

I'm not registered to vote. Will I still be called for jury duty?

Yes. Jurors are selected through a number of public records including DMV reports.

I got a card in the mail that says Notice of Jury Service. What does that mean?

The Prairie County District Court sends a Notice of Jury Service to everyone qualified to serve as a juror. Potential jurors are on notice for a one-year term unless excused by the Court. This means that any time during the year listed on the notice, a potential juror may be summoned for jury service. Note: the one-year term is not a calendar year but rather begins on July 1 and ends June 30.

How do I know if I've been summoned to serve on a jury?

Sometime after receiving the Notice, summoned potential jurors will receive a letter from the Court that says they've been summoned. The Summons will contain a questionnaire that must be filled out and returned to the Court.

I've been summoned for jury duty. What do I do?

Fill out the required questionnaire and return it to the Court as directed. It is important to answer truthfully and completely. Returning a blank form or lying on the form will *not* excuse someone from jury service. Not returning the form will *not* excuse someone from jury service.

If I'm summoned, does that mean I'm on the jury?

No. Jury summons is different from jury selection. Many people are summoned for jury duty but only 14* will be selected to serve on the jury. The final jurors are chosen after the lawyers and the Court have had the opportunity to ask questions of the people who were summoned.

*There are 12 jurors and 2 alternate jurors.

How long do I have to do jury duty?

The length of service depends on the estimated trial dates. Each Summons will contain an estimated length of trial. It can be as little as one day or last much longer.

Can I be excused from jury duty?

There are limited circumstances under which an individual may be excused from jury duty. These include chronic medical conditions and other reasons listed in Mont. Code Ann. § 3-15-313. Merely requesting excusal does not guarantee excusal.

But I wrote on the questionnaire that I can't serve. That means I'm excused, right?

No. *Just writing on the form does not guarantee excusal!* To be excused from jury service, a person must receive an official excusal from the Court. If this has not been received, the potential juror must report for jury service.

I filled out the questionnaire and sent it back. If no one contacts me, I don't have to show up, right?

Wrong. The questionnaire is simply to gather information: summoned individuals must still report unless the Court has specifically reached out and extended an official excusal.

What happens if I don't show up?

For those who fail to respond to the Summons, the Clerk of Court certifies the failure that morning to the Prairie County Sheriff. The Sheriff then personally serves those individuals and makes reasonable efforts to get them to Court. Individuals who willfully and without reasonable excuse fail to attend may be subject to a fine not exceeding \$50.* Those who do not appear will be Ordered to Show Cause as to why they did not show up and be given the opportunity to be heard at a later court date.

*This fine was imposed in 1895. Although the Legislature has not increased the amount since then, a \$50 fine from 1895 is worth approximately \$2,000 in 2023.

The questionnaire asked me about my beliefs and personal information. Why do I have answer that?

The questionnaire serves as an efficient way to glean information while also protecting the privacy interests of summoned jurors. It saves individuals from having to answer these questions out loud in front of everyone in the Courtroom. The questionnaire is drafted by the attorneys then distributed and collected by the Clerk of Court and returned to the attorneys. It is not available to the public.

My employer won't let me have time off for jury duty.

Montana law prohibits employers from penalizing employees called for jury service.

What if I am late to report for jury duty?

The Summons provides a specific time to report for jury duty. Potential jurors arrive at the Courthouse, show their Summons to the Law Clerk who checks them in, go through security, and wait in the Gallery of the Courtroom until Jury Selection. Summoned individuals who arrive after Jury Selection has started are considered no-shows and will have to report to Court at a later date to show cause as to why they were late and potentially face a fine.

What if I have questions about the case?

Some facts about certain cases may be known by potential jurors prior to trial. That is why it is important to truthfully complete the Summons questionnaire. If selected to serve on the jury, jurors are given all the information allowed by law to complete their duties. Jurors are provided with notepads and pens and are allowed, but not required, to take notes during the trial. The Judge will provide Jury Instructions to the jurors before deliberations. Jurors are prohibited from doing any sort of outside research about the cases for which they have been selected to serve.

Do I get paid to be a juror?

Yes. The District Court pays summoned jurors per diem plus a mileage allowance. Jurors excused upon their own motions forfeit the per diem and mileage fees. The amount paid is established by the Montana Legislature.

I only live here part-time. Do I still have to serve?

Yes. The Notice lets potential jurors know the entire year they may be called. If a person knows they will be away for a period during the year they are on Notice, they should make arrangements for someone to check their mail. If they receive a Summons while they are away, they should contact the Court at the number provided on the Summons and the Court will arrange their service to align with a time they are back in town, if applicable. If a person returns from being away to find an expired Summons, they should contact the Court immediately.

I moved! How does that affect my jury duty?

Montana law requires all individuals to update their address within 30 days of moving to or within Montana. If a summoned juror hasn't lived in the county for which they have been summoned for the past 30 days, they need to contact the Court. If a Summons was sent to an old address but the individual still lives in the same county, they will have the opportunity to update their address when they check in for jury duty. It is important to keep a current address on record to avoid the consequences of failing to show up for jury duty.