

## **Surviving Jury Duty: Tips for Rape and Sexual Abuse Survivors**

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Being summoned for jury duty can cause a lot of anxiety for survivors of rape or sexual abuse. For those who dealt with the police and court system, you may be concerned about flashbacks or panic when confronted with another courtroom. Even those who did not pursue legal action following sexual assault, you might be concerned about what you will have to disclose to the judge and attorneys and about the potential to be seated on a case involving abuse or violence.

The good news is that jury duty doesn't have to be stressful; you might even find it interesting! This article will discuss some basic facts about jury duty and how to cope with the stress of performing this civic duty.

### **Receiving the Summons**

Most states summon prospective jurors through the mail. You will receive a summons with instructions on when and how to report for duty.

You might be tempted to ignore this summons – but please don't do so! Not only is jury duty an important civic responsibility, but there can be real consequences for failing to report. You could be fined or even subject to arrest. In some states, police officers are sent to pick up absent jurors. Ignoring your summons could result in far more stress.

### ***Deferring Service***

If you have a conflict, or don't feel that you can emotionally or physically perform jury duty, you can request a deferral on your service. Your summons should include information on who to contact to make such a request. Be sure to handle a deferral request promptly. You may need to provide a letter from a doctor or psychologist that states why you are unable to serve as a juror. You may be required to appear on your summons date and make the deferral request at that time.

## **Reporting to the Courthouse**

Different courts have different reporting requirements. In some areas, you must physically report to the courthouse each day of your service. In other areas, you phone ahead to find out when you must appear. Your summons will provide this information for you.

## ***How to Dress***

Dress comfortably; jury duty involves a lot of waiting. However, you will be in a courtroom, so please choose conservative and appropriate clothing. You don't need to wear a suit, but you should wear business casual clothing. Avoid sleeveless shirts, shorts, or torn clothing. You should also dress in layers; some courtrooms are cold!

## ***What to Bring***

Keep in mind that courtrooms really aren't like they're depicted on TV. Things are usually far more mundane and less dramatic. The main thing to expect is probably boredom, at least during the waiting stage.

Because much of your time will be spent waiting, bring a book or magazine. Some courts will allow laptop computers and have wireless, but many do not; call ahead to find out if they are permitted and if storage is provided, as you will not be able to bring them into the courtroom.

## ***What to Expect***

Jury service varies widely by jurisdiction, so this section will cover the issues most relevant to survivors with general information that is probably applicable to most situations.

Usually, when you arrive for jury duty you will have orientation. Then certain jurors will be selected randomly to join a jury pool. These prospective jurors will be escorted to a courtroom. Some people will be asked to sit in the jury box to participate in jury questioning, called *voir dire*. The judge will give you some brief information on the case, and you will be read a list of names and asked if you know anyone involved. The judge and attorneys will then ask you some questions. It is important that you answer these questions completely and honestly; you are considered to be under oath, and being untruthful can have consequences.

Being on a jury does to some extent limit your privacy - you'll be asked questions

about your family, job, and education. If you are seated on a prospective juror panel in a criminal trial, you will be asked if you have ever been a witness in court or a victim of a crime. The judge or attorney will likely follow up on your "yes" answer and ask if your experience would prevent you from being an unbiased juror. Answer these questions truthfully. You will usually be answering these questions in front of other prospective jurors, several attorneys, the parties to the case, and maybe even spectators. If the question is too difficult to answer in front of other people, tell the judge this. Ask if you can answer the question privately with just the judge and the attorneys.

If you have never told about your rape or abuse, or if you're not comfortable saying it out loud, that is okay. Again, be honest and, if you can, tell the judge that you were the victim of a crime but it's very upsetting to you and you cannot talk about it without a lot of anxiety. If you cannot say that, just say something happened and you're dealing with it but cannot talk about it. The judge might simply excuse you at this point, or she or he might ask you to come to the sidebar or chambers to talk more. Remember that your safety is important, and if you cannot go into details or even a summary, you should not be forced to. Just be honest about what you're feeling; you should be treated with compassion and not be forced to disclose something you are not ready to tell.

As an attorney with a lot of experience in the courtroom, I have observed at least 50 jury trials. In every *voir dire*, the judge has ended his or her portion of the question with a variation of this question: "Do any of you have anything weighing on your mind that would prevent you from being able to serve as a juror?" Raise your hand, say yes, and the judge will ask more. If you are feeling panicked, be honest about this as well. Once I observed a woman say she wasn't comfortable saying out loud what she was experiencing. She was dismissed at that point. I asked the judge what his other option would have been, and he said most judges would offer the prospective juror the chance to go to chambers with the judge and attorneys to discuss it. Jury service should not harm your emotional health, and most judges and lawyers I know don't want a juror who is being traumatized by his or her service - both for the health of the juror, and the good of the case.

For rape and sexual abuse survivors, the biggest fear is usually being placed on a jury in a civil or criminal case involving sexual violence. That fear is understandable – just the thought of listening to such difficult testimony can raise your anxiety level. However, remember that the vast majority of trials do not involve these issues. They are often about other crimes, or civil matters that involve property or car accidents. The odds of you being called to a sexual violence trial are very slim.

If you are summoned to a panel for a sexual violence case, jury questionnaires

commonly precede *voire dire*. These questionnaires cover the more sensitive topics in writing. Here is an example of a typical jury questionnaire:

[http://www.fjc.gov/public/pdf.nsf/lookup/dpen0022.pdf/\\$file/dpen0022.pdf](http://www.fjc.gov/public/pdf.nsf/lookup/dpen0022.pdf/$file/dpen0022.pdf)

Usually, the attorneys will review your answers, and if you have disclosed sexual violence you will be brought into the judge's chambers or an empty courtroom to meet with the judge and attorneys, and privately answer follow-up questions.

As a survivor, it is highly unlikely that you will be selected to serve on a jury involving any type of victim crime. No matter how good your intentions are, it is difficult to eliminate all bias to serve in this role effectively. A decision to dismiss you from the jury panel is not made to penalize you for disclosing your history nor does it mean that you aren't honest or thoughtful; rather, the goal is the fair administration of justice which requires an unbiased jury. Additionally, though jury service can seem impersonal, it is no one's best interest to subject a juror to unnecessary trauma.

If you are selected to be a juror, you will be instructed on how long the trial will last, when and where you should report, and other information you need to know. Try not to be upset if you are selected: most jurors have a very rewarding experience and it can be exciting to be the fact-finder and decision maker in a case!

### **Coping Tips**

I believe that knowledge about service and what to expect is a valuable tool for reducing stress. The unknown seems only to exacerbate anxiety! Your local court's website will likely provide more information specific to your courthouse, so be sure to locate the website and see what information is available.

Here are some additional suggestions for coping with the stress jury duty can bring up:

#### ***Take care of yourself***

Be sure to eat well and get enough sleep before you report for jury duty. Taking good care of your body can help you deal with stress more effectively.

#### ***Seek support***

If you have a therapist, speak to him or her about your concerns and try to work out a plan for dealing with stress. You can also join the [Pandora's Aquarium online](#)

[support group](#) to get additional tips from other survivors who've been through jury duty.

### ***Learn grounding techniques***

You can find helpful suggestions for coping with stressful situations in these articles: [Grounding Exercises](#) and [Common Responses to Trauma and Coping Strategies](#).

### ***Take care of yourself after jury service***

Some jurors report experiencing the symptoms of post-traumatic stress after they serve on a difficult trial. If you find yourself needing additional support after your service, please schedule an appointment with a therapist to process what you experienced.

### **Four Things to Remember**

In sum, keep these four important things in mind:

- 1) Just because you've been called for service doesn't mean you will serve on a triggering case! Odds are, you will not serve on a case at all before you are dismissed from service (and you might even be disappointed about that!).
- 2) Be honest about your history and your needs. Jurors are usually treated very well and compassionately by judges and attorneys, because the judge wants a safe courtroom and the attorneys want a juror who will side with them! Service does not have to be traumatic, so speak up if your needs aren't being met or if you need assistance.
- 3) Be polite in your interactions with all court staff. You catch more flies with honey than vinegar.
- 4) **You will make it through this!** You might even surprise yourself and find jury service very rewarding.

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