



*State of New Mexico
Bernalillo County
Metropolitan Court*

Jury Management Division

401 Lomas Blvd. NW
Albuquerque, NM 87102
Telephone (505) 841-8141

Effective May 16, 2020 the Governor issued a public health order mandating face masks be worn in all public spaces. While serving on jury duty at the Bernalillo County Metropolitan Court, you will be required to wear a mask. If you do not have a mask, the Court will provide one to you free of charge. The Metropolitan Court is committed to the safety and wellbeing of its Jurors and all people that walk through our doors.

JUROR ORIENTATION/FREQUENTLY ASKED QUESTIONS

Welcome to the Bernalillo County Metropolitan Court Jury Division

Thank you for being here to participate in a very important part of our system of justice.

What are the qualifications to serve on jury duty at Bernalillo County Metropolitan Court?

Everyone serving on jury duty must be:

- 18 years of age or older
- A U.S. citizen
- Living in Bernalillo County
- Have not been convicted of a felony whereby the sentencing has not been satisfied
- Summoned for Bernalillo County Metropolitan Court and not the Second Judicial District Court or the United States District Court

How was I selected for Jury Duty? Jurors are randomly selected from a combined list of registered voters, licensed drivers, and personal income tax filers. After you have completed jury duty, you are exempt from jury duty in any State Court, which includes both the Metropolitan Court and the Second Judicial District Court (but which does not include Federal Court), for a period of three (3) years.

How long will I be serving as a juror? You are required to serve on jury duty for one (1) week. The actual date when your term of service begins and ends are on your Summons to Jury Service. Your term of service might be longer than one (1) week if, for example, you are chosen to serve on a jury in a trial that lasts longer than your term of service. While most jury trials in the Metropolitan Court are completed in one (1) day, some trials last for two (2) or more days.

What do I do if I have a disability and need an accommodation? Pursuant to the Americans with Disabilities Act, the Court will make reasonable accommodations. If you require an accommodation, be sure to let the Jury staff know.

What do I do if I need an interpreter? If you have a limited English proficiency, please let the Jury staff know so that they can provide you with an interpreter.

Where do I Park? Juror parking is available at **Metro Park**, located directly north of the Metropolitan Courthouse. From the intersection of 5th Street and Lomas, go north on 5th Street (one-way street going north) and turn right on the second driveway. You will see a big yellow sign: “**JUROR AND GENERAL PUBLIC PARKING**” located at the entrance to the parking structure. As you enter the parking structure, take a parking receipt and park in any space not marked “**RESERVED.**” Bring your parking receipt with you when you report to the Jury Division located on the 2nd floor of the Courthouse in Room 200, so that the Jury Division Staff may validate your ticket. **DO NOT LEAVE THE PARKING RECEIPT IN YOUR VEHICLE.**

NOTE: Only parking receipts issued by Metro Park will be validated. Parking receipts from other parking facilities will not be validated or reimbursed by the Court.

Are there things that I cannot bring into the Courthouse? Everyone who enters the Metropolitan Court must go through Security. The following items are **NOT** allowed into the Courthouse:

- Cameras
- Any camera-capable device (except that Jurors may bring in cell phones – although no photography or video recordings is allowed)
- Electronics (except for those electronics allowed for Jurors below)
- Weapons of any kind (including guns, knives, pepper spray, or razor blades)
- Metal nail files
- Metal eating utensils
- Glass containers

What can I bring into the Courthouse? Bring your jury summons with you each day you come to Court because as a Juror, you are allowed to bring in food or drink and other items into the Courthouse.

In addition to food and drink, you can also bring reading material, your cell phone, a laptop, DVDs for your laptop, MP3 players, headphones/earphones, Nooks, Kindles, or other reading tablets, and any crafts (only scissors with rounded tips, and only plastic or wooden knitting needles or crochet hooks will be allowed).

What should I wear to Court? The dress code at the Metropolitan Court is casual, so you may dress in comfortable but Court-appropriate clothing. The Courtrooms can be cold, so you may want to dress in layers or bring a light weight jacket or sweater. However, we ask that you do not wear:

- Shorts
- Ripped or torn jeans
- Workout or exercise clothes (sweat suits, sweatpants, spandex, etc.)
- Low cut or revealing clothing
- Shirts with inappropriate logos or advertising

If you wear a hat, you will be asked to remove it before you enter a courtroom. Absolutely, no gum chewing is allowed in any of the courtrooms.

How do I know if I have to come to Court for Jury Duty? What is the Code-A-Phone? The Code-A-Phone is an information line used for the purpose of providing jurors with a recorded message that contains specific reporting information as to the schedule for that specific day. Starting on your first day of jury service and for the duration of your term, you will need to call the Jury Division's Code-A-Phone at **(505) 841-8158** every day between the hours of 9:45 a.m. and 10:15 a.m. to receive specific reporting information for the day. When calling the Code-A-Phone, you should listen to the entire message for the selected group members and reporting time for each day. If instructed by the Code-A-Phone message to report, you are to report to the Courthouse no later than 11:00 a.m. where one of our Jury staff members will direct you to your assigned location.

**** It is your responsibility to ensure you have been given attendance every time you report for Jury Duty.
You will NEVER need to check yourself out****

Is there Wi-Fi in the Jury Assembly Room? Yes, the Jury Assembly Room is equipped with Wi-Fi. Your device should give you the option of Metro Court-Guest for access.

Are there public telephones I can use in the Jury Assembly Room? Yes, the Jury Assembly Room is equipped with a public telephone that is available for your convenience. The telephone number and instructions for using the telephone are posted above the phone.

Is there a refrigerator or microwave in the Jury Assembly Room? Due to the COVID-19 pandemic, there will not be a refrigerator or microwave available for your use. We only offer complimentary bottled water.

May I smoke in the Courthouse? No, smoking is not allowed inside the Courthouse. The use of E-Cigarettes also is not allowed inside the Courthouse. You will be permitted to exit the building to smoke. However, if you need to take a break to smoke, please notify Court staff before you leave the courtroom. Be sure to bring your jury summons with you on your break.

Can I be Excused or Exempted from Jury Duty? Yes, if you are "incapable of rendering jury service because of physical or mental illness or infirmity, or undue or extreme physical or financial hardship." NMSA 1978, §38-5-1. A person who has served as a member of a petit jury panel or a grand jury in either state or federal courts within the past thirty-six months shall be exempt from sitting or serving as a juror in a court of this state when the person requests to be exempted from service by reason of the exemption. NMSA 1978, §§38-5-2(A). A person who is seventy-five (75) years of age or older who requests exemption from jury service with a local court shall be permanently exempt from jury service. NMSA 1978, §38-5-2(B).

You may request an excusal from jury service. Upon request, you will be provided with a form so that you can provide the facts that support your eligibility to claim either an excusal from jury

service or to express a claim for exemption. NMSA 1978, §38-5-10. You must complete and submit the required form(s) or information. Please specify your reasons for requesting an excusal or exception and submit the completed form(s) no later than the date noted on your Jury Summons. A person requesting an exemption or an excusal from jury service is required to take all necessary action to obtain a ruling on the request no later than the date of which the person is scheduled to appear for jury duty. NMSA 1978, §38-5-2(D). Unless and until you have received notification from the Court, you are not excused or exempted from Jury Duty.

How do I Reschedule Jury Duty? A person scheduled to appear for service on a petit jury may request a postponement of the date of initial appearance for jury service. The request for postponement shall be granted if the juror has not previously been granted a postponement and agrees to a future date, approved by the court, when the juror will appear for jury service that is not more than six months after the date on which the prospective juror was originally called to serve. NMSA 1978, §38-5-10.1(A)(1) and (2). A subsequent request to postpone jury service may be approved by the court only in the event of an emergency that could have not been anticipated at the time the initial postponement was granted. Prior to the grant of a subsequent postponement, the prospective jury must agree to a future date on which the juror will appear for jury service within six months of the postponement. NMSA 1978, §38-5-10.1(B).

What do I do if I need to go to a long-standing doctor's appointment? If you have a long-standing doctor's appointment, that cannot be rescheduled, let the staff in the Jury Division know by calling (505) 841-8141, and they will be happy to assist you.

What do I do if I am running late or become sick on a day I need to report to Jury Duty? If you are running late or are sick and unable to come in, it is your responsibility to notify staff in the Jury Division by calling (505) 841-8141.

What do I do when there is inclement weather? The Court will not necessarily follow Albuquerque Public School's closure or delay decisions. If there is inclement weather, you should tune into to the local news station or website(s) or the Court's website for more information on whether the Court has a delayed opening or is closed.

If the has Court delayed opening, Jurors are to report at 10:00 am. However, if the Court closes due to inclement weather, no Jurors will report.

Jurors also may call (505) 841-8100 or (505) 841-8151 for Court information.

What happens if I am one of the Jurors selected to report to the courtroom? Jurors are randomly selected by computer. After Jurors are selected, copies of those Jurors' questionnaires are provided to the Defense Attorney, Prosecutor, and Judge.

When you arrive, the *Voir Dire* process begins. At the beginning of *Voir Dire*, typically, the Judge will give an estimate of the duration of the trial. Most jury trials at the Metropolitan Court conclude the same day, however, some jury trials continue to the next day. It is your responsibility to let the Judge know of any pending appointments (for which we have previously excused you) that may conflict with the jury trial.

During *Voir Dire*, the Jurors are questioned by the attorneys and the Judge about their background, life experiences, and opinions to determine whether they can be fair and impartial. Just answer the questions truthfully. There is no right or wrong answer. If you do not wish to answer a particular question in the presence of your fellow Jurors, you may ask to speak with the Judge and attorneys privately.

When *Voir Dire* is completed, the selection process takes place. At this time, do not speak to anyone (including your fellow Jurors) about the case.

Jurors are selected randomly. The six Jurors and one Alternate Juror who are accepted by both attorneys and the Judge are impaneled and sworn in as the Jury. Impaneled Jurors will be given badges to wear. These badges identify you as a Juror, so that any individuals associated with the case cannot approach or communicate with you. If you are selected as a Juror for that jury trial, you will be instructed to follow the Judge's instructions until the trial concludes. After the trial ends, you will resume calling the Code-A-Phone for the duration of your Jury Service term.

While empaneled on a jury, you will be required to comply with the mask requirements of the New Mexico Supreme Court. If you do not have a mask, the Court will provide one to you free of charge.

What happens if the Fire Alarm goes off? If the fire alarm should go off, you will need to proceed to the nearest exit and leave the building. The Metropolitan Court is required to conduct fire drill(s) each year. If a fire drill or fire alarm occurs while you are in the Jury Assembly Room, you will exit the building with the Jury Division staff and report to the west parking lot of Leonard Tire Company, located at 3rd Street and Lomas. If you are in a courtroom and a fire drill or fire alarm occurs, you will need to follow the instructions of the Courtroom Clerk, as each floor has its own evacuation plan.

Will I be paid for my Jury Service? Yes, if you are not a government employee, you will be compensated for your time in attendance and service at the highest prevailing state minimum wage rate. Typically, employees of Governmental Agencies such as the State of New Mexico, County of Bernalillo, City of Albuquerque, CNM, UNM, UNM Hospital, or Albuquerque Public Schools continue to be paid by their employers while performing jury service. The Metropolitan Court will only reimburse a government employee **IF** your jury duty service is outside of your regular work schedule. If you are a government employee and believe that you are entitled to be paid for your Jury Duty, please speak with the Jury Staff. If you are not sure about jury duty reimbursement, you may also want to check with the payroll office at your place of employment.

Will being paid affect my Social Security Benefits? If you have any questions or concerns about your Social Security Benefits, please contact the Social Security Administration Offices at www.ssa.gov or at 1-800-772-1213.

Will being paid affect my Unemployment Insurance Benefits? If you have any questions or concerns about your Unemployment Benefits please contact New Mexico Department of Workforce Solutions at www.dws.state.nm.us or at 505-843-1900.

Will I be reimbursed for mileage when I drive my car to the Courthouse? Yes, you will be reimbursed for travel in excess of forty miles round trip from your place of actual residence to the courthouse when your attendance is ordered at the rate allowed public office and employees per mile of necessary travel. NMSA 1978, §38-5-15.

What types of cases are heard in the Metropolitan Court? The Metropolitan Court is a court of limited jurisdiction, which means that it only hears certain types of cases, such as criminal cases involving misdemeanors and petty misdemeanors and civil cases where the amount of the claim is \$10,000 or less.