Dear members of the Executive Board, (sent by Harry Culotta on 11/3/2018)

Good news! My federal jury service is over. I've been excused from a criminal trial.

Earlier this week, 400 or so prospective jurors were summoned to the new U.S. District Court at 350 W. 1st St. (corner of 1st and Hill). This is a beautiful new 11-story building (10 numbered floors plus a mezzanine) that has only been open since November 2016. It replaces the old U.S. District Court at 312 N. Spring St. that dates from the 1930s, and to which I previously reported for service in November 2000 The old courthouse is still used by the U.S. Attorney's Office, but is no longer the staging area for jury duty.

A number of trials were beginning that day. The group that I was part of was the 6th to be formed that day in the jury assembly room. It was also the largest group from the prospective juror pool – about 60 people. We were taken to Courtroom 1, which I believe is the largest in the building, located on the mezzanine. Judge S. James Otero presided over this courtroom. Two attorneys for each party sat on opposite sides in front of the judge.

This was to be a criminal trial with international activity and involving the Dept. of Homeland Security. Contrary to the notice I received in the mail, Judge Otero expected the trial to last two weeks, plus additional time for deliberations.

My name was drawn for the first panel of 18 prospective jurors (12 jurors plus 6 alternates) to sit in the jury box and participate in *voir dire* – questioning by the judge to determine suitability for serving on the panel. Judge Otero was very thorough in his questioning after each person had first answered a structured set of background questions. After his questioning, he excused 4 or 5 jurors *for cause,* including one who was wearing an N.R.A. sweatshirt. The clerk then selected other jurors to take their place, and the replacements went through the same process.

Several times during this process, Judge Otero conferred privately with the four attorneys to determine which jurors should be excused by either side by *pre-emptory challenge.* One by one, additional jurors were excused and were replaced by others. None of us knew which side wanted us off the panel.

Except for lunch and restroom breaks, this process continued for the rest of the day. About 3:30 p.m., after one such private conference, Judge Otero named additional jurors to be excused, including me. We were instructed to return to the jury assembly room to await further instructions. About 4:15 the jury assembly room clerk released the rest of us and gave us our "diploma" – a written statement certifying our service for that day.

In case Judge Otero's name sounds vaguely familiar, he made news recently as the judge who dismissed the Stormy Daniels' lawsuit against President Trump and awarded attorneys' fees to Trump.

It's a great relief for me to be excused from this trial. There is no reason why I cannot resume my normal life. I thought you would want to know.

Harry

Harry,
I read your email with great interest. Thanks for the details and glad you dodged the bullet! On the other hand, some people wonder what it might be like to serve on such a jury. As a retiree, it might be an interesting change of scenery, BUT NOT OUT OF TOWN! It occurs to me that other retirees might find it interesting to read about this. How would you feel if I made the contents of your email available on our website in the What's New section?
Rene

Hi Rene,
Yes, it was a very interesting experience, which I am pleased to have had. It was almost like going on a field trip. It would have been exciting to serve on the jury if the trial had been held locally, allowing me to return home every evening.

Please feel free to share this experience with our colleagues on the *www.vcccdra.org* website.

By the way, Stormy Daniels' lawsuit alleged defamation against President Trump. I neglected to mention it was defamation, but you might want to include that fact.

Have a great weekend!
Harry