

MASSACHUSETTS JURY DUTY - YOU MAKE A DIFFERENCE

With Chief Justice Roberto Ronquillo, Jr.

By the Massachusetts Judicial Branch

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Donna Holmes Dominguez

1 CAPTION: Jury Duty, Michael Ryan, Host

2 MICHAEL RYAN, BNN LIVE HOST: Hello. My name is Mike Ryan.
3 The name of the show is Jury Duty: You Make a Difference on
4 BNN, the show that should answer all your questions about the
5 one day, one trial jury system.

6 HOST RYAN: Our guest today is Chief Justice Roberto
7 Ronquillo, Jr. from the Boston Municipal Court.

8 Welcome, Chief.

9 CHIEF JUSTICE RONQUILLO: Thank you. It's great to be here.

10 HOST RYAN: Thank you for being on the show.

11 Chief Justice Ronquillo earned a, his Bachelor's Degree in
12 Criminal Justice from the University of Texas at El Paso and
13 later went on to earn his Juris Doctorate at New England
14 School of Law, worked as an Assistant District Attorney for
15 several years before going into private practice, and in 2001,
16 former Governor Paul Celucci appointed him to the District
17 Court bench before transitioning to the Boston Municipal
18 Court, worked at the East Boston Court and the Dorchester
19 Court, and last year, you were appointed the Chief Justice of
20 the Boston Municipal Court where you oversee eight
21 courthouses, 30 Judges, and 470 employees.

22 CHIEF JUSTICE RONQUILLO: Yes, sir.

23 HOST RYAN: And you also teach occasionally over at New
24 England School of Law.

25 CHIEF JUSTICE RONQUILLO: Yes, sir.

1 HOST RYAN: So Chief, what is the Boston Municipal Court?

2 CHIEF JUSTICE RONQUILLO: Well, the, the Boston Municipal
3 Court is, in, in short words, it's the municipal courts, the
4 eight courthouses that encompass the city of Boston,
5 Charlestown, Brighton, Dorchester, East Boston, West Roxbury,
6 Roxbury, South Boston, and the Central Division which is the
7 downtown Boston area. That's a Boston Municipal Court.

8 We are celebrating 193rd year as a Court, as a Court. In
9 1822, it was officially formed as a Police Court, and then in
10 1978, the Boston Municipal Court became one of the seven trial
11 Court departments.

12 It was a single Court in downtown Boston area, 11 Judges
13 until 2004 when it expanded from just a central division to
14 the other seven Courts which I just mentioned, the other seven
15 Courts within the city of Boston.

16 HOST RYAN: So the territorial jurisdiction of the BMC is
17 the entire city of Boston?

18 CHIEF JUSTICE RONQUILLO: Absolutely, yes.

19 HOST RYAN: So wherever, wherever you may be charged with a
20 crime or you want to seek a civil case, it's city of Boston?

21 CHIEF JUSTICE RONQUILLO: Yes.

22 HOST RYAN: And what kind of cases would a jury hear at the
23 BMC?

24 CHIEF JUSTICE RONQUILLO: Primarily they would be one of
25 three usually.

1 A criminal case, and in those cases, the maximum sentence
2 probably, per, per charge is probably two and a half years
3 maximum.

4 A civil case which has a maximum limit of damages of 25,000
5 dollars.

6 Or a small claims case, they have the right to a jury trial
7 as well.

8 HOST RYAN: And you guys use juries of six unlike the
9 Superior Court, correct, that uses juries of 12?

10 CHIEF JUSTICE RONQUILLO: That is correct, a jury of six.
11 Normally, we impanel seven, sometimes eight depending on the
12 length and complexity of the case in case we need the
13 alternates.

14 But usually, the, the verdict is rendered by six people
15 from the jury.

16 HOST RYAN: Now, your Court also involves some specialty
17 Courts. What, what are those?

18 CHIEF JUSTICE RONQUILLO: Yes. Specialty Courts are Courts
19 or sessions that we've appointed, particular Judges who are
20 specially trained in a particular field, to assist because we,
21 we find that many people come to our courts have issues beyond
22 the criminal issue. There's mental health. There's substance
23 abuse. There's some, some issues of, related to veteran
24 services.

25 So what we've done is we've created sort of specialty

1 Courts, and I'll name them briefly.

2 We have the, the Veteran's Treatment Court which is a,
3 designed for veterans who have issues with mental health or
4 substance abuse or other issues. And it's addressed in a, in
5 a, I'll say in a military way in the fact that they're
6 assigned to a, a veteran peer that assists them --

7 HOST RYAN: Sure.

8 CHIEF JUSTICE RONQUILLO: -- in getting through, you know,
9 whatever conditions the Court imposes upon them with an eye
10 towards restoration and addressing the issue.

11 We have the Homeless Court with a combination established
12 by Judge Kathy Crawford from the West Roxbury Court with the
13 cooperation of the prosecutors and the District Attorney's
14 Office.

15 They come in for public counsel services which provides
16 the, the criminal defense. And what, what we have found is
17 that there's many homeless people who are in shelters or
18 otherwise whose services, public services, have been shut off
19 because they're on default. They're on default for low level
20 crimes.

21 So we find that if we can resolve those cases, get them
22 back on services, get them back into the hospital or public
23 service or even public housing, that resolves a lot of the
24 issues.

25 And that's held actually at the Pine Street Inn.

1 HOST RYAN: Sure.

2 CHIEF JUSTICE RONQUILLO: With, with cooperation between
3 the, the defense bar and the prosecution's office. And we
4 resolve that, those kinds of cases.

5 And the mental health case, the Mental Health Court
6 sessions where we address the mental health issues with some
7 of the people who come before us with an eye towards getting
8 them towards mental health services.

9 And then we have the Drug Courts, which now the, the opiate
10 epidemic being in the forefront, trying to address those
11 issues because we find that incarceration doesn't solve the
12 issue.

13 So we try to get them the services with, with a lot of
14 outside service contributions.

15 HOST RYAN: And the specialty Courts don't involve jury
16 trials, do they ordinarily?

17 CHIEF JUSTICE RONQUILLO: No, not necessarily, not
18 necessarily.

19 HOST RYAN: And when you guys put a jury together, what's,
20 what's generally how long a jury trial in the BMC lasts?

21 CHIEF JUSTICE RONQUILLO: Typically no more than one or two
22 days, rare three days. But, and, and the jury will know if
23 it's going to be a, where we consider a long trial is three
24 days, but one or two days maximum usually.

25 HOST RYAN: And as a former DA and as a practitioner, did

1 you do many jury trials?

2 CHIEF JUSTICE RONQUILLO: I did, and I enjoyed it. Yes, it
3 was a, it was great speaking to the jury.

4 HOST RYAN: What was the longest jury trial you've ever
5 worked on?

6 CHIEF JUSTICE RONQUILLO: Maybe about a week maybe.

7 HOST RYAN: A week.

8 CHIEF JUSTICE RONQUILLO: Five or six days, yes.

9 HOST RYAN: Now, when you come to a Court and you're working
10 in that courthouse, do you meet with the jurors first thing in
11 the morning?

12 CHIEF JUSTICE RONQUILLO: We do. Five of our eight Courts
13 in the Boston Municipal Court have jury trials. And there is
14 a Judge assigned who will go and greet, and greet the jurors,
15 explain to them very briefly what they can expect is going to
16 happen, usually tell them how many cases are pending for that
17 day, and, and just kind of give them a brief synopsis of, of
18 what's going to happen. And they, they tend to appreciate
19 that.

20 And also if they have any general questions, we, we answer
21 those as well.

22 HOST RYAN: Now, when jurors sit, sitting in the jury pool,
23 they've watched the movie, a Judge has welcomed them, what's
24 going on up in either the courtroom or courtrooms depending on
25 the courthouse? Can you, what is the first call of the list?

1 CHIEF JUSTICE RONQUILLO: The first call of the list is
2 normally depending on what Court it is, we have anywhere from
3 five to 20, 25 cases scheduled for jury trial that day.

4 HOST RYAN: Sure.

5 CHIEF JUSTICE RONQUILLO: So what happens usually is the
6 cases are being called as swiftly as possible with an eye
7 towards getting the jurors either on the bench or, or release
8 them and trying to see what the status of the cases are.

9 Is there really going to be a jury trial? Are the
10 witnesses present? Is the evidence here? And is everybody
11 ready for trial? That's number one.

12 Number two is are the case, are the, is this the kind of
13 case that's going to be settled? Have they tried to resolve
14 it?

15 They may be in the middle of negotiation, so they may say,
16 Judge, you know, it, it may not be a jury trial. Give us
17 five, ten more minutes, we're almost close.

18 So it's a, it's a, the first session is an opportunity to
19 kind of cull through the cases to try to resolve the cases
20 that are not going to be jury trials to get the ones that are
21 going to be so we can start impanelment as soon as possible.

22 HOST RYAN: So the jurors shouldn't feel that nothing's
23 going on while they're secluded in the jury pool.

24 CHIEF JUSTICE RONQUILLO: No, no.

25 HOST RYAN: There's business going on in the courtrooms.

1 CHIEF JUSTICE RONQUILLO: Absolutely. And, and just for
2 another, the Judges take very, very seriously that the jurors
3 are there, and we make every effort to try to move the case as
4 soon as possible so we can either impanel the jury or release
5 them.

6 So we, there is a lot going on in the courtrooms with an
7 eye towards getting to, to the cases that are actually going
8 to be used for a jury.

9 HOST RYAN: Chief, do, does the presence of jurors just lead
10 to a lot of resolution of cases without going to trial?

11 CHIEF JUSTICE RONQUILLO: Absolutely. The, the presence of
12 the jury is very, very important. There are, there may be a
13 case for whatever reason a party may not want to resolve the
14 case and put it on for another day.

15 And if they know that there's not sufficient jurors to
16 impanel a jury, it's an easy way of saying, you know, we want
17 a jury trial, give us a date three months down the road, and
18 the, thereby extend the case.

19 By the jurors being available, it allows us as a system to
20 say today's a jury trial day, today we're ready.

21 As a system, we have the courtroom, we have the Judge, we
22 have the jury, today's your jury trial date.

23 And it, it expedites the cases. It resolves them. Many
24 times they end up in, in some kind of amicable resolution.

25 HOST RYAN: What happens if someone pleads guilty? What

1 happens in the courtroom after that, after they've been given
2 that offer either to go in front of a jury or a Judge, what
3 happens then?

4 CHIEF JUSTICE RONQUILLO: As soon as they plead guilty,
5 usually the, the defendant is, is sentenced right then and
6 there and the case is resolved for the day.

7 HOST RYAN: Now, do you have to, do you ask the, the
8 defendant a series of questions before you --

9 CHIEF JUSTICE RONQUILLO: Absolutely. Before anybody pleads
10 guilty, as a Judge or the Judge sitting in the session will
11 have to be satisfied that the defendant knows that the rights
12 they're given to, one of the key rights is a right to a jury
13 trial, it's a constitutional right.

14 So we have a series of questions that we ask to make sure
15 that, that the defendant, the accused has given up the rights
16 and is doing it voluntarily and willing.

17 HOST RYAN: Do you feel that some people are slighted, that
18 when they go to jury duty, they're not, that they don't get
19 picked on a trial, and they're kind of disappointed?

20 CHIEF JUSTICE RONQUILLO: Yes. I, I've seen jurors who have
21 been very relieved by not getting picked on a jury, and some
22 who are, who are upset, and they can't figure out why.

23 And I, I guess the best way I could say is one of the
24 beauties of a jury system is that the parties have a right to
25 select, to have a say on who is in the jury system, not the

1 exclusive say but they have a, a voice, and if there is, a
2 party feels that a juror would, would be prejudicial,
3 prejudicial to them for some particular reason, they have a
4 right to exclude them.

5 The, the great thing is that it's both parties. It's fair.

6 So it's not a matter of, of, of being slighted. But it's a
7 matter of, of doing the right thing and giving the best, fair
8 trial that we can.

9 HOST RYAN: When jurors go into the courtroom and as you
10 know sometimes they may not get into the jury box or somebody
11 may get in the box and they may be challenged, should they
12 feel slighted if they're challenged?

13 CHIEF JUSTICE RONQUILLO: No, again not at all. There are
14 particular cases for example that just, and it comes to mind
15 based on a profession that you may be challenged.

16 I'm thinking on a criminal case if the juror's a police
17 officer for example, you know, someone may want to challenge
18 them just based on the profession.

19 But on a civil case, a contract case, a police officer may
20 be, you know, the fact that he's a police officer or she's a
21 police officer will not affect it, and they may stay on the
22 jury.

23 So it's case by case, person by person, and it's not
24 necessarily a personal thing that, that occurs.

25 HOST RYAN: When you sit on a trial, before you start the

1 trial, do you set out any ground rules to the jury, especially
2 do you say stay off the social media, don't be doing research?

3 CHIEF JUSTICE RONQUILLO: Yes. We have a, a preliminary
4 instructions that we give the, the jurors. We explain to them
5 the importance of what it is to be on jury duty.

6 We tell them, give them like a roadmap of what they expect
7 is going to lie ahead regarding the jury trial, who's going to
8 go first, who's second, what, what the, what the role of the
9 lawyers are, what my role as a Judge is, and those, actually
10 and theirs as a juror.

11 So we instruct them to stay out of social media regarding
12 the case, that the decision, the verdict that they make, is
13 based exclusively on the evidence that was taken in that
14 courtroom and not any outside influence.

15 HOST RYAN: What is your role as, when you sit on a jury
16 trial? What's the Judge's role?

17 CHIEF JUSTICE RONQUILLO: The, the Judge's role, it's pretty
18 much to rule on motions, rule on objections, and to instruct
19 the jury on the law.

20 So it's, it's great because the jury makes the decision.
21 we just keep, keep the trial going, and it's, it's a matter of
22 just listening to the evidence, listening to the objections,
23 and making the rulings.

24 HOST RYAN: Now, when jurors come to jury, they're told if
25 they have a hardship, they'll have an opportunity to speak

1 with a Judge. Do you need an extraordinary story or situation
2 that would prevent you from serving on a jury?

3 CHIEF JUSTICE RONQUILLO: We, we try to be reasonable with
4 the jurors. If it is, it's a case by case.

5 HOST RYAN: Sure.

6 CHIEF JUSTICE RONQUILLO: There is no black and white line.
7 It's a case by case situation.

8 So the Judge will hear it. We try not to overburden the
9 people. We understand they're taking time, you know, from
10 their busy lives to be here. So we try to be as understanding
11 as we can.

12 On the other hand, we also need a sufficient number of
13 jurors to be able to impanel the, the jury cases on for that
14 day.

15 So we try to be understanding as well.

16 HOST RYAN: Have you had any trouble with difficult jurors,
17 people who really weren't too thrilled about serving jury?

18 CHIEF JUSTICE RONQUILLO: Yes. I'll tell you a story. It
19 was, there was, I was impaneling a jury one day, and there was
20 a young woman who in the questionnaire where it says can you
21 be fair, she wrote the system doesn't work, but didn't use the
22 word doesn't work.

23 HOST RYAN: She used a bad word?

24 CHIEF JUSTICE RONQUILLO: She used a bad word.

25 HOST RYAN: Right.

1 CHIEF JUSTICE RONQUILLO: And I looked it. But it didn't
2 tell me why she couldn't be fair. So I pulled her up with the
3 lawyers on either side. And I asked her, and I said tell me
4 about this. I understand you don't, don't care for the
5 system. What does that mean?

6 And she said well, Judge, you know, the guilty go,
7 sometimes go free, the innocent go to jail, and it just, it's
8 just not fair.

9 And I said okay, I respect your opinion. So tell me, do
10 you think you can be fair?

11 Oh, no, yeah, I think I'm fair.

12 It was a criminal case, and I said do you think the
13 defendant is guilty or, or, right now?

14 She says no, no, I haven't heard anything so I don't think
15 he's guilty.

16 And I said so you think you're a fair person. And, and
17 right now, are you influenced either way by either side?

18 She goes no.

19 I said you'd be great on the jury.

20 So she looked at me stunned, and I said it will be fine. I
21 said I'm going to ask you to sit there. So she sat there not
22 too happy, but she obliged.

23 After the trial, I talk to the juries. And we don't talk
24 about the, the, the merits of the case. We talk about their
25 experience.

1 And I ask them, I said tell me about your jury experience,
2 what do you think, what could we do better, just kind of
3 trying to improve what we do.

4 And some jurors raised their hand, it's my first time, it
5 was great, and she didn't raise her hand.

6 But I asked her, I said young lady, could you, what do you
7 think? And she said I loved it. It was such a great
8 experience. And she went on to say how it was much different
9 than she expected.

10 And I asked her, I said so why did you write that back on
11 the questionnaire?

12 And she said well, you know, we talk, and what you hear on
13 TV. But it's so great because I became a part of it, and she,
14 her, her belief and thought of jury, the juror service is just
15 completely different once having gone through it because she
16 realized exactly how important she was.

17 HOST RYAN: Have you had other similar situations where
18 jurors may not have been crazy about doing jury, but once they
19 served, their opinion changed?

20 CHIEF JUSTICE RONQUILLO: Absolutely. I, it's my experience
21 that the jurors, after going through, through the process and,
22 and having sat through a trial, recognize how critical it is
23 for the system to work because you can even tell, even
24 initially when they don't want to sit, but as the trial's
25 going on, they, they pay attention, and they understand the

1 seriousness of their obligations.

2 And I appreciate that incredibly when I, when I sit and I
3 watch that.

4 HOST RYAN: Is it fair to say in the BMC you try to use
5 jurors as quickly as possible?

6 CHIEF JUSTICE RONQUILLO: Absolutely. When I used to
7 address the jurors, I used to tell them we try to use you or
8 lose you.

9 Again, we appreciate the fact that they're coming from, you
10 know, their busy days, from school, work, the kid, whatever it
11 is.

12 And, and for them to take that kind of day off or, I think
13 it's incumbent upon us to be able to reciprocate and, and be
14 considerate.

15 So the Judges in our department, I'd say pretty much in
16 every department in the judiciary, tries to address those jury
17 cases as soon as possible because if there is no need for the
18 jury, it, it is our belief that they should be released as
19 soon as possible.

20 And if there's going to be a trial, to impanel them as soon
21 as possible so you can get about the day's work.

22 HOST RYAN: So you hope it's a positive experience --

23 CHIEF JUSTICE RONQUILLO: Absolutely.

24 HOST RYAN: -- and also an educational one as, as well?

25 CHIEF JUSTICE RONQUILLO: Yes. And we try to make them as

1 comfortable as we can while they're there as well.

2 HOST RYAN: Do we need jurors if we have Judges like
3 yourself who are trained in the law?

4 CHIEF JUSTICE RONQUILLO: All our Judges are trained on the
5 law, and we need jurors every day. Yes.

6 HOST RYAN: You need them.

7 CHIEF JUSTICE RONQUILLO: Absolutely.

8 HOST RYAN: And I had the good fortune of meeting you in
9 Dorchester Court a couple years ago. And you addressed the
10 jurors, and you said that jury duty is the epitome of the
11 democratic system.

12 CHIEF JUSTICE RONQUILLO: Yes, it is. And I truly believe
13 that because it's, I think the admirable thing about the jury
14 system is that the decision makers are the community. It's
15 not one person. It's not two people. But it's the community.

16 And they're selected by the parties, many times, to make,
17 to render that decision, and that's what democracy is, the
18 community making decisions.

19 And it's, I think that's why it works so well, I think why
20 a lot of other systems and nations look to us because it is a,
21 I think an example of the democratic system at work.

22 HOST RYAN: Now, Chief Justice Ronquillo, have you been
23 selected for jury duty?

24 CHIEF JUSTICE RONQUILLO: I have been, well, I have been
25 called to jury duty. I have never sat in a trial yet.

1 HOST RYAN: But you went?

2 CHIEF JUSTICE RONQUILLO: Yeah. Oh, yes, I went.

3 HOST RYAN: Did you get in the box?

4 CHIEF JUSTICE RONQUILLO: I didn't get in the box, no. I
5 was looking forward to it though.

6 HOST RYAN: It, this would probably not apply to your Court,
7 department, but are some cases, perhaps like in Superior
8 Court, are they too complex for jurors?

9 CHIEF JUSTICE RONQUILLO: You know, I, some cases are very
10 complex. But the, the jurors, from my experience, pay
11 attention, they understand.

12 And we leave it, we hope and expect that the lawyers will
13 be able to present the case in such a way that the jury
14 understands exactly what's at, what it, what's at issue.

15 So it, it's a matter of the lawyers doing their job and
16 presenting the case to the jury.

17 But I, I think that the, there is no case that is too
18 difficult for a jury to understand, providing it's presented
19 properly, and I think that that's one of the great things in
20 our system, that the jury will make that decision.

21 HOST RYAN: Do you meet with jurors after, after a verdict?

22 CHIEF JUSTICE RONQUILLO: Time permitting and if the jurors
23 want, I meet with them afterwards, again mainly to maybe
24 discuss their experience and see what we can do better, more
25 than the merits. The merits, we do not talk about the case

1 itself. The, the decision has been made. Many times, by that
2 time, the sentence has been rendered, and it's a matter of, of
3 talking about their experience to see how we can improve what
4 we do.

5 HOST RYAN: Have you ever been surprised by a jury verdict?

6 CHIEF JUSTICE RONQUILLO: I have. I have.

7 HOST RYAN: But you still went along?

8 CHIEF JUSTICE RONQUILLO: Oh, absolutely.

9 HOST RYAN: Yeah.

10 CHIEF JUSTICE RONQUILLO: I mean the jury, the jury rules.
11 You know, they, they listen. They, they make the decision.
12 And that's, that's it. That's what it's going to be.

13 HOST RYAN: Well, we've run out of time.

14 I'd like to thank you for joining us today on Jury Duty:
15 You Make a Difference on BNN.

16 Just remember, if you have any questions regarding your
17 jury service, you can always contact us online at MAJury.Gov
18 or call the Office of Jury Commissioner toll free at 1-800-
19 THE-JURY, that's 1-800-843-5879.

20 You do make a difference. Please serve when called. It's
21 important to all of us.

22 Thank you, Chief Justice.

23 JUSTICE RONQUILLO: My pleasure.

24 HOST RYAN: And thank you at home.

1 For More Information Visit our Website JuryDuty.MAjury.gov or
2 call 1-800-THE-JURY, 1-800-843-5879

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