

You have just received a jury summons. Now what do you do?

A “**jury summons**” is a court order. It means you have to attend at the time and place stated so that a jury can be selected, unless you have been excused. Although you may not be chosen as a juror, you do have to show up. Serving on a jury in our society is both a privilege and a legal duty. If you don't show up, you may be subject to severe penalties provided by law.

You have an important and valuable role to play in the administration of justice. To serve on a jury means sitting down with a group of people who will decide on the facts of a criminal or civil case. In criminal trials, there are 12 jurors. In civil trials, there are six jurors.

How is a jury chosen?

Each time a jury trial is scheduled the Sheriff's Office is directed to summon potential jurors from the community of the trial. The number of summons varies, depending on the trial's specific circumstances. Summonses are generated through a random selection process, meaning that anybody in the community can be summoned. Along with the summons you have received, there is also a Jury Certification Form; please ensure that you fill out this form and return it to the Sheriff's Office, either by hand to the office or by mail with the prepaid envelope enclosed, in a timely manner.

When you show up at the time and place stated, you may or you may not be chosen as a juror for that trial. Further details of the trial and circumstances will be given at that time. After attendance is taken, names will be drawn at random from the panel until the appropriate number of jurors is reached.

What qualifications do I need to serve on a jury?

You must be:

- A Canadian citizen;
- At least 19 years old; and
- Able to understand and speak either English or French (depending on the trial).

Who can be excused from jury duty?

Some people may not have to serve on a jury because of the type of work they do, or because they are otherwise unable or not allowed to do so. These include:

- RCMP member, MLA, elected First Nations Chief, lawyer, social worker, probation officer, members of Queen's Privy Council, judges;
- Someone convicted of a criminal offence, which a term of imprisonment exceeding 12 months was imposed and who have not been pardoned by the Government of Canada for this offence;
- Someone who is physically-challenged, such as being blind or deaf;
- Someone who is mentally-challenged; or
- Someone for whom jury duty would create undue hardship, such as a mother nursing a child, a person suffering from a serious illness, a person whose holiday plans include non-refundable travel.

Some people are “exempt” from jury duty, which means that they do not have to serve as jurors if they do not wish to. They still need to ask the Sheriff to be excused from serving on a jury. These include:

- Clergy of any denomination, firefighter, doctor, nurse, dentist, pharmacist, postmaster, member of the naval, army or air force armed forces of Canada or someone in a plant producing electricity or distributing water for public consumption;
- Someone who has served on a jury in the past two years; or
- Someone over 65 years old may be excused under S.6 of the Jury Act.

If I need to be excused from jury duty, what do I have to do?

You have two choices:

- Put your request in writing on the juror certification form and make sure the Sheriff receives it *before* you are required to appear. The Sheriff will then let you know whether you are excused or not. If for some reason you have not heard from the Sheriff by the time the date arrives, make sure you appear at the time and place stated.
- You can show up at the time and place stated on your jury summons, and ask to speak to the Judge. He or she will listen to your reasons and decide whether you are excused or not.

So what happens when I show up for jury selection?

When you appear, you will be met by a Sheriff’s officer at the door and directed into the room. You will not be allowed to smoke, chew gum, eat or drink while inside. After a few minutes, the Sheriff’s officer will call the roll and make sure everyone on the jury selection list is present. Then the Judge will appear and the Sheriff’s officer will report anybody missing from the list. Next, the Judge will explain the jury selection process and the specifics of the trial. This is your chance to ask to be excused. If the Judge agrees, you will be excused. Following this, twelve names will be drawn and these people will be either chosen as jurors or challenged by the lawyers on both sides. If you are challenged, you must return to your place. The Judge will later excuse all those not chosen. If you are chosen as a juror and the trial is going to start right away, you will be given enough time to make personal arrangements, such as letting your employer or family know about your jury duty. Sometimes the trial will begin on a later date and you will be asked to attend then.

What if I need to leave the room during the jury selection process?

The whole selection process usually takes about two hours. But sometimes it can take longer depending on specific circumstances of the trial. Please be prepared for this possibility. Normally you have to stay in the room where the selection is taking place. If you have got to make a special phone call or need a health break during this time, just talk to a Sheriff’s officer. He or she will advise the Judge of your absence if your name is called and the selection procedure will wait until you return.

For more information- call the Sheriff’s Office at 667-5451

If you live in the territory, but outside Whitehorse, call toll free at 1-800-661-0408 (local 5451).

If you live outside the Yukon, call (867) 667-5451