
FISCAL TOPICS

Fiscal Services Division

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Jury Trials

Juror Selection

In Iowa, residents are selected at random for jury service from the master jury list. The master jury list consists of licensed drivers, State identification card holders, and registered voters residing in the county where the court is located. To serve or be considered for jury service, a person must meet the following minimum criteria:

- Be 18 years of age or older.
- Be a citizen of the United States.
- Be a resident of the county in which the person was summoned.
- Be able to understand the English language in a written, spoken, or manually signed mode.
- Be able to receive and evaluate information such that the person is capable of rendering satisfactory juror service.
- Not have served as a grand or petit juror within the past two years.

Individuals selected for jury service can request postponement for up to 12 months for hardship, inconvenience, or public necessity; temporary physical or mental illness or infirmity; active educational pursuit; or scheduled vacation.

Types of Juries

There are two types of juries in Iowa, grand juries and petit juries. A grand jury consists of a group of seven citizens convened for the purpose of determining whether there is sufficient evidence for a person who is accused of a crime to be brought to trial, as opposed to the county attorney filing a criminal charge. A grand jury may meet at times specified by order of a district court judge, at the request of the county attorney, or at the request of the majority of the grand jurors. The prosecuting attorney is responsible for presenting evidence to the grand jury. Grand jury proceedings are closed to the public.

A petit jury acts as the fact finder when a party in a civil case or a defendant in a criminal case has requested a jury. In criminal trials, 12 jurors sit on a jury. In civil trials, eight jurors comprise a jury. If a jury has not been requested, the judge acts as the fact finder.

Reimbursement and Costs

Reimbursement for both grand and petit jurors includes pay, mileage, and parking. A grand juror and a petit juror in all courts receive \$30 per day for each day of service or attendance, including the selection process. If the jury service exceeds seven days, then the compensation rate is \$50 per day exceeding seven days. A grand juror and a petit juror in all courts also receive reimbursement for mileage expenses at a rate set by the Supreme Court (currently \$0.45) for each mile traveled each day to and from the residence of the juror to the place of service or attendance and receive reimbursement for actual costs of parking. Employers must allow employees time off to serve on a jury. Employers are not required to pay

More Information

Judicial Branch: iowacourts.gov

Iowa Court Rules: legis.iowa.gov/law/courtrules

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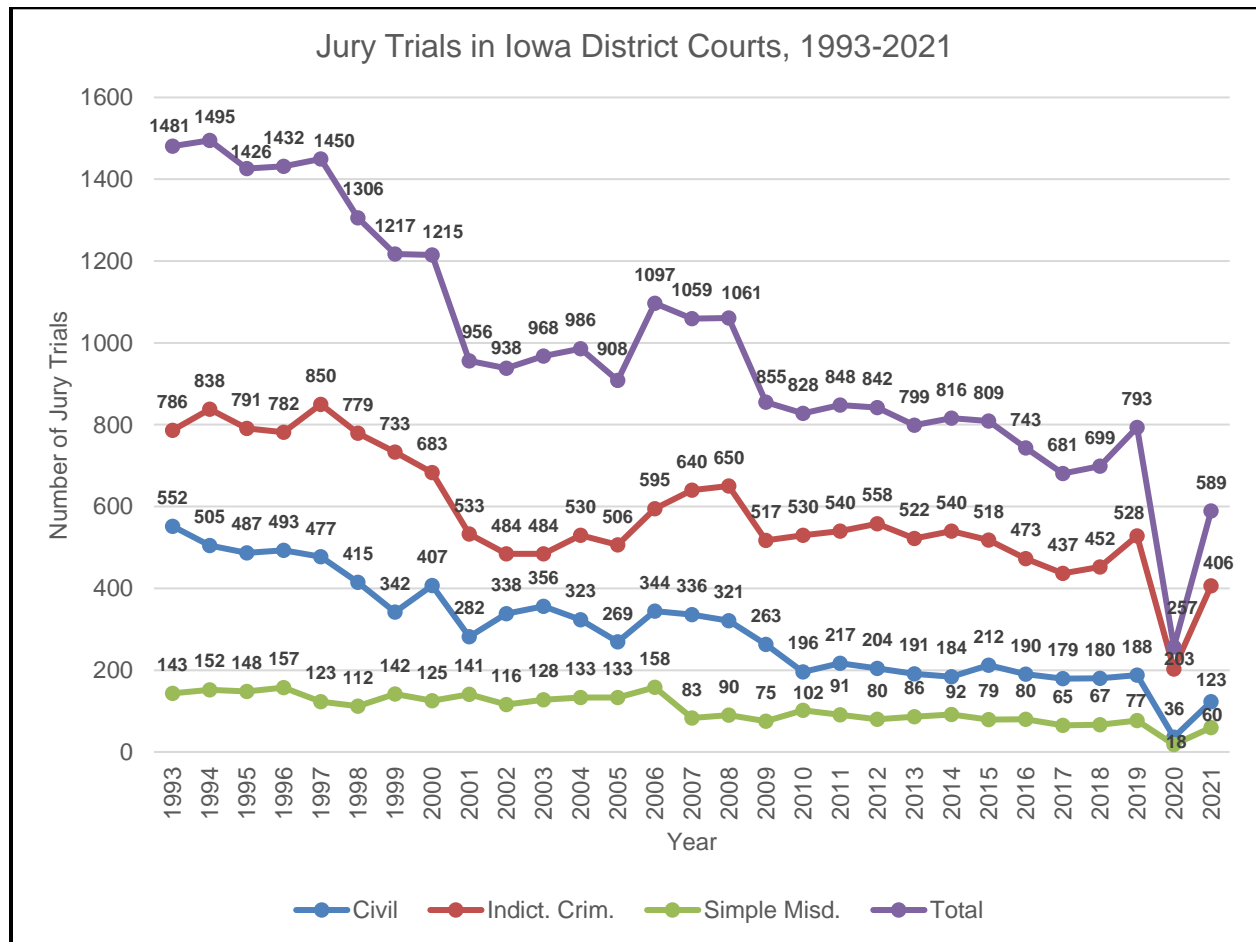
the salaries of employees on jury duty, but many do so in recognition of the importance of jury service.

The county pays all costs and expenses incurred by a grand jury. Costs and expenses for a petit jury are paid from the [Jury and Witness Fee Revolving Fund](#). Moneys are transferred from a General Fund appropriation to the Judicial Branch and deposited in the Jury and Witness Revolving Account. Clerks of court request moneys as needed to pay jury and witness expenditures.

Jury Trial Statistics

Chart 1 shows the number of jury trials in Iowa district courts from 1993 through 2021. Prior to 2009, “jury trial” was defined as any disposed case in which a jury had been selected (even if the case was settled or a defendant pleaded guilty before a witness was sworn in). In 2009, “jury trial” was redefined to capture only cases with a jury verdict entered.

Chart 1



Trends in the Number of Jury Trials

As shown by **Chart 1**, jury trials peaked in 1994. According to the Judicial Branch, in the past the term “jury trial” was used for any case in which the jury was empaneled or sworn in, even if the case was settled or the defendant pleaded guilty before the jury was allowed to enter a verdict. This is not a disposition type but rather a case event and may have been coded in the past as a settlement (civil case) or a guilty plea (criminal case).

Jury trials began to decline noticeably from 1997 to 1998. This decline coincides with statewide implementation of the Iowa Court Information System (ICIS). Cases again declined from 2000 to 2001.

This decline coincides with statewide implementation of automated caseload statistics reports. In 2006, the Judicial Branch instructed clerks to check statistics related to the number of jury trials reported in the automated reports. The manual check in each county increased the number of jury trials (juries empaneled) by 20.0% to 30.0% compared to the number reported in the automated statistics reports.

In 2009, due to budget cuts, the Judicial Branch redefined the “BTJR” (by trial to jury) disposition code to mean “jury verdict entered” rather than “case disposed after a jury was empaneled.” There was a large drop in cases from 2008 to 2009, and the Judicial Branch has determined that this drop was entirely due to the change in how the BTJR disposition type was defined. Jury trials stayed relatively steady at this lower level from 2009 to 2019, with some variance each year. The Judicial Branch reports that these variations are not due to changes in data coding, collection, or verification. In 2020, jury trials dropped drastically to only 257. This significant decrease in jury trials corresponded with the onset of the COVID-19 pandemic and was partially due to Supreme Court orders that temporarily postponed jury trials for much of the year. In 2021, jury trials were resumed for most of the year and the number of jury trials increased to 589 from the low in 2020, but the number had not yet returned to prepandemic levels.

In summary, the number of jury trials has decreased in recent decades. Some of the decline is due to automation and the lack of standardization in using the BTJR disposition code for all cases that had a jury empaneled. Since 2009, lower jury trial numbers are due to the way the Judicial Branch redefined “jury trial” to mean “jury verdict entered.” The most significant decline, which occurred in 2020 and continued into 2021, was caused by the COVID-19 pandemic.

This significant decline in jury trials in 2020 was not unique to Iowa. The COVID-19 pandemic presented challenges to court systems across the United States. According to the [National Center for State Courts](#), jury trials were largely postponed by states in 2020. The postponement of jury trials resulted from safety concerns for jurors and other participants. The Iowa Supreme Court created the [Jumpstart Jury Trials Task Force](#) in May 2020 with the purpose of recommending policies that would allow jury trials to resume in a manner that would protect the health and safety of all participants and also protect the legal right of a party to a trial by jury. Jury trials eventually resumed across the United States, but the nationwide postponement of jury trials created a growing backlog of cases for states to deal with, including Iowa.

Related Statutes

Iowa Code sections [602.1302](#) and [602.1303](#)

Iowa Code chapters [602](#) and [607A](#)

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