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Appendix: Methodology - State and Federal Judge Surveys

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APPENDIX: METHODOLOGY

STATE AND FEDERAL JUDGE SURVEYS

*Allen Pusey**

Questions in the survey materials were created and prepared by Mark Curriden and Allen Pusey of *The Dallas Morning News*, in consultation with John B. Attanasio, dean of the Southern Methodist University Dedman School of Law, as well as, numerous state and federal judges.

The team mailed survey materials to a total of 566 Texas state trial judges in December of 1999. A second mailing was made in mid-January, 2000 to those state judges who had not yet responded.

A total of 916 similar questionnaires, changed only to reflect federal laws and procedures, were mailed in late February 2000 to all federal trial judges, including those presiding in United States territories and protectorates. A second mailing was sent in April 2000 to those federal trial judges who had not yet responded.

A third mailing of a postcard reminder was made to both groups.

In total, 987 completed questionnaires were received, representing a 67% response rate from both groups.

Texas state judges sent back 393 completed questionnaires: a 70% response rate. Federal judges mailed back 594 completed questionnaires: 65% response rate.

Because this survey was administered through the mail, the sample is considered self-selected. Also, because it is not a scientific random sampling of the entire Texas state and federal judge population, a margin of error cannot be applied. But a highly acceptable cross-section of judges by geography, tenure, and gender was collected.

Kristina Carlson, Patti Boesch, and Barbara Quisenberry of The News' Research Department supervised the poll.

Jury "No Show" Methodology

The study was based on jury summonses mailed by Dallas County for the week of March 6, 2000.

The list of summonses was obtained from the county in the form of an electronic database. The data turned over by the county included three weeks of summonses, including the target week. Target weeks summonses were extracted from the larger database and included exactly the data for each individual as it is printed on the Dallas County summons

* The Dallas Morning News

form. This information included name, address, voter registration number, driver's license number, an in-house document number, and coded data relating to the time and place prospective jurors were being asked to report, as well as, their status as a regular juror or a stand-by juror.

The data was converted into an individual record set for each prospective juror. From those records, a new set of fields was developed specifying the status of each juror as evidenced by a series of discrete events.

Dallas County Jury Services was asked, and agreed, to provide the raw summons forms as they were returned to the county for whatever reason. These included several categories: (1) Those that were returned unclaimed, either by the postal service or other third parties, and (2) Those who returned forms claiming exemption(s) and/or disqualification(s). All forms were logged by hand, including reference to any notes or clarifications written by the person returning the summons.

From these operations, the database was further stratified into two polling groups: (1) Those who reported for Jury Duty (Shows) and (2) Those Who Failed to Report (No-Shows). The Shows were identified by hand through a review of court records; wherein photocopied lists of individual juror document jury pools summons questionnaires. From those lists, we were able to determine (a) whether a person actually showed up for jury duty, (b) whether an individual was actually chosen as a juror, and (c) whether an individual was struck during the *voir dire* process and by whom. Both criminal and civil juries were tracked in exactly the same way.

The pool of Shows was determined by this tracking. The pool of No Shows was assumed, for sake of stratification, to be everyone else—excluding those whose summonses had been returned for any reason.

The two pools were then given to the research department of *The Dallas Morning News*. Since the lists were taken from the original random sample of the jury pool, the lists were assumed to be random at face value. Subsequent testing, through GIS and random numbering procedures, corroborated that assumption.

Once the two pools were determined, the grouping was submitted to a professional polling and research organization that matched names and addresses to telephone numbers. Trained, professional interviewers then called individuals from both groups, taking names sequentially from either of the lists. Calls were made until a minimum of 400 substantiated interviews was conducted for each of the two groups.

Shows and No Shows were interviewed using questionnaires appropriate for their group. Approximately two-thirds of the questions were the same for both of the groups.

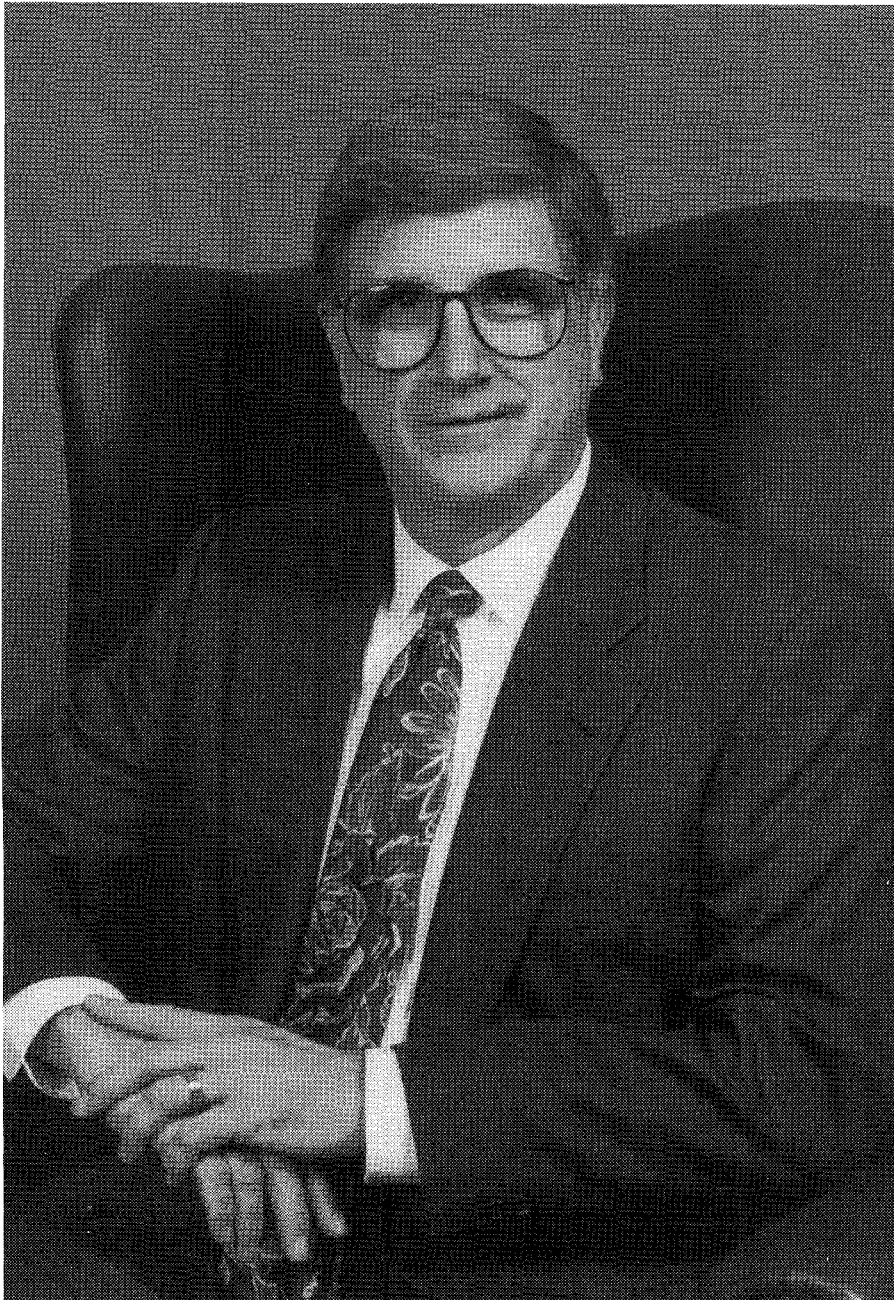
Since the purpose of the jury survey was to gauge attitudes toward jury service, those designated as “standby jurors”—who also met the above criteria—were included in the No Show pool. Standbys are required, under terms of their summons, to call a specific court services number. There, a recorded message, tells them if they are needed, and if so, where

to report. Since there is no record of those standby calls, standby subpoenas required special handling. Researchers conducting interviews from the No Show pool were instructed to interview standbys as though they were No Shows. If the standby said they had called (as the summons instructs), they were assumed to have complied with the summons and their interview was discarded. Two hundred such interviews were conducted, and then discarded in this manner. All tolled, nearly 1,000 interviews were conducted to attain the 801 individual respondents to the survey.

The research department of The Dallas Morning News tabulated the results.

Tribute





Harvey Wingo

