

“All rise for the jury!”

It’s a statement heard in every jury trial in the Cuyahoga County Common Pleas Court when the jury enters or leaves the courtroom. It’s a sign of respect for the men and women who have been seated as jurors. Without them, the American justice system would not work. Juror Appreciation Week begins May 1, and I want to take a moment to thank the tens of thousands of Cuyahoga County citizens who share their time with our Court.

Our jury process is as old as America itself. The U.S. Declaration of Independence accused King George III of "depriving us in many cases, of the benefits of trial by jury." Article III of the Constitution guarantees the right to a trial by jury. When an individual steps into that jury box, he or she helps to uphold the very ideals set forth by our founding fathers more than two centuries ago.

As a Judge, I can’t tell you how many times I’ve been asked, “How can I get out of jury duty?” I never really know what people expect me to say. In reality, the answer is pretty simple; you can’t get off jury duty and you shouldn’t! In the past, some people were excused because of their jobs. But that has changed because everyone should be afforded the opportunity to serve. Even our Judges and Court staff members are called for jury duty. That doesn’t mean we’ll be seated on a jury, but we’re all given the same consideration by the Judge and attorneys who decide who will sit on a case.

I believe there are three ways to truly serve your country. One is to enlist in the military, the second is to exercise your right to vote, and the third is to serve on jury duty.

Not every jury service is the same. Sometimes people get called for jury duty and they don’t even end up in a courtroom. That can be disappointing. After all, if you’re going to give up three to five days, you at least want to experience part of the legal system. But just the knowledge that there are people waiting to hear a case, and possibly decide a person’s fate, can be enough to settle a case before testimony even begins. By just being in the jury room, you are performing an important role.

I consider it an honor to be a Judge because it was the people of Cuyahoga County who elected me to the position. And when a jury is seated in my courtroom, it’s a pleasure to get to know a little bit about the citizens in the jury box.

Since they have been summoned, I know they already have some civic pride because they registered to vote. We have such a rich diversity of potential jurors. I’ve seen high school students and retirees summoned for jury duty. We’ve had doctors, politicians, attorneys, and TV anchors. We’ve had people struggling to find work and folks whose employers are anxious to have them back. But when it comes to that moment when a case is decided, every voice and every vote counts. To convict in a criminal trial the decision must be unanimous among all 12 jurors. In a civil case, six of eight jurors must agree.

The other day I had a class of high school freshmen in my courtroom, and they were about to read 12 Angry Men. In the film version, Henry Fonda's Juror Number 8 says, "Nine of us now seem to feel that the defendant is innocent, but we're just gambling on probabilities - we may be wrong. We may be trying to let a guilty man go free, I don't know. Nobody really can. But we have a reasonable doubt, and that's something that's very valuable in our system. No jury can declare a man guilty unless it's sure."

It's never an easy decision to find a person guilty of a crime or liable for a serious injury, even if you are sure. You've watched that person during the trial, likely seen his or her family, and you have to decide whether or not to take away a person's freedom or require them to pay. It's not TV or a movie, it's life.

For all this, I want to again thank the jurors who have come to the Cuyahoga County Common Pleas Court and those who will be here in the future. The justice system often rests on your shoulders. Thank you for being willing to carry that weight.

Hon. John J. Russo

Administrative and Presiding Judge, Cuyahoga County Common Pleas Court General Division