



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

601 Commonwealth Ave, Suite 6200
P.O. Box 62545
Harrisburg, PA 17106-2545
717.231.3300
pa-interbranchcommission.com

The Honorable Malcolm Kenyatta
300 Irvis Office Building
P.O. Box 202181
Harrisburg, PA 17120-2181
mkenyatta@pahouse.net

The Honorable Jason Dawkins
150 Main Capitol Building
P.O. Box 202179
Harrisburg, PA 17120-2179
jdawkins@pahouse.net

November 15, 2023

RE: Juror Compensation

Dear Representatives Kenyatta and Dawkins:

I am writing you on behalf of the Pennsylvania Interbranch Commission for Gender, Racial and Ethnic Fairness (“Interbranch Commission”). The Interbranch Commission 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 currently conducts its work through its six Committees: Criminal Justice, Domestic Violence and Sexual Assault Victims/Survivors, Equal Opportunity and Diversity, Language Access, Jury Service, and LGBTQ+ Rights.

I received your co-sponsorship memo just moments before entering a meeting to speak with your colleague, Representative Mike Schlossberg, to discuss a comprehensive juror compensation bill. Juror compensation has been a central concern for the Interbranch Commission since its establishment. In 2016, the Interbranch Commission produced *Best Practices for Jury Selection and Service in Pennsylvania*. [Best Practices for Jury Selection and Service in Pennsylvania - The Pennsylvania Interbranch Commission \(pa-interbranchcommission.com\)](http://pa-interbranchcommission.com) At that time, only three states paid less than the paltry \$9.00 per day offered to Pennsylvanians for three days or less of jury service. It should be noted that Pennsylvania’s compensation rate of \$9.00 per day was adopted in 1959 when the minimum wage was \$1.00, while the rate of \$25 per day after jurors’ third day of service was adopted in 1980 when the minimum wage was \$3.10. It is well past time to put serious time, effort, and resources towards juror compensation.

At the Interbranch Commission, we view juror pay as just one step on the path towards ensuring that courts can deliver on the promise of a jury of one’s peers. We would also urge you and your colleagues to consider legislation focused on employers (e.g., to encourage jury service, pay employees serving on juries, prohibit mandated use of vacation days for serving on a jury, etc.) as well as providing for

reasonable reimbursement of out-of-pocket costs (e.g., parking, mileage, etc.), childcare, language access accommodations, disability accommodations, and mental health support as needed for traumatizing trials.

We have been working with Pennsylvanians for Modern Courts (“PMC”) with an eye towards proposing legislation in January. Based on my meeting with Rep. Schlossberg, we understand that it may be advantageous to proceed in a more piecemeal fashion on these various facets of juror compensation. We are also keenly aware of the need to communicate with the community about the importance of jury service. We are poised to assist in any way possible as legislation on this matter moves forward.

Thank you for your time and attention to this letter as well as your commitment to this important issue. If you have any questions or concerns, please do not hesitate to contact me by phone, at (717) 998-1297, or by email, at maraleen.shields@pacourts.us. We look forward to working with you to improve jury compensation in the Commonwealth.

Sincerely,

A handwritten signature in black ink, appearing to read "Maraleen D. Shields". The signature is fluid and cursive, with a long horizontal stroke at the end.

Maraleen D. Shields, Esquire
Executive Director