

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'll 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 year, about 1200 citizens are randomly chosen by the Sheriff according to the *Jury Act*. Whenever a jury trial is needed, about 100 of these people are asked to attend as potential jurors. Right now, that's where you are in the process.

When you show up at the time and place stated, you may or may not be chosen as a juror for that trial. If not, your name remains on the list for the rest of the year. If you are chosen, your name will be taken off the list for at least two years – once the trial is over.

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:

- A peace officer, MLA, elected First Nations Chief, lawyer, social worker, or probation officer.
- Someone convicted of a criminal offence, *the penalty for which is subject to a jail term of more than one year*;
- 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, or the sole operator of a business.

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:

- A minister, priest, firefighter, doctor, nurse, dentist, pharmacist, member of the 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;
- Someone over 65 years old.

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

You have two choices:

- Put your request in writing and make sure the Sheriff receives it **before** you're required to appear. The Sheriff will then let you know whether you are excused or not. If for some reason you haven't 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're excused or not.

So what happens when I show up for jury selection?

When you appear, you'll be met by a Sheriff's officer at the door and directed into the room. You won't 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 how many juries will be chosen. 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're 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'll 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'll be asked to attend then.

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

The whole selection process usually takes about one hour. But sometimes it can take two or three hours if there are a number of juries being chosen. Please be prepared for this possibility. Normally you have to stay in the room where the selection is taking place. If you've 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 Yukon, call (867) 667-5451.

Please complete and return the Juror Certification Form