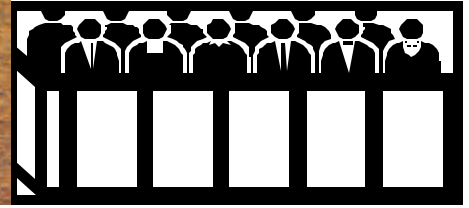


Legally Speaking



Volume 1, Issue 2

www.nccourts.org

Autumn 2005

Welcome to the autumn 2005 issue of *Legally Speaking*, a newsletter dedicated to jurors.

We hope you find this issue informative and enjoyable, and we welcome your feedback. If you have a comment or suggestion, please email:

charles.w.keller@nccourts.org

Thank you for your
commitment to justice.

26th Judicial District of North
Carolina



People who didn't show up for jury service wait to give their explanations to Judge Diaz.

Jurors Who Fail to Appear Held Accountable

Gone are the days in Mecklenburg County when you could simply ignore a summons to Jury Service. Since the beginning of this year, juror show cause hearings have been held on a regular, bi-monthly basis, with the Honorable Judge Albert Diaz presiding. While these show cause hearings have been held in recent years on a quarterly basis, this is the first year in which the hearings have been held on a bi-monthly basis with a regular judge presiding. This allows for more juror no-shows to be held accountable according to statute. Media coverage was allowed in the courtroom during the latest hearing for the first time.



Judge Albert Diaz asks a potential juror why he didn't obey the summons to appear for jury service.

On Friday, September 9, eighteen jurors who had been issued orders to show cause were scheduled to appear before Judge Diaz. Seven of the appeared for the hearing. "I didn't show up because I was job hunting and I just didn't think it was that serious," explained Geneva Sherman. "We had a family vacation the first time. We were in Florida swimming with the dolphins," said Christopher Morse. All seven jurors were rescheduled, except for one, who was excused because he was not a US citizen. One was fined \$50. "This is a serious matter," Judge Diaz told jurors. "We don't want people going to jail for failure to serve," he said. "We have got enough people across the street (in the jail) and we don't need that. But on the other hand, if they don't show up, I certainly will enforce that order because it is important that everybody abides by the same rules." An order for arrest was issued against nine defendants who failed to appear at the hearing. They could now face up to \$500 and/or 30 days in jail. Of the jurors questioned after the hearing, most said they learned an important lesson. "I can't imagine going to jail for 30 days for missing jury duty, but I understand the magnitude of it. Definitely go if you get the summons," Sherman said.

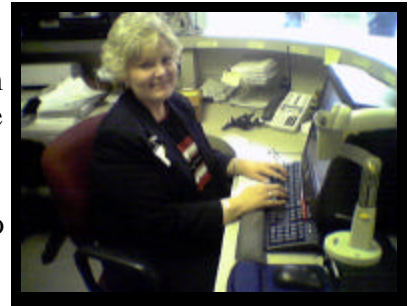
SPOTLIGHT



Mary Poston Jury Coordinator

Mary Poston is the Jury Coordinator for the 26th Judicial District. She is a Magna Cum Laude graduate of UNCC with a BA in Sociology, and she also holds a post-baccalaureate diploma in Paralegal Technology from CPCC. She was employed as a manager at Pillowtex for over twenty-five years, until the company closed in July 2003.

When Pillowtex closed, Mary had to rethink her career plans and decided to pursue her Paralegal Technology diploma. Through this program at CPCC, Mary came to the jury office last summer and completed a successful internship. When the Jury Coordinator position became vacant in December, Mary was hired temporarily in January. Mary applied for the position, and on January 24, accepted the position permanently.



Mary F. Poston

Mary lives in Concord and enjoys spending time with her son, Phil, grandchildren, Michelle and Stephen. In her spare time, she likes to read mysteries, especially those written by Janet Evanovich and Sue Grafton. During college basketball season, she says she can usually be found parked in front of the TV, whenever an ACC team is playing. She always pulls for an ACC team, but her favorites are Duke and Carolina.

Courthouse Construction Update

The 8 story building being constructed in front of the current courthouse is the new Mecklenburg County Courthouse. This state of the art facility will house courts and offices that are currently divided into three buildings. As the progress continues, permanent power was activated on July 22, 2005. Power continues to be distributed through electrical closets and energizing panels as rooms are completed. Conditioned air is now being delivered through the permanent system on the first three levels of the building. Conditioning of other spaces supports the schedule for the installation of millwork in the various courtrooms. Millwork for six courtrooms has now been delivered. Millwork for four more courtrooms should be delivered over the next three weeks.



New courtroom under construction

The new jury assembly room will be located on the fourth level of the new courthouse, at the 3rd and McDowell Street side. This impressive space is double height, with large windows that afford a stunning view of Marshall Park. The new assembly room will be capable of seating 250 people comfortably. Jurors will be given a choice of theater, lounge, or café seating throughout the 24, 000 square foot space. Three large screen televisions will feature three separate movies simultaneously. Other TV monitors throughout the space will feature cable channels. The new space also features a café area, complete with sink, refrigerator, microwave, and water fountain. Linda's Coffee Shop will also serve light snacks and beverages in the space. A business center will allow jurors to work, surf the internet, fax, print, and telephone while they wait. There will also be multiple internet hook ups throughout the entire space for laptop computers. A balcony will overlook the entire space, and will feature an additional 50 seats. A quiet room will be available for those who prefer solitude. Lockers and a game room will also be unique features in the space.

Much thought has been given to the design of the new courthouse. In fact, a survey was conducted among jurors during the planning phase to find out what would make jury service more comfortable. The new design will be more efficient, visitor friendly, and will be a structure the citizens of Mecklenburg County can be proud of for decades to come.

The new courthouse is scheduled for occupancy in December of 2006.

New Court Parking Deck Under Construction

You may have noticed the construction of the new parking deck is rapidly progressing, which fuels the burning question in everyone's mind: when will we be able to park in the new deck? The answer is: not for another six months. The latest update indicates an opening date of December 5, 2005.

"The opening date remains December 5th and we are comfortable with that date. We are trying to achieve a November 7th completion date: however, we won't know until late August if we can make that early date," says Robert Lutz, the Mecklenburg County Engineer in charge of the project.

The first phase of the new parking facility will include 1,000 parking spaces. Jurors will more than likely park on the first 3 levels on a first come, first serve basis. "As of right now, the plan is to issue jurors a validation pass in exchange for their parking ticket that they can then give to the attendant," says Lutz.

The first level of the new facility will also accommodate light retail, the nature of which has not yet been determined. "We are in the process of selecting a real estate management firm to market the retail space in the plaza area of the parking deck and to manage the leases. We will be asking our management firm to seek tenants that will provide active services that will energize the area (i.e. coffee shop, food service, book store, convenience store, etc.). The space is not intended to be used for offices or other "low-activity" uses." Says Mark Hahn, Director of Real Estate Services for Mecklenburg County.

In the meantime, temporary juror parking is located at the Adam's Mark Hotel Parking Garage at 555 McDowell Street. This is the only designated juror parking area at this time.



SPECIAL NEEDS

If you require handicap parking, please call **704-347-7802** and select the **ADA accommodations option**. The ADA Coordinator will assist you with securing handicap parking close to the courthouse, as well as accommodations for an American Sign Language interpreter and assisted listening equipment for the hard of hearing. If you have any other special needs of which you feel we need to be aware, contact the ADA Coordinator prior to your date of service.



Free parking for jurors is available at the Adam's Mark Hotel parking garage, which is located at 555 South McDowell Street. At the booth, punch a ticket at the machine and proceed straight into the parking garage. Turn right inside the parking garage and park on any upper level. You will be issued a parking pass in the Jury Assembly Room to turn in with your ticket as you exit the parking garage. If you have an oversized vehicle, please ask the attendant where you can park so that your vehicle will not be towed or clamped. Never park on the streets. You will not have time to feed the meter throughout the day. If you choose to park at any location other than the Adam's Mark parking garage, including the Government Center parking deck, or if your vehicle is ticketed and/or towed, you will be directly responsible for the cost.

ONCE YOU HAVE PARKED: Walk up McDowell Street toward Third Street. At the intersection, turn left across McDowell Street and walk up Third Street. The main entrance of the Civil Courts Building is located beneath the covered driveway. Through the glass doors, you must go through the security checkpoint. There may be a line, so plan accordingly. You must remove all metals from your person, including belts and steel toed shoes. Take the elevator to the 3rd floor. Turn left out of the elevator and walk to the end of the hallway to the Jury Assembly Room (Room 310).

Things You Should Know!

Reporting

Please report to the Jury Assembly Room on time. Court operates on a tight schedule and your promptness affects this schedule. Allow extra drive time, time to park, as well as for the 10 minute walk to the courthouse from the Adam's Mark Parking Garage. If you have never driven downtown before, you may find it beneficial to make a dry run on a weekend to see where you will be parking and reporting. There are also several CATS routes that pick up and unload near the courthouse.

Security

Every effort is made to ensure the courthouse is a safe environment. The Mecklenburg County Sheriff's Office is in charge of courthouse security. It may take you some time to get into the building through security. All visitors to the courthouse must walk through a metal detector. Removing all metal objects from your person, including belts and steel-toed shoes, will speed up this process. You must place all items you are carrying in a basket to be scanned. The metal detectors will not pose a health risk to you; this includes pregnant or nursing mothers. If you have a special need or disability, please inform the deputies. Laptop computers are allowed in the courthouse. You will be asked to turn these on for the deputies before being allowed to enter the building. Knives, scissors, or any other sharp objects are not allowed into the building. Cameras are also not allowed into the building.

Arriving

If you arrive before 8:00 AM (the general public is not allowed to enter the building prior to 7:30 AM), a sign-in sheet will be in the window. Please sign in with your **juror number**. It is a common misconception that we have your social security number. **WE DO NOT HAVE SOCIAL SECURITY NUMBERS**. The Federal government, however, does require this number in order for you to be paid. You will be asked to write your social security number on the slip at the bottom of your summons, and place it in a secure box. If you do not have your summons, please see the Jury Coordinator, who will give you a social security slip.

Orientation

Once everyone has arrived, the Jury Coordinator will begin a live orientation, which will answer most, if not all, questions you may have. Please be patient and pay attention during this orientation. Cell phones, pagers, computers, and CD players must be turned off during this orientation, or they will be confiscated.

Courthouse Etiquette

Please note that cellular phone use, cameras, and tape recorders are not permitted in the courtroom. All cell phones and beepers must be set in silent mode. Cellular phones may be used in the jury assembly room in designated areas, but must be turned off during juror orientation and/or when entering a courtroom.

Dress Code

Casual business attire is suggested. Shorts, tank tops, bare midriffs, shirts with controversial depictions or wording, or similar dress are not allowed in the courtrooms. The temperature in court can be unpredictable, so please dress accordingly.

CIVICS Program

Interested in volunteering with the court system? Our CIVICS Program (Citizens Involved in Volunteering In the Court System) has been created to allow anyone with a desire to help their community in a unique way the opportunity to volunteer. The hours are flexible within the Monday through Friday, 8-5 timeframe. There are no educational requirements; however, basic office skills and the ability to speak Spanish are a plus. You must be at least 18 years of age, have a clean criminal history, and have no cases pending before the court.

Speak Now!

Need a speaker for your civic, church, school, or neighborhood organization? Speak Now!, the 26th Judicial District Speaker's Bureau, can provide you with a court official to speak on a wide range of legal topics at no cost. A tour of the courthouse and/or jail can also be arranged.

For more information on either of these program, please contact: Charles Keller, Community Access and Outreach Administrator at 704-347-7864, or email: charles.w.keller@nccourts.org.

You can also visit our website at www.nccourts.org to download brochures, catalogs, and forms regarding these programs.



SUGGESTIONS FOR JURORS

When you receive your jury summons:

Tell your employer.

Dress respectfully when you go to the courthouse.

Be prepared to fill some down time. Bring something to read.

Answer all questions you are asked honestly and completely.

If there is something you do not understand, ask the judge or other court personnel.

When you sit on a trial:

Use only the evidence you are given.

Do not conduct your own research.

Write a note to the judge if you have a question about the trial.

Follow the judge's instructions. Do not interpret the judge's conduct as a cue about the case.

Respect each other and each other's opinions.

Source: American Bar Association



Lunch Time!

These restaurants are within a short walk of the courthouse. All accept debit cards, except Green's Lunch, which is cash only. There is an ATM located in the Civil Courthouse Lobby. A free trolley service also operates within the downtown area, and can take you to other restaurants uptown.

The Courtside Cafe

800 East Fourth Street

1st Floor of Civil Courts Building

Serving breakfast and lunch daily.

Showmar's

Government Center

Serving lunch daily: soups, sandwiches, salads, daily lunch specials.

Green's Lunch

Serving lunch daily: sandwiches, hot dogs, hamburgers, baked potatoes.

Best Western Hotel

Serving a daily lunch buffet.

Appleby's

Adam's Mark Hotel

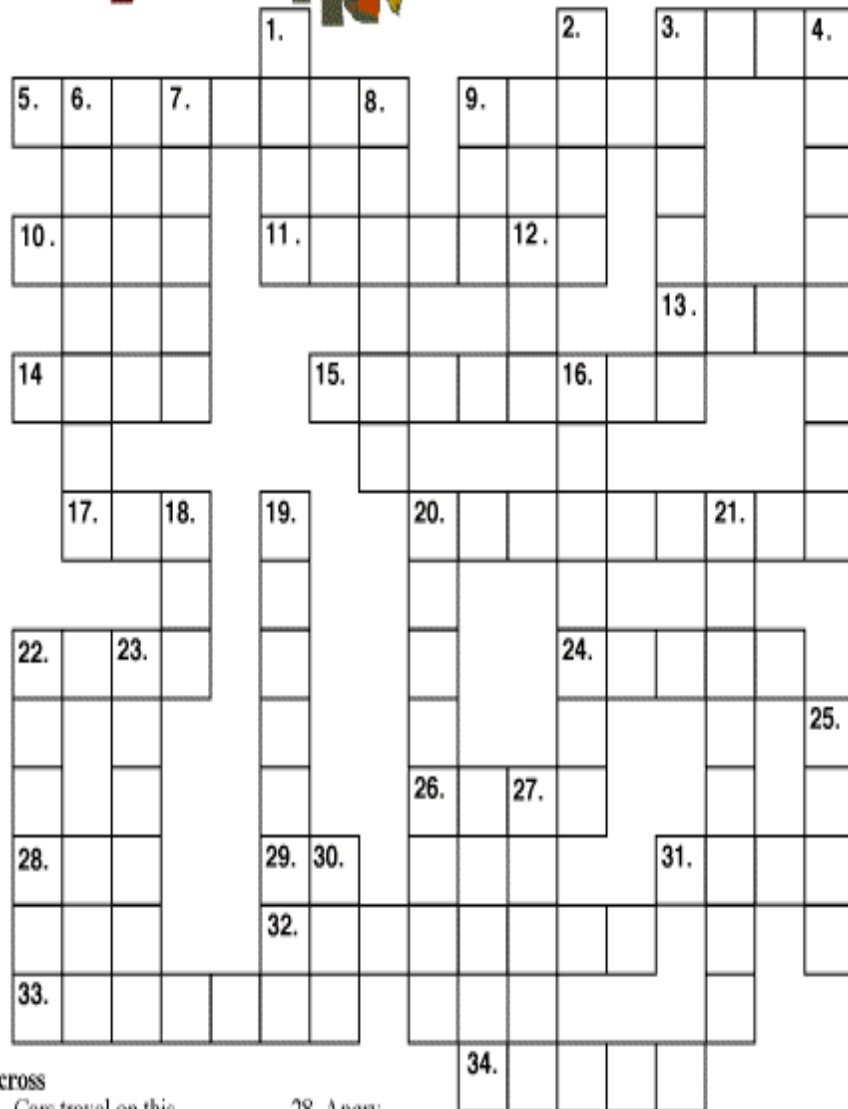
Serving soups, sandwiches, salads, plate lunches.

Cameron Brown Grill

Serving lunch daily: sandwiches, plate lunches.

Next Issue: Winter 2006

Autumn CROSSWORD



Across

3. Cars travel on this
 5. Woollen garments
 9. Plural of goose
 10. An angel has this
 11. To make smooth
 13. Things aren't always as they

14. Who, what, where, ___?
 15. Vegetables with many eyes?
 17. Maple leaves often turn this colour
 20. The first month of Autumn
 22. Cautious
 24. A tree with white, papery bark
 26. To raise children

28. Angry
 29. Opposite of out
 31. Another name for Autumn
 32. Autumn month
 33. Gather a crop
 34. Ripe fruit or vegetables

Down

1. Grows on a tree
 2. ___ager
 3. Playtime in school
 4. Last month of Autumn
 6. Sunny, cold, rain, eg.
 7. The nut from an Oak tree
 8. Spring, summer, fall, winter eg.

9. Fetch
 12. "___ your supper."
 16. Autumn month
 18. Opposite of night
 19. Large orange fruits which grow on a vine
 20. Nut hoarding animal
 21. Used to carry school books
 22. What you get from a fireplace
 23. One who reads
 25. Opposite of hot
 27. Brownish yellow colour
 30. "He is ___ here right now."