During the COVID-19 pandemic, many courts used remote court proceedings, including virtual jury trials and grand jury proceedings, to maintain court operations and prevent backlogs. The continuation of remote jury selection processes and trials affords the legal system an opportunity to determine how key features of a jury trial are impacted by a virtual procedure. Courts can assess the effectiveness of remote jury proceedings by articulating research questions, identifying data elements and sources, and planning for appropriate analytic methods. It is helpful to assign a team of individuals to think through these evaluative steps as well as interpret data and discuss implications of findings. This Evaluation Quick Sheet offers guidance on how to approach the process of assessing remote jury trials and grand jury proceedings. For questions or feedback, please contact Paula Hannaford-Agor at phannaford@ncsc.org.

Research Questions

First, craft research questions to articulate specifically what you are trying to learn or measure about remote jury proceedings. These questions will serve as an outline for an evaluation plan and aid in identifying the necessary data for analysis and summarization. Research questions can be descriptive or impact-based. Examples of potential research questions to consider are provided below.

Descriptive
1. What proportion of prospective jurors were able to participate remotely?
2. How many and what type of remote jury selection processes and trials have been successfully completed?
3. How long did remote jury selection, trial, and deliberations take? How did they differ from in-person proceedings?
4. What kind of technical infrastructure and resources were needed to offer remote proceedings?
5. What type of training and support were provided to judges, attorneys, litigants, and courtroom personnel to implement remote proceedings?

Impact
1. Were response rates for remote jury trial summonses higher compared to pre-pandemic rates?
2. What impact did participation using videoconferencing software have on the demographic composition of the jury pool?
3. How did jurors perceive access and fairness levels of remote jury trials?
4. How did attorneys and judges perceive access and fairness levels of remote jury trials?

Data Elements and Methodology

Second, decide how concepts within these questions are defined and therefore measured. For example, how would you define a "successfully completed" remote jury selection? Your definitions will dictate the type of data you need to collect or organize. It is also important to assess whether your court can obtain data routinely collected in case documents, reports, and databases, or whether additional data collection instruments such as checklists, interviews, or surveys will need to be designed.

Identifying available data will help guide your selection of appropriate analytic methodologies. Counts and calculations may be more suitable for descriptive and comparison purposes, while surveys and

interviews may provide richer, contextual information about experiences and perceptions. Some data collected about remote proceedings will have no in-court comparison, whereas other data can be compared to in-court proceedings. Once measurements and analytic methodologies have been identified, data collection, analysis, and summarization can occur.

The following table presents examples of how to operationalize research questions into data elements and sources, along with possible methodologies. The research questions in the table reference the previously written examples.

Research Question	Data Element	Data Source	Appropriate Methods
D1-Remote participation	Number of prospective jurors per case	Juror automation system/Documentation during jury selection	Calculate the proportion: number of jurors with tech capabilities/total number of jurors.
	Number of prospective jurors with tech capabilities per case		
	Number of prospective jurors who participated remotely per case		Calculate the proportion: number of jurors with tech capabilities/total number of jurors
D2-Successful Remote Trial Completion	Case Type	Observation during trial	Develop checklist per case to determine if trial was successfully implemented (i.e. each data element) Separate out results by case type.
	All participate in full trial remotely (no one lost, frozen etc.)		
	Jury selected and sworn		
	Parties/Witnesses testimony		
	Evidence submitted		
	Jurors deliberate in breakout rooms		
	Jurors complete/sign verdict form		
I1-Summons Response Rates	Number of summonses sent per month pre-pandemic	CMS	Calculate the proportion: number of responses/total number of summonses sent
	Number of responses to summonses per month pre-pandemic		
	Number of summonses sent per month for remote trials		Perform same calculation on pre-pandemic and remote trials separately. Compare results across types and to self-defined benchmarks.
	Number of summonses responses per month for remote		
I2-Remote Jury Demographic	Case Type	Juror automation system	Compare demographic breakdown to similar in-person trials
	Gender of each juror		
	Race of each juror		
	Age of each juror		
I3-Juror Perception of Fairness	Access and Fairness Scale questions (NCSC)	Juror Survey	Summarize responses (Establish baseline)