

OPTION TO ELIMINATE THE OFFICE OF JURY COMMISSIONER

HOUSE LOCAL GOVERNMENT COMMITTEE

Harrisburg, Pennsylvania

Presented By
James F. Cawley
Bucks County Commissioner

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Good morning Chairman Freeman, Chairwoman Harhart and members of the committee. My name is James Cawley, I am vice-chairman of the Bucks County Board of Commissioners. I also serve on the Board of Directors for the County Commissioners Association of Pennsylvania and as chair of CCAP's Energy, Environment and Land Use policy committee. Thank you for the opportunity to offer Bucks County's comments on legislation that would allow counties the option to eliminate the office of jury commissioner.

As Doug has already noted, the *Pennsylvania County Platform* supports legislation which would give my colleagues and I the option to vote to eliminate the office of jury commissioner, effective at the end of the term of the existing jury commissioner. My board has publicly supported this option, and if bills such as HB 600, 601, 1206 and 1207 are passed, I anticipate we will exercise this option.

While commissioners have been seeking authority to eliminate this office for several years, during 2009 it is showcased as a part of CCAP's mandate relief agenda. In light of difficult budget conditions, counties have identified provisions of law that are outdated and that, if amended, can provide savings to local taxpayers.

Legislation that grants the option to eliminate the office of jury commissioner will result in savings to taxpayers. In Bucks County, we estimate that elimination of this office will save in total \$70,000 per year. My board has already taken measures to reduce that cost by eliminating benefits for our existing jury commissioners, which saves a total of \$28,000 per year. We have also cut their salaries to the required minimum in state law, which is \$10,500. However, these changes cannot take effect until after the term of the existing jury commissioners. And, Bucks County taxpayers can only realize the full \$70,000 in savings if the General Assembly grants the option to eliminate the office.

This office is truly outdated and unnecessary in Bucks County. At the time it was created, in 1867, jury commissioners were much more important to the jury selection process and ironically were intended to be a reform to assure non-partisan jury selection. Today, that is not the case. Twice a year our jury commissioners review a list of jurors and look for names of residents they happen to know cannot serve. All other functions are conducted by computers and county court staff, who do the day to day operations of selecting jurors, processing jurors, determining whether an individual may be excused from service, and taking care of jurors while they are serving at the courthouse. This is similar to the situation in many other counties, where staffing and computerization has assured non-partisan jury selection and has led to a greatly reduced or non-existent workload for jury commissioners.

Counties are simply asking the legislature to grant us the authority to evaluate the effectiveness of this row office in each of our counties and, as warranted, take measures to increase the efficiency of county government. Currently, only home rules counties have the authority to make this decision about whether to eliminate the office of jury commissioners. Commissioners will ultimately have to weigh whether elimination of the office of jury commissioner is a step that will increase administrative efficiency and reduce costs to taxpayers.

We recognize that there may be counties that continue to have a need for this office, and that is why we are supporting optional elimination. For example, Montgomery County has indicated that they would not exercise the option to abolish the office of jury commissioner in their county. Their jury commissioners have been assigned duties which constitute a full-time job. But I also know that there are many other counties who would like to eliminate this office.

Historically the legislature has taken a piecemeal approach to abolishing the office of jury commissioner, granting special exceptions for three counties that are not home rule counties to eliminate this office. We believe that now is the time to pass legislation that will give all counties the option to eliminate this office.

Bucks County is only asking for the authority to make a thoughtful decision about the best way to operate county government. This is an appropriate decision for commissioners to make for several reasons. First, we are the chief financial officers of the county, in charge of budgets for all offices of county government, including row offices and the courts. Second, we are elected officials who are directly accountable to the public, and so the decisions we make must bear in mind the best interests of the public. Third, times and technology have changed significantly since the mid 1800's, and it is appropriate to review the role and function of jury commissioners today to determine whether the same functions can be performed through other means.

In conclusion, I think our discussion today can be summed up by reflecting where we began, and where we find ourselves today. The General Assembly created the office of jury commissioner in 1867. Since that time, the responsibilities and staffing of the courts have increased, and computers have helped us accomplish these additional responsibilities. Rather than asking the General Assembly to eliminate this office in one fell swoop, we are now asking for the ability to make a local decision that is best for our local constituents. We hope we can count on your support to do this.