

Jury Duty Fact Sheet – Indigenous Recipients

Juries play an important role in criminal and civil trials, as well as coroner's inquests. The wisdom and experience of First Nation individuals is valuable to others at trials and inquests. Your assistance in completing the questionnaire is an important step in the Jury Roll process.

Jury Questionnaires

To identify potential jurors, jury questionnaires are sent to randomly selected individuals throughout the province every year. Because names are chosen randomly, some people may never receive a jury questionnaire and others may receive them more frequently.

You will receive a jury questionnaire only if your name is randomly selected from a list of persons registered under the Ontario Health Insurance Plan (OHIP).

If your name is selected, you will be mailed a jury questionnaire, together with an instruction sheet, Minister's letter and prepaid reply envelope.

If you receive a questionnaire please answer the questions and mail it back within 30 calendar days. **Not all individuals who complete a questionnaire will be called for jury duty.**

Jury Selection Process

Once the questionnaires are completed and mailed, they are reviewed for eligibility. The names of people who are eligible are added to a list which is called the **jury roll**. If a jury is needed, names are randomly selected from the jury roll and the individuals randomly selected are summoned for jury duty. A **jury panel** is the list of all people who are summoned to court at the same date and time.

Not all individuals on a jury roll will be randomly selected to be on a jury panel.

If you have been chosen for a jury panel, you will receive a summons that indicates the date and court location where you need to attend for potential jury duty.

If you are unable to attend, if attendance would cause hardship for you or others, or if attendance would not be compatible with your spiritual beliefs, please contact the local court at the phone number provided on the summons to talk to court staff about whether you can be deferred to a later date or to get information on how to request an excusal from jury duty.

Once at court, jury panel members are called in random order to be considered to serve on a jury. If your name is chosen, and you are not deferred, excused or challenged by one of the parties to the upcoming trial, you will serve as a juror for that trial. **Not all individuals who attend court for jury duty will be selected to be jurors.**

Serving as a Juror

Daily Fees: If you are selected to sit on a jury you will receive the following payment:

- From day 1 to 10: No payment
- From day 11 to 49: \$40.00 per day
- From day 50 to the last day of trial: \$100.00 per day. Trials of this length are rare.

Employers are required by law to allow employees time off for jury duty. The law does not require employers to pay salary for employees summoned for jury duty, although some employers do. If you are summoned for jury duty, you should ask your employer whether you will be paid during this time.

Time Commitment: Regardless of whether it is a criminal or a civil trial or Coroner’s Inquest, some jurors may be required to sit on a jury for several days or for several weeks. There is no set time limit. The judge will advise jurors as to the estimated length of the trial.

Dress: There are no specific dress requirements for jurors.

Disability and Accommodation: Every effort will be made to provide necessary accommodations for people with disabilities to participate in the jury process, subject to the approval of a judge. For example: technical, personal, interpretive or other support services may enable persons with disabilities to serve on a jury.

Frequently Asked Questions About Being a Juror

How are people selected to receive a questionnaire?

A list of names and addresses of potential jurors is provided by the Ministry of Health and Long-Term Care from a database of persons registered under the Ontario Health Insurance Plan (or “OHIP”) in the spring of each year. The Ministry of the Attorney General sends a Jury Questionnaire to individuals whose names are randomly selected from this list.

I am a Leader of an Indigenous Community (e.g., Elder, Senator, Traditional Knowledge Keeper, Traditional Helper, Council Member, First Nation Chief, Clan Mother or a Customary Leader). Am I eligible for jury duty?

In accordance with the *Juries Act*, Indigenous Community Leaders may be eligible for jury duty.

Please complete and return your questionnaire. If your answers to the rest of the questionnaire reveal that you are eligible for jury duty, your name will be added to the jury roll.

If you receive a summons and feel that, due to your duties in the community, your serving as a juror would cause serious hardship to others, you can ask to be excused from jury service on that basis. To do so, please contact the local court office using the information provided on the summons so that your request can be considered by a judge of the Superior Court of Justice.

What if serving as a juror is incompatible with my spiritual beliefs?

If you receive a summons for jury duty, you may ask to be excused from service if serving on a jury would cause serious hardship to yourself or your community, or if service as a juror is incompatible with your spiritual beliefs or practices.

If you have received a questionnaire, please complete it and mail it back using the postage-paid envelope provided. If you receive a summons to attend court for jury selection, you may request an excusal or deferral by writing to your local court office and explaining how your beliefs or practices conflict with jury duty. Your request will be considered by a judge of the Superior Court of Justice.

What if I don’t identify as being a Canadian Citizen?

If you are First Nations, Métis or Inuit and do not identify as a Canadian citizen, you may indicate your Indigenous citizenship or nationality in-writing next to the question about Canadian citizenship and proceed to complete the rest of the questionnaire.

For the purposes of the jury roll, a person is considered to be a Canadian citizen if:

- they were born in Canada and, at the time of their birth, their parents were either citizens or permanent residents of Canada;
- have received their certificate of citizenship; or
- they were born outside Canada and one of their parents was a Canadian citizen at the time of their birth.

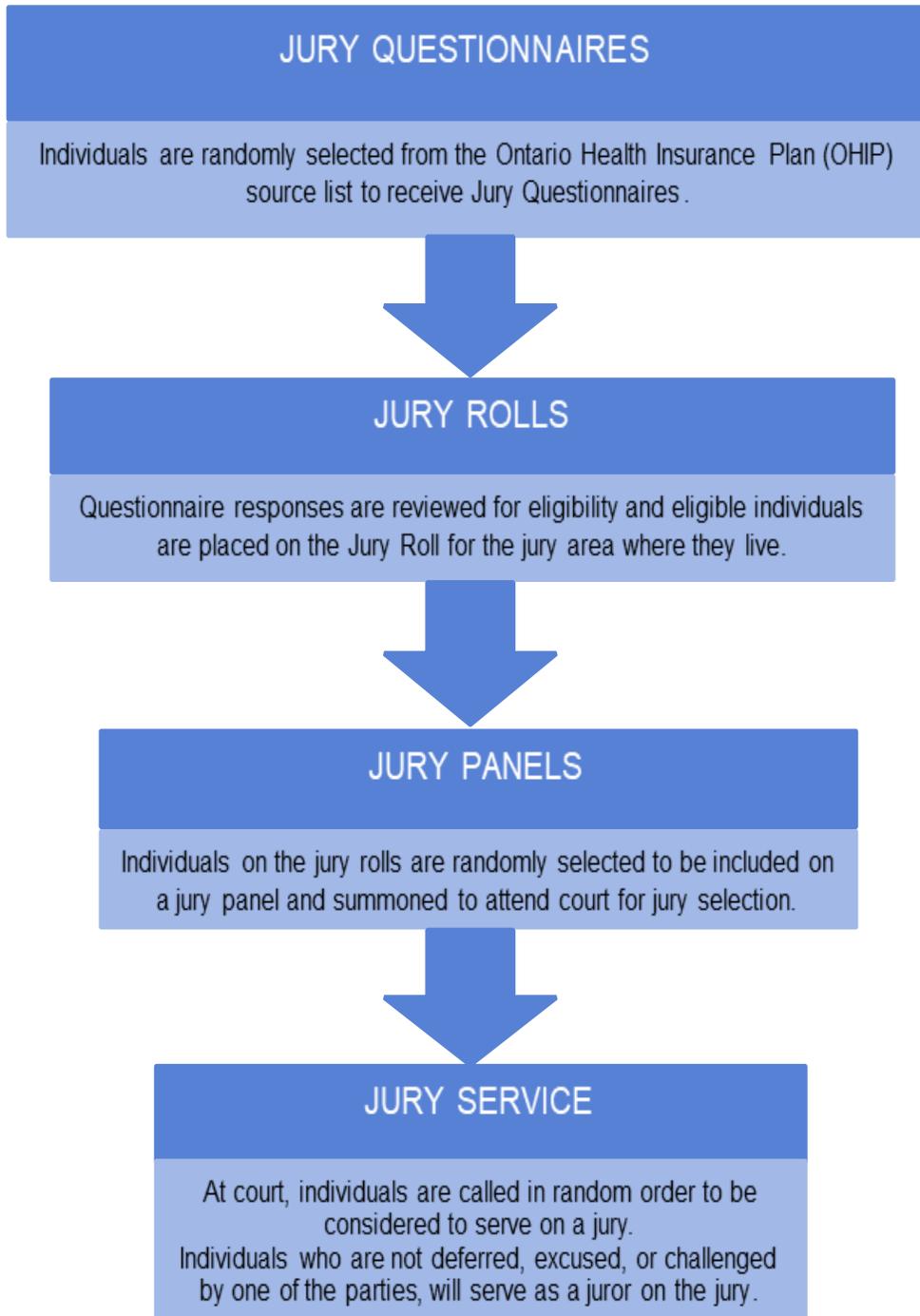
How are my expenses paid while I am participating in the jury process?

Expenses like meals, hotels and return travel may be covered depending on the circumstances (e.g., if a juror is required to remain overnight at the city or town where the trial is held).

Please contact the local courthouse to confirm which expenses will be paid and to request assistance with making travel and hotel arrangements and payment. Contact information is provided on the summons.

What is the process through which jurors are chosen?

Please review the following chart for an explanation of how jurors are chosen within Ontario.



The jury selection process is an annual process led by the Provincial Jury Centre (PJC) of the Court Services Division (CSD). If you have any questions about the jury process, the PJC can be reached at **1-800-498-8016** or by email at juryduty@ontario.ca.