

Good morning, Chairman Walko and members of the Committee.

My name is Norm Krumenacker. I am a judge on the Court of Common Pleas in Cambria County and the President of the Pennsylvania Conference of State Trial Judges, and I appreciate the invitation to come and testify in support of House Bill 601 and House Bill 1356 concerning compensation and travel allowance for the jurors of this Commonwealth.

Chief Justice of the United States Supreme Court Harlan F. Stone (1941-1946) aptly observed that “Jury service is one of the highest duties of citizenship, for by it the citizen participates in the administration of justice.” This simple but true statement sets the foundation of why it is so important that we recognize the need to continue to review the jury compensation system and to modify and update this process as our society changes.

These rights concerning trial by jury as contained in the Sixth and Seventh Amendments of the Bill of Rights and that arose out of Article 3 of the Constitution, are the foundation of one of the most fundamental and important rights enjoyed by the American people and the citizens of this Commonwealth.

With its origins in the English Common Law, its recognition in the Magna Carta and its continuing development until today and into the future, the jury system is designed to protect all citizens from the potential heavy hand of oppression by government. This keystone, of the judicial system, must remain intact to provide for the diversity and continuing participation of all citizens as times change and economics becomes an issue.

The high price of gas and other necessities and the burden placed on families when individuals lose one or more days from their employment creates stress on the system to ensure that a cross-section of our community is available to litigants to pick a jury that truly represents a cross-section of our community and a jury of our peers. Relieving, to the extent possible, these financial concerns will encourage greater citizen participation and generate improvement of our system of justice.

While jury service sometimes is inconvenient, it is so important a civic duty that without citizens willing to serve our system cannot function. It is important that those serving are able to concentrate on the business at hand and not be concerned with the financial impact that meeting this great civic duty causes upon the jurors and their families.

One of the primary reasons presented to judges across the Commonwealth from individuals requesting relief from jury duty is not as to their opinions or

biases concerning a defendant, type of case, the police, or even the death penalty, but the financial impact that they must suffer while meeting this solemn obligation.

The Pennsylvania Conference of State Trial Judges supports the pending legislation that will help, to some extent, to relieve the financial burden placed upon jurors when appearing in court. While jury service may sometimes be inconvenient, experience shows that it can also be educational and rewarding. While compensation, even with proposed rate increases, will not fully compensate those employed from missing work, it will go a long way in relieving the hardship presented to the juror.

In these days of four-dollar-a-gallon gasoline and ever rising prices of food and other necessities, it is incumbent upon those who are involved in the administration of a fair and impartial judicial process to relieve, to the extent possible, the financial burden placed upon those who answer the call to perform one of the most important duties of citizenship.

As a personal thought from a judge who has handled trials that go well beyond the average two- or three-day trial, I have thought that an option to consider is to enact legislation that would provide employers a dollar-for-dollar tax benefit for paying employees their full wages while on jury service. In particular, I have found incredible hardship is placed upon jurors who are asked to participate in capital cases, asbestos or other complex litigation that could go on for periods in excess of two or three weeks. I am sure there could be many other alternatives or options discussed which would encourage jurors to participate, but the current legislation would go a long way to assisting jurors with their financial issues caused by attending to their civic duty as jurors. In doing so, we alleviate a concern that impacts the willingness of men and women of integrity, honesty, fairness, and sound judgment to serve on juries across the Commonwealth.