

OFFICE OF THE JURY COMMISSIONER
FOR THE COMMONWEALTH OF MASSACHUSETTS

MASSACHUSETTS JURY DUTY – YOU MAKE A DIFFERENCE
TRANSCRIPT

SEASON 01 – EPISODE 02

OFFICE OF JURY COMMISSIONER

"Jury Duty: You Make A Difference"

Executive Producer: Pamela J. Wood, Jury
Commissioner for the Commonwealth

Producer: Michael Ryan, Communications
Coordinator, Office of Jury Commissioner

Director: Cullen Cockrell, Boston Neighborhood
Network

Studio Manager: David Palomares, Boston
Neighborhood Network

"Jury Duty" was produced in association with the
Boston Neighborhood Network, 3025 Washington
Street, Roxbury, Massachusetts 02119.

Copyright 2015 – the Office of Jury Commissioner
for the Commonwealth of Massachusetts, 560
Harrison Avenue — Suite 600, Boston,
Massachusetts 02118. Website: MAjury.gov

This transcript was prepared by the Office of Court
Management, Transcription Services.

Begin Transcript.

**Title Card: MASSACHUSETTS JURY DUTY, YOU
MAKE A DIFFERENCE**

MICHAEL RYAN, BNN LIVE HOST: Hi. My name is
Mike Ryan. The name of the show is Jury Duty: You
Make A Difference on BNN Live, hopefully the show
that will answer all your questions about the one
day, one trial jury system.

Title Card: JURY DUTY, Michael Ryan, Host

Our special guest today is Chief Court Officer,
Assistant Chief Court Officer Henry Cordero at
Suffolk Superior Court.

Welcome, Henry.

MR. CORDERO: Thank you for having me here today.

HOST RYAN: Thank you for being on the show.

And Henry has spent his entire Trial Court career at Suffolk Superior Court and for many years has worked in the jury pool.

How many years have you worked in the jury, Henry?

Title Card: JURY DUTY, Henry Cordero, Assistant Chief Court Officer, Suffolk Superior Court

MR. CORDERO: Well, to be honest, I started about 28 years in Suffolk Superior. About 15 years ago, I started doing the jury pool, and about 10 years ago, I became in charge of the jury pool down there.

Prior to that, like I said, I was in the, an entire system for 28 years just about.

HOST RYAN: Now, how do you find, do you find it challenging working in the largest jury pool in the state?

MR. CORDERO: It's quite a challenge to tell you the truth. Having to deal with the Judges, with the Clerks, sometimes with the Court Officers, they always want to be first, and that's one of our biggest problems down there.

In order to pick a jury of twelve jurors, they have an average of approximately 50 jurors in order to get a panel of 14 actually because it's 12 deliberating jurors and 2 alternates.

However, we have a number of approximately 190 on a Monday, and when you have six or seven Judges looking for 50, the numbers quite don't add up.

What we need to do is send out some of the jurors. When they return, we put them right back into the system and we send them out again.

There are times in which one particular juror have gone up to three or four different trials.

HOST RYAN: And when people come to Suffolk Superior Court, what kind of cases should they expect to sit on if they're picked for a jury?

MR. CORDERO: In Suffolk Superior Court, we have civil trials. We have criminal trials. We have petty crimes all the way up to first degree murder trials.

In the civil side of the Court, we have trials that involve a small amount of money and other trials that involve millions of dollars.

So the, what they need to do is try to get a, a jury of 14 individuals for that particular trial.

HOST RYAN: So on average, at Suffolk Superior Court, you're dealing with anywhere from, what, about 150 to 200 jurors a day?

MR. CORDERO: On Monday, we start out on Monday, and we get about 190 jurors.

Then gradually as the days go by, we have less jurors coming in. On Tuesday, we probably get a 180, it drops down like 10. Wednesday, somewhere in the vicinity of 170. And then on Thursday and Friday, we have a target number of 100 jurors.

So on Thursday and Friday, we probably get 100 jurors each day. The rest of the week, it's, the numbers are way up there.

HOST RYAN: Now, what kind of, when people come in to report for jury duty in Suffolk Superior, do they ask you how long they should expect to be there?

MR. CORDERO: They always do. They think that they, they're going to be there for a couple of hours is what they really think.

HOST RYAN: And that's the wrong, the wrong idea?

MR. CORDERO: That is the wrong idea that is the wrong understanding.

Jury service is one day or one trial, which means if you get pick on a jury, you're there for the duration of the trial.

Now, a trial can last, the average trial in Suffolk Superior is three days. So if you get an average trial, you'll be there for three days. You could also get a trial that lasts two weeks. A medical malpractice is a case that typically lasts between a week and a half to two and a half weeks.

To get into a first degree murder trial, that's the same type of issue. You're going to get, a first

degree murder trial probably lasts the same, between a week and a half to two weeks.

And then you got the, then the actual average is only a three day trial.

Title Card: JURY DUTY, Henry Cordero, Assistant Chief Court Officer, Suffolk Superior Court

HOST RYAN: So typically most people are done in one day?

MR. CORDERO: Most people are in fact done in one day. If we have five trials, so you figure five times twelve is sixty, and another is 72 jurors only. So if you have 190 jurors coming in, you do the math, and you, you're only going to use out of that 190 jurors, the, there's only going to be like 72 lucky jurors that will get picked on, on the cases on that particular day.

Title Card: JURY DUTY, Michael Ryan, Host

HOST RYAN: Now, if I go up into a courtroom and I'm not seated in the jury box and I'm not selected, do I get to go home or.

MR. CORDERO: You only get to go home at the end of the day or when I'm satisfied through the clerks of the session, and sometimes I even have to contact the Judges, that there is no more need for you.

At that time, we release you.

Typically, in Suffolk Superior, the jurors will come in. they get sent out as early as 9 o'clock, sometimes a little bit later than that, they go up to a session. Sometimes, a trial to pick a jury might last, it could last as little as a half an hour, as much as a couple of days or even longer. It really depends on the type of trial. And all that is given to the jurors as they come up. The Judge will explain to the jurors the estimated time that the trial expects to last, gives them information, ask some questions of the jurors, and then if they find the jurors that, they're indifferent, they get seated.

Once they begin, the process begin by which the attorneys can then challenge the jurors. Now, those challenges, the attorneys don't have to explain why they're challenging this particular juror, that particular juror. They just have to keep it to whatever the number is given to them.

HOST RYAN: So they shouldn't take it personally if they get challenged when,

MR. CORDERO: Absolutely not. They could be for any reason and they don't have to give you a reason why they're challenging. The attorney is trying to pick the best juror possible for their cause and that's what they do, so does the, the, the lawyer for the state does the same thing.

HOST RYAN: So people when they come to Suffolk Superior Court, they shouldn't expect to be out at noon time or 2 o'clock, but typical, what's the Court day last?

MR. CORDERO: Typical day in a typical jury trial is really from, we start signing in jurors, checking in jurors at 7:30. By 9:30, we've already finished the checking in of the jurors. At that time, we give the jurors a brief explanation as to what to expect for the day. We have the Judge come down and talk to them. I'll give them a brief explanation as to what to expect. And then the Judge comes down and talks to them. We show them an 18 minute video, and the video also explains to them what takes place in the, in the jury system.

So they're pretty well informed by, let's say by quarter past 9, they're pretty well informed as to what to expect during that day.

HOST RYAN: What, and that movie, the jury movie, can I get it on Netflix or Red Box?

So they have to see a Judge and they have to watch the movie.

MR. CORDERO: They have to watch the movie. Correct.

HOST RYAN: That's, that's part of the, that's part of their orientation.

MR. CORDERO: And they have to be orientated, yeah, that is part of the orientation.

HOST RYAN: Before someone comes to Court for jury duty, is there anything that jurors should do in preparation of reporting?

MR. CORDERO: When they, the jurors are summonsed to jury duty about three months ahead of time. So it gives them ample time for them to check their calendar as to whether or not they, that day is okay.

If it's not okay, they can go on the website. They can change the date. They can call the Jury Commissioner's Office, the 1-800-THE-JURY. They can change it that way. And even at time, if they come to our place and they have a reasonable reason, they have tickets for the next day to go someplace else, we will, you know, give them another day to come back.

So the jurors really do have ample time to make all those decisions before coming on the particular day that they're summonsed.

HOST RYAN: Do they have to fill anything out to bring to Court?

MR. CORDERO: They do. When they, when they come into jury, let's see if I can find it right now. I do have it right here.

There's a jury questionnaire that is given to them.

HOST RYAN: And they have to bring it with them to Court?

MR. CORDERO: They have to bring it to, with them to Court and we advise them to have it completely filled out.

HOST RYAN: And if they don't have one, can they,

MR. CORDERO: If they, if they don't have one, we have plenty of them, copies, for them to fill out. We expect that there is a, a percentage of the jurors that come into the jury duty that they will not have the jury questionnaire completely filled out, although we try to tell them when, when we put it on the recording that we have, to tell them it's best for them to have that questionnaire completely filled out, but we have a section of the jury pool where they can go out and fill out the questionnaire.

HOST RYAN: Now, we just came off a, a terrible winter. Now, if there was bad weather, is there a place I can, is there a phone number that I can call to find out whether or not I have to report?

MR. CORDERO: There is. The system is set up right now where the same number that you called in to find out whether or not you need to report for jurors, it is the same number that we, early in the morning, by 6:30, I put in a message and tell them

that due to the weather conditions, the jurors have been cancelled.

HOST RYAN: Was this an unusual winter that you had a lot of cancellations?

MR. CORDERO: Absolutely. We had six or seven cancellations this year that normally in Suffolk Superior, if we have one during the whole year, it's a lot.

HOST RYAN: Now, if I'm called to Suffolk Superior, how should I get to the courthouse?

MR. CORDERO: Your best bet is to use public transportation, and the reason for that is that if you come in, there is no parking, so you're going to have to pay for parking.

Now, the parking rates in Suffolk Superior is like close to 50 dollars.

If you try to use the meters, you might not have time to go out there and, and feed the meters, so which means is that if you put in two or three dollars into the meters and you don't have time, you can go back there and find yourself with a ticket.

And it depends where you park, you can also find yourself that the car has been towed.

So the best bet for you to do is to take public transportation.

Suffolk County's unique. We have, if you live in, in West Roxbury, out there, you can get there through the, I believe it's the red line if I'm not mistaken.

HOST RYAN: Orange line.

MR. CORDERO: The orange line. That's correct. I'm sorry.

If you live in Revere or Winthrop, you can use the blue line.

So there is public transportation accessible so you can make it to, to Suffolk Superior.

HOST RYAN: Now, when I come to jury duty, how, how should I dress? Do I, do I need to wear a tie or do I have to wear something formal?

MR. CORDERO: No. You don't need to wear anything formal. However, we would like to see the jurors coming into the jury, what we call probably

dress, dress casual. We don't want to see any tank tops. We don't want to see any, any t-shirts with names or anything on, on them.

But at the same token, I personally don't want to see you coming in with a shirt and tie if that's not you. I want you to be you at least on the first day.

By that, I mean that if you're used to just wearing a, just a sports coat or anything like that, that's fine.

If you just want to wear a shirt, that's fine.

The only thing we don't want you to wear is, like I said, is tank tops and, and shorts really. You're not going to the beach. You're really going to, to your service for jury.

HOST RYAN: Now, have Judges told jurors to go home because they were inappropriately dressed?

MR. CORDERO: Absolutely they have. They have in the past, and I, personally myself I have done it when it's brought to my attention. I have one, without going into specifics, I had one particular person that came in with an inappropriate statement on her, on her t-shirt. When it was

brought to my, she had a coat at the time so I didn't see it. If I had seen that, I would have never checked her in.

However, it was brought to my attention. When it was brought to my attention, I brought her into the office, and I work out another day for her to come back.

Title Card: JURY DUTY, Michael Ryan, Host

HOST RYAN: Okay. So there have been people who, would you say business casual is probably the style that they should use?

MR. CORDERO: Absolutely. Yes. That is correct.

HOST RYAN: And if, when I come to jury duty, can I, what can I bring?

MR. CORDERO: Well, if you come to Suffolk Superior, I can only really speak for Suffolk Superior because there are other Courts that don't allow it,

HOST RYAN: Sure.

MR. CORDERO: Okay.

HOST RYAN: Can I,

MR. CORDERO: There is,

HOST RYAN: Can I bring this? [shows cellphone]

Title Card: JURY DUTY, Henry Cordero, Assistant
Chief Court Officer, Suffolk Superior Court

MR. CORDERO: Yes, you can. You can bring that. You can bring a laptop. You can bring a, you can bring food if you like. If you want to bring something, as long as it's not in glass, anything that's glass is the only thing that you will not be allowed to bring.

HOST RYAN: Really, something that's made of glass?

MR. CORDERO: Made of glass, if you bring that – that we don't allow. Plastic, that's fine. If you bring a tonic bottle made out of plastic, that, water bottles, that's, that's okay. However, if you bring something, we have people that bring something in, in glass bottles. What happens is the blue shirts out front, they take it. They won't let them bring it in.

HOST RYAN: Okay. So jurors are different than some of the regulars who may come to Court for either being a witness or somebody who's a defendant where they, most people can't bring in cell phones but jurors can?

MR. CORDERO: The jurors are allowed, since we work in the largest jury pool and we can have, when you come to jury, we just don't summons. We summons everybody. So if you're a doctor, if you're a teacher, if you're a plumber, carpenter, anything, you can, you will be summonsed for jury duty. You can be a doctor, and you'll be summonsed for jury duty. There is no exemptions from jury duty.

HOST RYAN: And you work with a wide range of people from all walks of life, all sorts of ages that you deal with college students, do you not?

MR. CORDERO: Yes, I do. Yes.

HOST RYAN: And do college students who come from out of state, do they have to do jury duty in Suffolk?

MR. CORDERO: Absolutely. You have to, if you come to, if you're in school here in Boston, whatever county you live in, you must serve as a juror. As

long as you're here for 50 percent of the time, then you're eligible to serve.

HOST RYAN: So you get a lot of college kids from like BU and Northeastern and,

MR. CORDERO: We get about 25 percent of the jurors that come into our place,

HOST RYAN: Are college,

MR. CORDERO: Are students.

HOST RYAN: Are students.

MR. CORDERO: They are college students. And often enough, they come up to the counter and they say to me I'm a student, I don't live in Suffolk County. I, then I have to say to them if you look out there, you'll see about twenty-five percent of the people that are here, they are students also. They have the same issue that you have. And you'll have a chance to explain those issues to the Court. I cannot excuse you from jury, jury duty. The only one that can do that is the Court.

HOST RYAN: So even college students when they report for jury duty, even if they're from out of

state, they'll have an opportunity to speak with the Judge?

MR. CORDERO: Absolutely. Yes.

HOST RYAN: And only the, only the Judge can make them stay or modify the terms of their service?

MR. CORDERO: That is correct. The Judge is the only one that can do that.

HOST RYAN: Now, do you have any advice for first time jurors?

MR. CORDERO: Just to read the literature that is given to you. Read a little bit about it, about it. Find out when you need, you are summonsed three months ahead of time. If you read a little bit of that, it will give you some idea as to what to expect when you come into jury duty.

HOST RYAN: Do you have a favorite jury story from all your years in the jury pool?

MR. CORDERO: Actually, I do, and it's not only a favorite jury duty. But this here one, what happened here was a lifesaving story,

HOST RYAN: Yeah.

MR. CORDERO: Which always remains with me.

About three to, about five months ago, I believe it was five months ago, I'm getting ready to dismiss the jurors. I go up to the podium, and I begin by saying, as I always do, good afternoon jurors. I didn't get, I don't believe that I even got good afternoon jurors out of me, my mouth, when I hear from the center of the, call 911, call 911.

I ran out. I went into the office. My boss happened to be sitting in the, in one of my chairs there, and I said to him call 911. I started going out to where the commotion was. When I started moving towards the commotion, I hear somebody says to me, take the defibrillator.

So I grab the defibrillator and went right out there.

Title Card: JURY DUTY, Henry Cordero, Assistant Chief Court Officer, Suffolk Superior Court

MR. CORDERO: When I approach, I saw a, a gentleman being helped, actually they were being, doing chest compressions. They were doing chest

compressions on the gentlemen. And the E, there was an EMT there.

HOST RYAN: Who was a juror?

MR. CORDERO: That was a juror. Yes. There was a doctor.

HOST RYAN: Who was a juror.

MR. CORDERO: Who was a juror And there as a nurse's aide that was a juror.

So when we got there, I helped out a little bit, what I could do. But they had the situation under control. They actually brought this gentleman back to life.

HOST RYAN: And he survived?

MR. CORDERO: He did survive. He did, we put the, they put the defibrillator on him, and the defibrillator says shock, which means that they had to be brought back.

The EMTs got there, put him on the stretcher. As they were taking him out, they had to continue to do chest compressions.

The gentleman is, we checked and he was okay a few days later.

He doesn't remember anything that happened.

HOST RYAN: Wow.

MR. CORDERO: However, I can tell you this, that if I had let those jurors go ten minutes earlier, and I could have, that day I could have. I don't know what got into me that I says I'll do, I'll wait another ten minutes or so. And then finally when I did, this happened. If I had let them go, you can imagine he would have been ten minutes away from the courthouse.

HOST RYAN: Wow.

MR. CORDERO: When, and God knows what would have happened that time.

HOST RYAN: So that was, just shows you the diversity of the jury pool that you had trained medical personnel there to assist you, plus you had the defibrillator.

MR. CORDERO: Yeah.

HOST RYAN: In the jury pool.

MR. CORDERO: The defibrillator paid for itself on that particular day. I can tell you that much.

HOST RYAN: Now, have you had many famous jurors come to your Court?

MR. CORDERO: I believe that everybody that walks through those doors are, is famous.

HOST RYAN: Okay. That's,

MR. CORDERO: That's my belief.

HOST RYAN: That's,

MR. CORDERO: I don't have any particular person per say that is famous. I can tell you that, if you want to, John Kerry came in one time.

HOST RYAN: Okay. So Secretary of State.

MR. CORDERO: The Secretary of State,

HOST RYAN: John Kerry?

MR. CORDERO: Was there, was there about, actually, he's probably due to come back by now. It's about three years ago.

HOST RYAN: He'll, he'll be thrilled to get his jury summons, right?

MR. CORDERO: Yeah. He was there.

HOST RYAN: What's the longest jury trial that you can recall that you've worked on?

MR. CORDERO: Well, I particularly didn't work on this one, but I can tell you the longest jury trial that I remember was about, about seven or eight years ago. I don't know if you, Judge Sikora, you, you remember him? Anyway, he is one of our Judges. He moved over to the Appeals Court about three, two or three years ago. He had a case. It was a civil case. It took him about a couple of weeks to get a jury, and that particular case lasted two and a half months.

HOST RYAN: So he had a long impanelment?

MR. CORDERO: A long impanelment.

HOST RYAN: Followed by a long jury trial.

MR. CORDERO: Yes.

HOST RYAN: Wow. That's unbelievable.

Now, in your experience, every day you're given a list of all the perspective cases that may go to trial, correct?

MR. CORDERO: That is correct. Yes.

HOST RYAN: Do you find that a lot of cases resolve before going to a jury?

MR. CORDERO: I would say that approximately 85 percent of the cases in the system end up settling before trial. Often what happens is that I, we overbook, if I'm permitted to use that.

HOST RYAN: Yeah.

MR. CORDERO: That statement. The Clerks overbook. They might have three or four cases on the day. And what happens is that as the day goes by, this, this here one settles, that one settles, and there are times in which I've had jurors and not cases to send them to.

But the only reason why that happens is that during the, as the day goes by, the attorneys know that there are jurors down there. They know. And when, there are times in which they say to the Judge, Judge, if we can, can we have another five minutes, can we have ten minutes, and the Judge will be more than happy to give them the five or ten minutes.

And ten minutes later, fifteen minutes later, or whenever, they come back and says, your Honor, I think we've reached conclusion. I think we're able to settle this case.

So that case is taken off the, off the system. It happens all the time.

At times, it happens as the jurors are coming into the courtroom when the case, the attorneys say, your Honor, can we approach sidebar. They go to sidebar. They say I think we have a resolution to this case.

Now, those jurors, what happen to those jurors, they stay in that particular case until the resolution is completed and until the Judge accepts the terms and conditions of that particular one.

HOST RYAN: Henry, have you found in your experience that a lot of people who come into jury duty might be a little cynical, they may not be too happy about doing jury duty, but you found that after they've served as a juror, you found that it became a positive experience?

Title Card: JURY DUTY, Henry Cordero, Assistant Chief Court Officer, Suffolk Superior Court

MR. CORDERO: The Judges have, after the, the jury trial is completed and after the jury has rendered their verdict and everything else, the Judges usually go back and talk to the jurors. And usually when I'm, when I used to be up, up there and doing that type of work, I used to go in there with the Judges, and the Judges would tell you themselves that the jurors might be reluctant to come in, but once they serve, once they finish their work, they come back with a positive attitude. I get it all the time. They come back and says I was here, I was here in such and such a case. And they, you know, sometimes, they, they come back and they talk and they say that it was a good, good experience.

Title Card: JURY DUTY, Michael Ryan, Host

HOST RYAN: Well, we've run out of time. We'd like to thank you for tuning in today to Jury Duty: You Make a Difference on BNN Live.

Title Card: JURY DUTY, Henry Cordero, Assistant Chief Court Officer, Suffolk Superior Court

Just remember, if you have any questions regarding your jury duty, you can always call the Office of Jury Commissioner at 1-800-543-5879.

Thank you, Henry.

Thank you at home.

MR. CORDERO: Thank you.

Title Card: Produced by the Office of the Jury Commissioner, Directed by David A. Palomares, Audio and Video Tape Operator Wallace Fashaw, Camera Operators Myles Netherton, Jhashawn Burrell, For the Boston Neighborhood Network, Studio Manager David A. Palomares, Assistant Studio Manager Cullen Cockrell, Jury Duty has been produced in association with the Boston Neighborhood Network.

End Transcript.