

# JURY SUMMONS

PLEASE BRING SUMMONS  
TO ALL APPEARANCES

COUNTY OF: San Juan

Paul Jaeger, Jury Division  
Phone: 505-334-7848

D11-C111SanJuan

## GREETINGS:

You have been selected for Jury Duty from \_\_\_\_\_ through \_\_\_\_\_. Typically, there are no more than 10 days each month on which a jury trial is scheduled, and often those cases are settled prior to the trial date. The Court complies with the Americans with Disabilities Act. It is your obligation to notify the Clerk of the Court at least five (5) days before the anticipated attendance of a disabled person so that appropriate accommodations can be made. Please notify the Clerk at (505) 334-7848 as to the appropriate type of accommodations which will be necessary.

WITNESS the Honorable Judge John A. Dean, Jr. of the Eleventh Judicial District Court and the Seal of the Court this 15th Day of July, 2010.

Please complete the enclosed forms and return by \_\_\_\_\_ in the enclosed envelope.

## PLEASE READ ALL ENCLOSED INSTRUCTIONS AND INFORMATION CAREFULLY. RETAIN THIS PAGE FOR YOUR RECORDS.

The right to trial by jury is an inalienable right granted to all citizens by both the United States and New Mexico Constitutions. The success of the jury system depends upon citizens accepting this solemn duty and acting with integrity in discharging this responsibility.

**Postponements:** If the date scheduled for your service will create a severe hardship for you, please complete ALL forms front and back. Return the completed packet to the Jury Division within five (5) days. Your request will be reviewed by the Court and you will be notified of the decision. Please specify your reasons for requesting a postponement. Be assured that the Court will work with you around scheduled vacations, doctor's appointments, etc. whenever possible.

**Request for Excuse:** If you have an extreme mental, physical or financial hardship, please fill out ALL forms. Return completed packet to the Jury Division within five (5) days. Please specify your reasons for requesting an excuse. All medical reasons must have a Doctor's letter attached. Until you have received notification from the Court, you are not excused.

### Sec. 38-5-1, 38-5-2 A, 38-5-18 and 38-5-19 NMSA 1978

#### 38-5-1. Qualification of jurors.

- A. A person who is at least eighteen years of age, a United States citizen, a resident of New Mexico residing in the county for which a jury may be convened is eligible and may be summoned for service as a juror by the courts, unless the person is incapable of rendering jury service because of: (1) physical or mental illness or infirmity; or (2) undue or extreme physical or financial hardship.
- B. A person who was convicted of a felony and who meets all other requirements for eligibility may be summoned for jury service if the person has successfully completed all conditions of the sentence imposed for the felony, including conditions for probation or parole.

#### 38-5-2 A. Exemption Due to Prior Service

A person who has served as a member of a petit jury panel or a grand jury in either state or federal courts within the preceding thirty-six months shall be exempt from sitting or serving as a juror in a court of this state when the person requests to be exempted from service ...

#### 38-5-18. Employer prohibited from penalizing employee for jury service.

- A. An employer shall not deprive an employee of employment or threaten or otherwise coerce the employee because the employee receives a summons for jury service, responds to the summons, serves as juror or attends court for prospective jury service.
- B. An employer shall not require or request an employee to use annual, vacation or sick leave for time spent responding to a summons for jury service, participating in the jury selection process or serving on a jury. Nothing in this subsection requires an employer to provide annual, vacation or sick leave to employees who are not otherwise entitled to those benefits under company policies.

#### 38-5-19. Penalty

An employer, either individually or through his agent, who violates Section 1 [38-5-18 NMSA 1978] or this act is guilty of a petty misdemeanor.

## General Information and Jury Instructions for Jurors

### First Step to Successful Jury Service

Fill out the enclosed forms entitled "Juror Qualification Form" and "Juror Questionnaire." Please answer all questions, taking special care to provide the court with contact information. Return the completed forms within the 5 day requirement.

If you require the services of an interpreter, you must notify the Clerk of the Court in writing immediately.

Approximately two (2) weeks prior to your first scheduled appearance you will receive a calendar of jury trial dates and instructions.

**FAILURE TO APPEAR OR LATENESS FOR JURY SERVICE PLACES YOU IN CONTEMPT OF COURT**, therefore, it is imperative that you contact the Jury Clerk if for any reason you are unable to appear. In this case, please call 334-7848 by 5:00 PM the evening **BEFORE** the day of trial.

Jury Orientation video is available at the following link <http://www.nmcourts.gov/juryvideoen.html>

### General Jury Information

#### **Reporting an Absence**

It is very important that you report as directed for your panel. Only the most urgent, unexpected and unavoidable emergencies can be considered a valid reason for your absence. If you **MUST** be absent, you **MUST** call the contact number on the front of the summons as soon as possible. If a juror fails to report or call-in an Order to Show Cause will be issued.

#### **Vacations/Work Related Travel/Doctor's Appointments**

The call to serve as a juror never comes at a convenient time. We understand that some jurors may have conflicts throughout the term of service. We strive to accommodate and work with all jurors. You **ONLY** need to notify the division if your preplanned vacation, work related travel and/or specialist (dr's) appointments **CONFLICT** with the scheduled jury selections dates (noted above). Please send this information in writing to the division including your name, panel number, telephone number and any other information necessary to expedite your request. Telephone calls or messages regarding these types of conflicts **will not** be accepted.

#### **Meals**

Lunch will not be provided by the Court unless jurors are deliberating.

#### **Dress**

Please dress comfortably but befitting the dignity of the Court. **Shorts, hats, sunglasses, tank tops, bare midriffs, sweats or similar dress are not allowed.** Men are not required to wear coats and ties. Due to the variable temperature in the courtroom it is recommended that you dress in layers.

#### **Special Needs**

We will attempt to make any reasonable accommodation for jurors with special needs. Please call the contact number on the front of the summons a week in advance to make arrangements.

### Jury Payments

#### **Juror Fees and Payments**

The Court is authorized by statute to reimburse for jury service at the prevailing state minimum wage which is currently \$7.50 per hour. In addition, round trip mileage from your home to the courthouse will be paid at \$0.32 a mile. Mileage is computed based upon the information you provide on the juror qualification form and your mailing zip code. Public employees are not compensated for hours attended. Checks will be mailed to your mailing address. Your payment cannot be split between hourly and mileage reimbursement. You will need to verify with your employer regarding their internal jury service and payment policy. Employers are not required by law to reimburse employees for jury service. On average, reimbursement payments take 6 weeks to process. If payment is not received within 10 weeks of jury service, please contact the court contact on the front of the summons.

**No one is exempt from jury service because of his or her job, color, religion, sex, national origin, sexual orientation, or economic status.**

# JUROR QUALIFICATION FORM

100000052  
SEPTEMBER 1, 2010

Dear Prospective Juror:

Please answer each of the following questions completely. Your answers (excluding question 7) on the front of this form will only be used by court staff and shall not be made available to the public, attorneys or parties of a case which you may be selected to hear as a juror.

The Juror Questionnaire, (located on the reverse side of this form), will be provided to the attorneys, parties and the judges in all cases you may be selected to hear as a juror. The Juror Questionnaire consists of 36 questions. The answers you provide aid in the process of selecting a jury.

If you do not understand a question please indicate with a question mark (?). If you do not have enough room to fully answer a question, please use a separate sheet of paper. If there is a question you would rather discuss privately with the judges and attorney(s), indicate with an asterisk (\*). Thank you for your cooperation.

Name as it appears on the summons: \_\_\_\_\_

Preferred name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number (s): Home: \_\_\_\_\_ Business: \_\_\_\_\_ Ext: \_\_\_\_\_ Cell: \_\_\_\_\_

E-mail: \_\_\_\_\_

1. Do you want to be paid for roundtrip mileage from your home to the courthouse?  
 Yes  No If yes, what is your roundtrip mileage? \_\_\_\_\_
2. Are you employed by: the public schools, local government or the State of New Mexico?  Yes  No
3. Of which New Mexico county are you a resident? \_\_\_\_\_
4. Are you a United States Citizen?  Yes  No If no, country of citizenship: \_\_\_\_\_
5. Do you read, speak, and understand English?  Yes  No  
If not, which language do you speak, read, and write: \_\_\_\_\_
6. In the past 3 years, were you summoned for jury duty?  Yes  No Did you serve?  Yes  No
- \*\*\* 7. Have you ever been convicted of a felony?  Yes  No
  - a. If yes, please explain: \_\_\_\_\_
  - b. If yes, have you completed all conditions of parole or probation?  Yes  No
  - c. If yes, please enclose a copy of one of the following:  
 Certificate or letter of completion issued by the Department of Corrections of New Mexico, or another state.  
 Certificate or letter of pardon from the Governor of New Mexico or another state.

Fold here

Fold here

### REQUEST FOR POSTPONEMENT OR EXCUSAL

**PLEASE NOTE:** If your jury service is scheduled for a date that conflicts with your schedule, please request a **POSTPONEMENT**, for a more convenient time, in the space below. Jurors may be postponed for up to six (6) months.

There are **NO AUTOMATIC EXEMPTIONS** except for individuals who are seventy-five years of age or older. The individual requesting exemption under this provision must complete an affidavit (available through the court), have it notarized, and returned to the court. If you request to be excused for medical reasons, a letter from your healthcare provider, on his / her letterhead, **MUST** be provided with the Juror Qualification Form and Juror Questionnaire. If you are the primary caregiver for someone who is ill, you must also provide a letter (on letterhead) from that person's healthcare provider explaining your role.

**ALL situations will be considered on a case by case basis. Please enclose a detailed explanation for cases of:**

- Medical (must provide letter from healthcare provider)
- Financial hardship (not being compensated by your employer is **not** grounds for excusal)
- Age (see above)
- Caregiver
- Students (request to be postponed until school breaks)
- Other \_\_\_\_\_
- I am requesting to be postponed until the following dates: \_\_\_\_\_
- I am requesting to be excused (see boxes above for information needed to be excused)

Fold here

Fold here

**PLEASE NOTE: Unless you receive a letter from the court, stating you are excused from attending jury service, you MUST appear on the date and address listed on your summons. Not showing up for jury duty, when summoned, is called Failure to Appear. The penalties include: \$500 fine or up to six (6) months in jail. (NMSA 1978, 31-19-1).**

You can call the Jury Division to check on the status of your excusal.

**After completing both sides of this form, please place in reply envelope with this address showing in window:**

**Sírvase prestar atención a lo siguiente:** Si no le es posible leer o llenar estos formularios, tenga la bondad de comunicarse con el tribunal llamando al número telefónico indicado en la primera página del citatorio. Estos formularios están disponibles en español.

**Mailing Address:**

Eleventh Judicial District Court  
103 South Oliver Drive  
Aztec NM, 87410-2448



**For Court Use Only:**  Excused  Postponed Until \_\_\_\_\_

Notified by:  Phone  Mail In  Person  Message  E-Mail

Date \_\_\_\_\_

# JUROR QUESTIONNAIRE



Please answer all 36 questions and sign.

1. Name: \_\_\_\_\_ 2. Gender:  Male  Female Q7
3. Date of Birth: \_\_\_\_\_ Birth place (city and state; country if outside U.S.): \_\_\_\_\_
4. How long have you lived in New Mexico? \_\_\_\_\_
5. In which New Mexico county do you live? \_\_\_\_\_ How long? \_\_\_\_\_
6. Which town / city do you live in? \_\_\_\_\_ Neighborhood? \_\_\_\_\_  
What major intersection is closest to your home? \_\_\_\_\_
7. Where else have you lived (city, state, country)? \_\_\_\_\_
8. What is your marital status?  Single  Married  Separated  Divorced  Widowed
9. What is your ethnic background? \_\_\_\_\_ 10. Your home: do you  own  rent?
11. Your occupation: \_\_\_\_\_  
(If retired or unemployed please state, and also state your previous occupation.)
12. If employed please state:  
Name of employer and place of work: \_\_\_\_\_  
Job title and duties: \_\_\_\_\_ Time worked there? \_\_\_\_\_  
Normal working hours: \_\_\_\_\_ How many hours per week do you work? \_\_\_\_\_
13. Do you have a second job?  Yes  No
14. What other jobs have you had as an adult? \_\_\_\_\_
15. How many years of schooling have you completed? \_\_\_\_\_  
Highest level completed?  High School / GED  Associate  Bachelor  Master  Ph.D.  M.D.  J.D.  
Major areas of study: \_\_\_\_\_
16. Have you served in the military?  Yes  No Highest rank? \_\_\_\_\_
17. Do you belong or participate in any religious, civic, social, union, professional, fraternal, political, or recreational organizations?  
 Yes  No Organization: \_\_\_\_\_ Office held? \_\_\_\_\_
18. Current voter registration:  Democrat  Republican  Not registered  No party selected  Other  
If yes, please explain: \_\_\_\_\_
19. If you are married, please provide spouse's full name: \_\_\_\_\_ and spouse's occupation: \_\_\_\_\_  
Please specify: \_\_\_\_\_
20. Do you have any children or step children?  Yes  No  
How many? \_\_\_\_\_ Ages s) \_\_\_\_\_ Occupation(s) \_\_\_\_\_
21. Have you ever been a witness in a court proceeding?  Yes  No If yes, was it a:  civil  criminal case?  
What were the circumstances? \_\_\_\_\_
22. Have you ever served as a juror?  Yes  No  
If yes, year \_\_\_\_\_ court / location \_\_\_\_\_ case type \_\_\_\_\_  
If yes, year \_\_\_\_\_ court / location \_\_\_\_\_ case type \_\_\_\_\_  
If yes, year \_\_\_\_\_ court / location \_\_\_\_\_ case type \_\_\_\_\_  
Were you ever the foreperson?  Yes  No If yes, Court (s) \_\_\_\_\_ Year(s) \_\_\_\_\_
23. Have you ever had an injury that required hospitalization or extended medical care?  Yes  No  
If yes, what was the injury? \_\_\_\_\_  
Did the injury cause you to lose time from work?  Yes  No If yes, how long? \_\_\_\_\_
24. Have you or any member of your family ever filed a civil suit against someone?  Yes  No  
If yes, please explain: \_\_\_\_\_
25. Have you or any member of your family ever been sued?  Yes  No  
If yes, please explain: \_\_\_\_\_
26. Have you or an immediate family member ever been an agent, employee or representative of an insurance company?  
 Yes  No If yes, who and relationship to you: \_\_\_\_\_
27. Have you or any member of your immediate family been the victim of a crime?  Yes  No  
If yes, who was the victim? \_\_\_\_\_ What Crime? \_\_\_\_\_  
When? \_\_\_\_\_ Was an arrest made?  Yes  No
28. Have you or an immediate family member been a defendant in a criminal case?  Yes  No  
If yes, who and relationship to you? \_\_\_\_\_  
Crime accused of committing? \_\_\_\_\_ Was there a conviction?  Yes  No
29. Have you, any family member or close friend ever been employed or volunteered for any federal, state, or local law enforcement agency or a jail, prison, or detention center?  Yes  No  
If yes, who? \_\_\_\_\_ Relationship to you \_\_\_\_\_  
Position held \_\_\_\_\_ Dates of employment \_\_\_\_\_ Agency \_\_\_\_\_
30. Have you, any family member or close friend ever worked for a district attorney or other prosecuting Attorney's office?  Yes  No  
If yes, who? \_\_\_\_\_ Relationship to you \_\_\_\_\_  
Position held \_\_\_\_\_ Dates of employment \_\_\_\_\_  
Name of attorney and office \_\_\_\_\_
31. Have you or any family member ever worked for any other attorney?  Yes  No  
If yes, who? \_\_\_\_\_ Relationship to you \_\_\_\_\_  
Position held \_\_\_\_\_ Dates of employment \_\_\_\_\_  
Name of attorney and office \_\_\_\_\_
32. Have you or any family member ever been represented by an attorney or law office?  Yes  No  
If yes, name of attorney and office \_\_\_\_\_
33. Do you have a physical disability of which we need to be aware?  Yes  No  
If yes, are there any special accommodations, services, or assistance we can provide during your jury service?  Yes  No  
Please explain: \_\_\_\_\_
34. Are you presently taking any medication which may affect your ability to serve as a juror?  Yes  No  
If yes, please explain: \_\_\_\_\_
35. Is there any reason you could not serve as a juror?  Yes  No  
If yes explain: \_\_\_\_\_
36. Use this space for any additional comments: \_\_\_\_\_

I SWEAR OR AFFIRM THAT ALL THE INFORMATION I HAVE PROVIDED WITHIN THE QUALIFICATION FORM, QUESTIONNAIRE AND ANY ATTACHED DOCUMENTS IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature \_\_\_\_\_

Date \_\_\_\_\_

**PLEASE FILL OUT, SIGN AND RETURN ALL ENCLOSED QUESTIONNAIRES IN THE ENCLOSED ENVELOPE**