

Leadership

FOR MANUFACTURERS



Kellie Johnson,
President,
ACE Clearwater
Enterprises

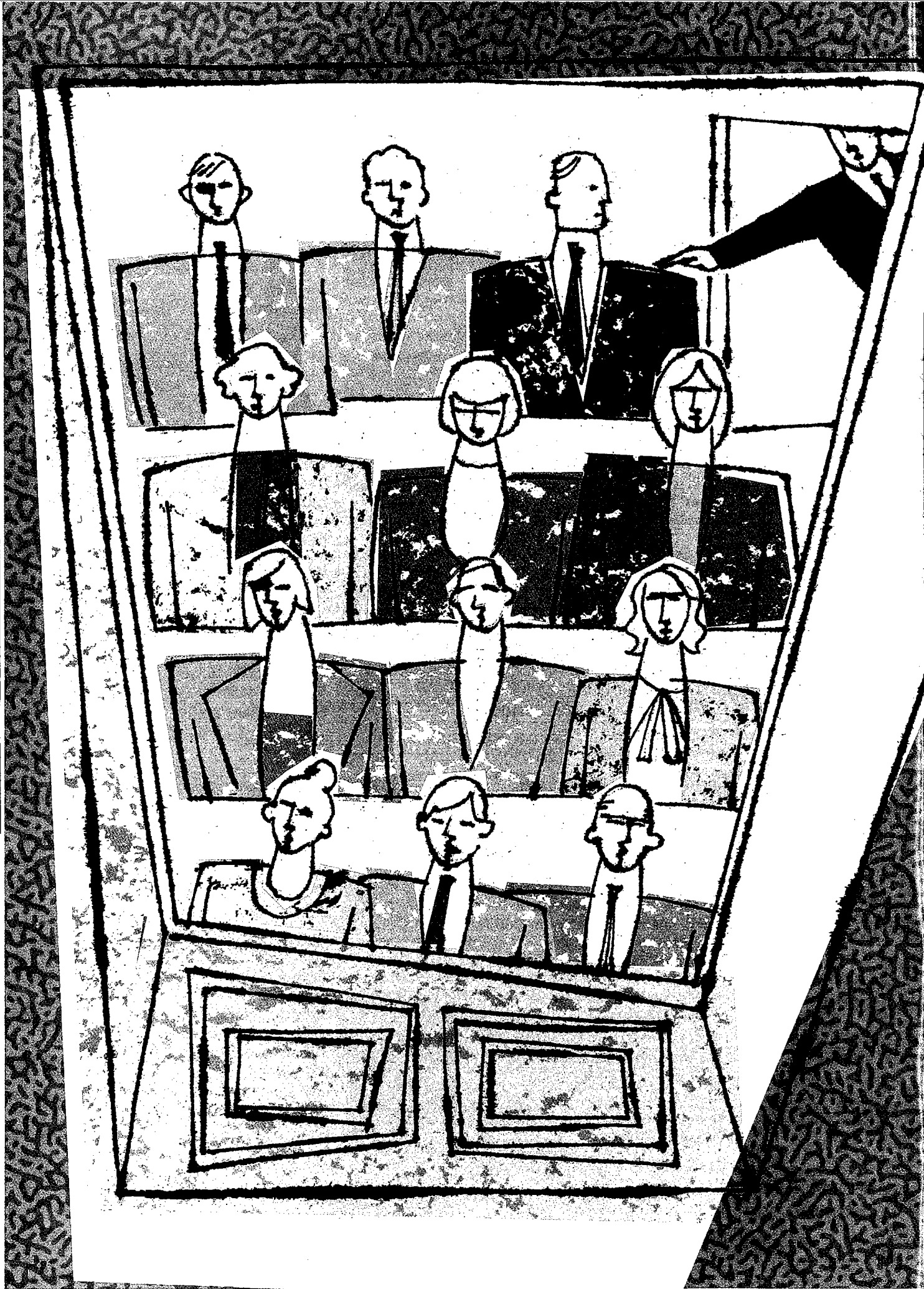
Also in this issue:

Hands tied behind our backs
Out-of-control
external costs
threaten American
competitiveness

Ready for prime time?
A look at the future
of fuel-cell technology

Fighting the good fight

*Kellie Johnson's
campaign to keep
jobs at home*



Supporting jury service: It's good for business

Every manufacturer in America faces the possibility of being hit by a verdict from a runaway jury. Just one such verdict can sink a company, and even a successful appeal is time-consuming and costly.

It's more likely that a business will get a fairer trial from a representative jury — one that reflects a broad cross-section of the entire community, including business owners and working Americans. Juries that include people who work in business are more likely to understand the impact that these suits have on companies. Therefore, they may help ensure that only valid claimants obtain judgments and that awards are reasonable.

The Jury Patriotism Act

Most Americans strongly support the jury system. Yet the arrival of a juror summons is often not a welcome event because of the inconvenience that may accompany jury service.

To alleviate the unnecessary burdens of jury service and encourage all people to serve, the National Association of Manufacturers has endorsed the Jury Patriotism Act. This model state legislation, developed by the American Legislative Exchange Council (ALEC) and endorsed by the Council of State Governments, would make jury service more user-friendly.

The Jury Patriotism Act offers substantial benefits to manufacturers and their employees. It —

- allows jurors to reschedule their jury service around business and personal commitments by providing one automatic postponement of jury service.

- provides greater convenience for jurors — which means less time off from work for employees — by limiting jury duty to no more than one day, unless the juror is selected to serve on a longer trial.

- guarantees that businesses do not repeatedly lose the same employees to jury service by limiting the frequency upon which a citizen may be called to serve.

- protects small businesses by requiring courts to reschedule the service of an employee if another employee of that business is serving on a jury during the same period.

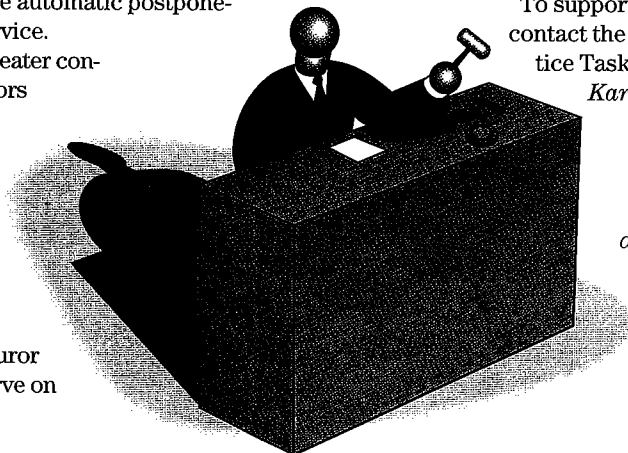
- ensures that juries hearing complex, high-stakes cases include the perspectives of working people by providing additional compensation to jurors selected to serve on lengthy trials. An innovative “lengthy trial fund” would provide income protection to any juror serving on a long trial who is not fully compensated by his or her employer during jury service.

The American judicial system can only achieve results that are consistent, less arbitrary and more fair if the juries reflect a full range of knowledge and experience among jurors. To ensure that juries represent all the members of a community — including working people — the Jury Patriotism Act would limit excuses to true hardship and require everyone to serve.

The act deserves your support

In the past year, Arizona, Louisiana and Utah have enacted Jury Patriotism legislation. Currently, legislation based on the model is pending in Alabama, Kansas, Mississippi, Missouri, Ohio, Oklahoma and Vermont, and a bill passed by the Colorado legislature awaits the governor's signature.

To support legislation in your state, contact the director of ALEC's Civil Justice Task Force, Kristin Armshaw, at Karmshaw@alec.org.



Cary Silverman & Kimberly D. Sandner are attorneys in the public policy group of Shook, Hardy & Bacon L.L.P. in Washington, D.C.