with the steps they need to take to successfully complete their service. Each interaction presents a valuable opportunity to improve public trust in the justice system and to encourage meaningful participation in the American system of self-government.

Because it represents an important first impression of the court, jury orientation is a vital aspect of the time spent preparing for a jury trial. Many courts now use orientation videos to welcome jurors to the courthouse and answer common juror questions in a systematic and consistent manner. A thoughtful, organized jury orientation video can prepare jurors for arrival at the courthouse (pre-service videos) or help jurors to better understand their duties once they have arrived (in-service videos). Either way, jury orientation videos provide valuable information for jurors and help ensure that the orientation process runs smoothly, making the experience of serving on a jury a more positive one.

### **Juror Orientation Database Project**

The NCSC Center for Jury Studies often receives requests from courts for resources and suggestions for creating new juror orientation videos. To provide useful assistance, we found as many online juror orientation videos as we could, reviewed them for content and quality, and [developed an online database](#) where jury managers can view videos tagged with descriptors with which users can filter for desired characteristics. The database includes 77 state and local juror orientation videos produced within the past 10 years from 33 states and the District of Columbia.<sup>1</sup> Users can filter by state, by type of video (pre-service or in-service), or for specific types of content. Content filters include information for pre-service videos (e.g., dress codes, parking information, and responding to the jury summons); information about the roles and responsibilities of jurors, judges, and other courtroom and trial participants; information about the trial process; general information about jury service, including compensation and term of service; and features about the video format, including closed captioning and the use of juror testimonials.

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<sup>1</sup> Jury orientation videos were identified via Internet search. The original search yielded 95 videos. Production dates for videos were estimated, and any video older than 10 years was excluded from the sample, leaving a total of 80 videos. Additionally, one video was split into two parts, with less than two minutes of footage in the second part, and two videos were revised versions of previously released videos. Excluding these three anomalies left a final sample of 77 videos.

## **Video Production Guidelines**

In creating the database, we developed some well-informed opinions about features that enhance or undermine orientation video effectiveness, which are posted with the instructions for using the database.

The following recommendations, while not an exhaustive list, indicate some of the best practices followed by the jurisdictions with the most compelling juror orientation videos, which may serve as a set of guidelines for any states or counties seeking change in this vital step in the juror orientation process.

### ***Production Quality***

Production quality is an important consideration for maintaining the dignity of the court. Jurisdictions which give due consideration to production details produce some of the most compelling videos, which are better able to maintain jurors' attention. Recommendations and potential pitfalls are elaborated below:

- **Timeliness.** Video footage should be updated regularly as fashion, technology, courtroom regulations, and laws governing juror conduct and jury management change. When videos are updated, update all footage simultaneously, rather than adding a new introduction to older footage, which may appear outdated and less relevant to current jurors.
- **Visual and Sound Quality.** Hire a professional film crew or videographer. Proper film lighting and sound editing techniques are important aspects of video production that a professional team must be able to address.
- **Professional Makeup.** Anyone appearing on camera should be wearing an appropriate amount of camera-ready makeup to avoid shine from the lights. Hiring a professional makeup artist to assist in this process is recommended if the production crew does not already include one.
- **Wardrobe.** All speakers on camera should be suitably dressed and demonstrate proper attire for the courtroom, particularly any former jurors who are included.
- **Teleprompters.** Avoid allowing presenters to read directly from a teleprompter, as this appears stilted. For some portions of the video, it may be preferable to utilize an unscripted format, allowing judges, court staff, and former jurors to answer questions naturally and informally while still conveying the same information.
- **Closed Captioning.** Including closed captioning is strongly recommended to assist hearing-impaired jurors as well jurors who may have difficulty hearing in a crowded jury assembly room. If used, closed captioning should not cover other writing which appears on the screen.
- **Music.** Music, if included, should be secondary to the information presented. Some jurors may have difficulty distinguishing speaking voices from music. Therefore, music should be relegated to the background and not unnecessarily loud or obtrusive. It may be best to avoid using music altogether while speakers are actually talking.
- **Music Style.** For music styles, note that modern music may quickly become dated and should be avoided. Ideally, any music included should support the video and vary appropriately as themes change throughout the video. Music should not be popular or easily recognizable, as this may become a distraction or encourage unintended associations.
- **Dialogue.** Whether speakers are professional spokespersons or actors, experienced court professionals, former jurors, or some combination of the above, they should be articulate and

have pleasant voices. When properly edited, all dialogue should be distinct and easily understandable.

- **Representation.** Participants should represent the diversity of the community for which the video is intended.

### ***Script Writing and Content***

A well-written and well-organized script enables jurors to understand court processes and their role within the courtroom, while a clearly organized one helps prevent jurors from becoming confused or missing vital information. Important considerations for script writing include:

- **Clarity.** Be clear at the outset about the video's intended audience and purpose. Is the video intended for the general public (public service announcement), or is it meant for only those who have already been selected as potential jurors? Is it intended to be viewed before or after jurors arrive at the courthouse? If the latter, there is no need to tell viewers where to park or what to wear after they have already done so by the time they watch the video.
- **Organization of Information.** The format and organization of information should be logical. For instance, when using a chronological organization, it makes sense to discuss potential waiting time before walking through the trial process.
- **Terminology.** Avoid unexplained legal jargon, which may be unfamiliar to potential jurors. When legal terms are used, explain them simply but thoroughly. Similarly, court staff may frequently use expressions such as "one day/one trial" which should be clarified to jurors.
- **Length.** The average video length in the database was approximately 12 and a half minutes. In general, one longer video is better than several shorter ones. However, if the video is especially long, breaking it into two videos may be reasonable, particularly if one is meant to be seen prior to arrival at the courthouse and the other is meant for orientation on the day of jury service.
- **Pacing.** Pacing should be slow enough that viewers have time to process the information given to them. Remember that the viewers have never heard much of the information before and may need to make mental or physical notes about the content. On the other hand, pacing should not be so slow that viewers become bored.
- **Rate of Speech.** Speakers should not speak too rapidly, and there should be meaningful pauses when switching from one topic to another. It is useful to include written text or titles on the screen to indicate topic switches and to highlight important pieces of information.
- **Format.** A question and answer format can cover a lot of information quickly, but it can also be dull if the video only includes judges or former jurors answering questions. Videos should be more engaging and visually dynamic in their presentation. Testimonials from former jurors can be reassuring to potential jurors but also can become tedious if the video includes too much testimonial and not enough fundamental information.
- **Content.** Orientation videos should serve as a general introduction to the court system and jury service and should only include content that is important for all jurors to understand. Content that is more complex or which may vary depending on the type of case is better addressed by a judge or other member of the court staff.
- **Focus.** Jury orientation videos should focus on answering the most commonly asked questions, particularly those regarding how jurors were chosen, what to expect in regards to wait time, what the next steps in the process are, prohibitions for jurors, and what the jurors' responsibilities are.
- **Additional Information.** Supplementary information can be included to provide a more comprehensive understanding of the trial process, but any additional explanations should be

relatively brief and should focus on the central purpose of the video. For example, while a history of jury service may be relevant, potential jurors may be less invested in understanding the history of the courthouse building.

## **Recommended Elements for Juror Orientation Videos**

The elements listed below, organized by video type, indicate some of the most common elements included in the videos included in the database. Most of these elements are included as filters in the Juror Orientation Video database. While this list presents some of the most common components of each video type, it is not an exhaustive list, and it is incumbent upon each jurisdiction to determine which components are necessary or ideal for any videos produced.

### ***Pre-service Videos***

Videos shown to potential jurors prior to their arrival at the courthouse represent an additional time commitment from potential jurors and therefore should be kept brief. Videos which are too long may not be viewed in their entirety by all jurors. The simplest way to ensure such videos do not require excessive time is to limit subject matter to that which provides potential jurors with information required to successfully report for service.

Common elements for pre-service videos include the following:

- How to respond upon receiving the summons:
  - Instructions for answering the summons
  - Information on qualifications for service, exemptions, and excusals
  - Descriptions of any relevant ADA accommodations
- What to know before leaving for the courthouse:
  - Attire or dress code
  - Parking instructions
  - Where to go inside the courthouse and how to report
  - Description of courthouse security procedures, particularly noting items jury members are and are not permitted to bring into the courthouse
- What to expect after you arrive:
  - Explanation of source lists and jury pool selection process
  - Term of service
  - Juror compensation
  - Employer responsibilities

### ***In-Service Videos***

Videos shown to jurors upon arrival at the courthouse can be longer and more detailed, as potential jurors have already given their time to the court. However, videos longer than about 15 minutes may still become tedious and lose jurors' attention. Key elements should be identified, and only elements which add to the jurors' understanding or appreciation of the process should be included.

Although many jurisdictions may prefer to have judges or other court staff explain some of these elements to the jury in person, common elements for in-service videos include the following:

- Introduction to jury service:
  - Welcome to the courthouse and appreciation for service
  - Waiting time – why it happens, how it helps the legal system, and what jurors are permitted to do while waiting
  - History of jury service
- Expectations for the courtroom:
  - Description of courtroom staff – who sits where and what they do during the trial
  - Admonitions – cell phones, social media, recording, researching the trial, etc.
  - Testimonials from former jurors
- Explanation of legal information and trial procedures:
  - Voir dire
  - Roles of judge and jury
  - Juror oaths
  - Trial process and deliberations
  - Burden of proof
  - Types of trials which require juries (civil, criminal, grand jury)

## **Final Considerations**

With the increasing pervasiveness of online visual media in the past two decades, modern jurors, like the rest of the American public, have become sophisticated consumers of video content. Higher public expectations for video quality suggest that courts can no longer use outdated footage or splice together old and new content and expect to exhibit professionalism. Maintaining high standards for orientation videos preserves the dignity of the court and communicates the seriousness of the role jurors play within the justice system.

The video database and these guidelines are provided by the Center for Jury Studies to assist courts in assessing and improving their own orientation videos. Jurisdictions who have recently updated their videos are invited to [share them](#) with the Center for Jury Studies to be included in the database as a resource for other courts.