

# JUDICIARY

## Northern Mariana Islands



### General Jury Duty Information

**Juror Hours:** Juror hours are 7:30 A.M. to 5:00 P.M. unless you are told otherwise by court personnel. Please plan to stay the entire day. We suggest you bring reading materials or small projects to pass the time while awaiting assignment.

**Lunch Breaks:** Jurors have at least one hour for lunch. Jurors are responsible for their own lunch arrangement unless they are deliberating, then the court will be responsible for lunch. Breaks are announced throughout the day.

**Facilities:** All restrooms in the Judicial complex are accessible to physically challenged jurors. Pay phones are available nearby. Physically challenged jurors in wheelchairs may use the elevator to access the courtroom upstairs. Smoking is prohibited in the facility.

**Attire:** Shorts and tank tops are not appropriate. Because temperatures vary in courtrooms, it is recommended to bring a light jacket.

**Attendance:** Jurors are to report to the designated courtroom indicated in the Summons for Jury Service.

**Failure to Appear:** A juror who is summoned and who willfully and without reasonable excuse fails to appear for jury service may be found by the court to be in contempt and subject to penalties provided by law.

### Frequently Asked Questions

**What Happens if I am Late for Jury Duty?** A juror is considered late after role call and after the court acknowledges and accepts the report from the court clerk during trial. At this point, the judge will enter an order for an issuance of a bench warrant for failure to appear.

**Where does the Superior Court obtain names of prospective jurors?**

Individuals are randomly selected each year based on the CNMI Voter's Registration.

**It appears that I am constantly being called to serve on many trials, how are people selected to serve?**

A computer randomly selects names from the master list. Since this process is random, some people may be selected more than others.

**Can some people volunteer to serve?**

The jury selection adheres to the random selection process set out in the court rules. The court rules does not allow for people to volunteer.

**I can no longer fulfill my duties as a juror. Can't you take my name from your records?**

Under certain circumstances, such as permanent mental or physical disability (75 years or older), court staff can permanently remove a name from its records. You will be required to submit a

formal request to be removed. In some cases, such as illness, you will be required to submit a doctor's note. You will be notified of the decision whether or not to grant your request.

**I am not a citizen of the United States but I would still like to serve as a juror. Why can't I?**

The law automatically disqualifies non-citizens, convicted felons whose civil rights have not been restored, and people less than 18 years of age from jury service.

**Is jury service mandatory?**

Both the United States Constitution and the CNMI Constitution guarantee the right to trial by jury. Failure to attend as directed may subject you to penalties provided by law. All CNMI residents are obligated by law to serve as a juror unless they:

- Are not a United States citizen;
- Are under 18 years of age;
- Have not resided in the CNMI within the last 12 months;
- Have been convicted of a crime punishable by imprisonment for more than one year and their civil rights have not been restored.
- Are unable to read, write, speak and understand either English, Chamorro or Carolinian;
- Are an active member of the United States Armed Forces or the Commonwealth Department of Public Safety;
- Are a public official in either the executive, legislative or judicial branch of the Commonwealth Government.

**How long will I have to serve as a juror?**

The Superior Court operates on a jury "pooling" system. If you are selected to serve on an official jury for a trial, your service is complete at the conclusion of the trial. The average trial lasts for three to five days.

**Are there ever any instances when I may have to serve longer?**

If you have not served as an official juror for trial, you may be summoned by the court to appear for another trial. You may also be required to appear several times during your period of service depending on the needs of the court.

**How late will I be at the courthouse?**

The court's normal hours of operation are 7:30 A.M. to 5:00 P.M. Prospective jurors should make arrangements to remain the entire day.

**I served on a jury three years ago. Do I have to serve again already?**

Yes. If you appeared to serve as a juror but were not chosen for a trial, you are exempt from serving for 18 months. If you served on a jury panel for a trial, you are exempt from serving for two years. If it has been more than 18 months (or two years) since your last service, you are required to appear for jury service again, regardless of how many times you have served in the past.

**Can my employer prevent me from serving as a juror?**

CNMI Law prohibits an employer from discharging or in any manner discriminating against an employee for taking time off to serve as a juror if the employee, prior to taking time off, gives reasonable notice to the employer of the requirement to serve as a juror.

**Will I be compensated for jury duty?**

Yes. Jurors are compensated for jury duty if they are selected to sit on an "Official Jury Panel" for

trial and if they are non-government employees. The current rate is \$30.00 per day. Checks are sent out a week after your service has been completed.

### **Can I be excused from jury duty?**

An individual who has been summoned for jury duty can be excused by showing either automatic or discretionary reasons for excusal—both options are discussed in more depth below. Under either option, an application must be submitted to the Office of the Clerk of Court, Superior Court at least two days before the summoned juror would be required to appear. The application must include: (1) proof of the reason why excusal is appropriate (for discretionary excusals, common scenarios and required documentation are discussed below); and (2) list the Juror Panel Number (listed at the top of the summons), the full name of the person summoned, and a reliable daytime phone number whether the summoned juror can be reached.

If an excusal request has been granted, the summoned juror will be called and notified by the Office of the Clerk of Court, Superior Court. If you do not receive a call, you **MUST** appear at the courthouse at the time and on the date specified in the summons.

### **Automatic reasons for excusal:**

- **Citizenship:** Not a United States Citizen;
- **Age:** Under 18 years of age;
- **Residency:** Not resided in the CNMI within the last 12 months;
- **Crime:** Convicted of a crime punishable by imprisonment for more than one year and their civil rights have not been restored;
- **Literacy:** Unable to read, write, speak and understand English, Chamorro or Carolinian;
- **Military:** Active member of the United States Armed Forces;
- **Commonwealth Department of Public Safety:** Active member of DPS;
- **Public Official:** Public official in the executive, legislative or judicial branch of the Commonwealth Government.

### **Discretionary reasons for excusal:**

- **Age:** Prospective jurors 75 years old and older are excused. You must include documentation that proves your age.
- **Full-Time Care Giver:** You must include: (1) written statement explaining why you are responsible for the person and why you cannot get someone to temporarily care for the person; (2) number of people you care for and their age(s). Additionally, if you are a licensed care provider you must attach your license. Finally, if care is required by court order you must attach a copy of the order.
- **Financial Hardship:** You must include: (1) the total gross (before taxes) monthly household income; (2) household size (number of people living, full-time in your household); and (3) a written statement from your employer stating that you are not paid during jury duty.
- **Businesses Owner:** You must include: (1) the number of employees you employ; and (2) a written statement explaining why your employees cannot continue to work in your temporary absence.
- **Physical or Mental Hardship:** You must include a written statement from your doctor.
- **Language:** You must provide a written statement that you are unable to read, write, speak and understand English, Chamorro or Carolinian.
- **Law Enforcement:** You must include a letter, on official letterhead, from your employer stating that you are a law enforcement officer.

- **Previous Jury Service:** If you were selected for a jury in the last two years then you must provide the dates of your service. If you appeared for jury duty but were not selected for a jury in the last eighteen months then you must provide the dates you reported for duty.

**FAILURE TO INCLUDE ALL INFORMATION REQUIRED WILL RESULT IN AUTOMATIC DENIAL OF YOUR REQUEST.**

**Patrick V. Diaz**  
**Clerk of the CNMI Superior Court**  
**P.O. BOX 500307**  
**Saipan, MP 96950**

**Office Hours:**

Monday through Friday, 7:30a.m. to 4:30p.m., excluding holidays

**Phone:**(670) 236-9765 & (670) 236-9700