



## The Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness

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### FOR IMMEDIATE RELEASE

#### **Pennsylvania House of Representatives' Judiciary Committee Conducts Hearing on Critical Jury Service Issues**

*The Hearing Addressed Increased Juror Compensation, Juror Access to Mental Health Services, and Improved Jury Pool Diversity for which the Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness has Long Advocated*

**Harrisburg, February 2, 2024** – The Pennsylvania Interbranch Commission for Gender, Racial, and Ethnic Fairness (“Interbranch Commission”) assisted in the coordination of testimony presented during an informational hearing on jury service issues before the Pennsylvania House of Representatives’ Judiciary Committee on February 1, 2024. The hearing, accessible via [YouTube](#), covered topics including juror compensation, improved access to mental health counseling for jurors, and jury composition and diversity. The hearing provided the Interbranch Commission and other stakeholders with the opportunity to engage in critical conversations with legislators and recommend legislative reforms consistent with best practices for jury service and selection. The right to a jury of one’s peers is a bedrock of our democracy, enshrined in both the Bill of Rights and the Pennsylvania Constitution. However, the cost of jury service, along with post-trial anxiety, guilt, and vicarious trauma, are key barriers that decrease jury diversity by preventing many Pennsylvanians from serving on a jury. For nearly two decades, the Interbranch Commission has focused on alleviating these burdens by, among other things, supporting legislation that would increase juror compensation, provide free parking and public transit to jurors, and reduce the range of criminal offenses that currently disqualify individuals from jury service for life. Executive Director, Maraleen Shields

commented, “We appreciate the opportunity to work with experts in the field to bring these important matters to the attention of Pennsylvania legislators. But we will not be satisfied with merely starting this conversation. The Interbranch Commission published [\*Best Practices for Jury Selection and Service in Pennsylvania\*](#) in 2016. Unfortunately, not enough has changed. We will continue to educate the general public and work with legislators to find a viable path forward to appropriately value jurors.”

### ***The Judiciary Committee Hearing***

The hearing featured the testimony of two members of the Interbranch Commission’s Jury Service Committee, Paula Hannaford-Agor and Patrick Martin. Ms. Hannaford-Agor is the Director of the National Center for State Courts’ Center for Juror Studies, while Mr. Martin serves as the Jury Commissioner of the First Judicial District (Philadelphia). The hearing also included testimony from Deborah Gross, CEO of Pennsylvanians for Modern Courts, Cecilia Perez, Manager of the San Francisco Financial Justice Project, Carolyn Goossen, Local Policy Director of the San Francisco Public Defender’s Office, Pamela Wood, Jury Commissioner for Massachusetts, and Abby Ginzberg, a former trial attorney and Peabody-award winning director of *Judging Juries*, a documentary on jury compensation. These individuals from across the county demonstrated to legislators the importance of adequately compensating jurors for the indispensable civic duty they perform for our Commonwealth.

Currently, jurors in Pennsylvania are paid \$9.00 per day for the first three days of service, a rate established in 1959 when the minimum wage was \$1.00 per hour. In 1980, the juror compensation schedule was amended to provide \$25.00 per day to jurors after the third day of service. [Over the past year](#), several states, including North Dakota, Texas, and Indiana, have increased the rate at which their jurors are compensated. **Only four states pay their jurors less than Pennsylvania.**

In addition to facing financial hardships, jurors are also exposed to considerable levels of stress when called upon to serve. Such anxiety is induced by disruptions to daily routine, restrictions on

jurors' behavior, the difficulty of jury deliberations, and exposure to trial evidence and testimony. [A recent study](#) by the Conference of State Court Administrators noted that “26% of jurors admitted to struggling with persistent negative emotions after completing jury duty,” with negative emotions persisting “for an average of two years following service.” During the hearing, experts offered as examples to Judiciary Committee members several programs implemented to safeguard jurors' mental health post-trial. The Executive Office of the Massachusetts Trial Court contracts with a private vendor to offer jurors up to three individual counseling sessions. In other jurisdictions, judges issue post-trial orders temporarily designating jurors as “employees of the court,” granting them access to counseling through Employee Assistance Programs (“EAPs”).

### ***Historical Context***

The Interbranch Commission, alongside many other stakeholders, has diligently worked to improve access to jury service for all Pennsylvanians for approximately two decades. In addition to its current legislative efforts, the Interbranch Commission played a key role in the drafting and passage of [Act 37](#) (2007), which created a more diverse juror pool by establishing a Statewide Juror List comprised of individuals identified by four state agencies: PennDOT, and the Departments of Revenue, State, and Human Services. The Interbranch Commission also produced and has widely distributed its guide, [Best Practices for Jury Selection and Service in Pennsylvania](#), to inform judges, court administrators, and attorneys of model practices to improve their districts' jury service and selection procedures.

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The Interbranch Commission for Gender, Racial, and Ethnic Fairness was established in 2005 by the three branches of Pennsylvania government. The purpose of the Interbranch Commission is to promote equal application of the law. The Interbranch Commission fulfills its purpose by implementing the recommendations from a 2003 study by the Supreme Court Committee on Racial and Gender Bias in the Justice System (“Committee”); investigating and implementing new initiatives

that may not have been addressed by the Committee; suggesting ways to reduce bias in all three branches of Pennsylvania government; raising both public and professional awareness of its work; and increasing public confidence in Pennsylvania government. The Interbranch Commission presently conducts its work through its six Committees: Criminal Justice, Domestic Violence and Sexual Assault Victims/Survivors, Equal Opportunity and Diversity, Jury Services, Language Access, and LGBTQ+ Rights.

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**For more information on the Interbranch Commission:**

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