



**COMMITTEE ON COURT ADMINISTRATION AND CASE MANAGEMENT  
OF THE  
JUDICIAL CONFERENCE OF THE UNITED STATES  
WASHINGTON, D.C. 20544**

Members

Richard J. Arcara  
John D. Bates  
Paul D. Borman  
Marcia A. Crone  
Aida M. Delgado-Colon  
Gregory L. Frost  
Julio M. Fuentes  
James B. Haines, Jr.  
Daniel L. Hovland  
Robert J. Johnston  
Benson Everett Legg  
Ronald B. Leighton  
Steven D. Merryday  
Amy J. St. Eve

Chair

Julie A. Robinson  
U.S. District Court  
Frank Carlson Federal Building and  
United States Courthouse  
444 SE Quincy Street, Room 405  
Topeka, KS 66683  
(785) 295-7637

Staff

Abel Mattos  
Chief  
Court Administration Policy Staff  
Administrative Office of the U.S. Courts  
One Columbus Circle, N.E.  
Washington, DC 20544  
(202) 502-1560

January 28, 2010

MEMORANDUM

To: Judges, United States District Courts

From: Judge Julie A. Robinson   
Chair, Judicial Conference Committee on  
Court Administration and Case Management

RE: JUROR USE OF ELECTRONIC COMMUNICATION TECHNOLOGIES

At its December 2009 meeting, the Judicial Conference Committee on Court Administration and Case Management (CACM) endorsed a set of suggested jury instructions that district judges should consider using to help deter jurors from using electronic technologies to research or communicate about cases on which they serve. The suggested instructions are included as Attachment 1.

The CACM Committee developed these instructions to address the increasing incidence of juror use of such devices as cellular telephones or computers to conduct research on the Internet or communicate with others about cases. Such use has resulted in mistrials, exclusion of jurors, and imposition of fines. The suggested instructions specifically inform jurors that they are prohibited from using these technologies in the courtroom, in deliberations, or outside the courthouse to communicate about or research cases on which they currently serve.



## Juror Use of Electronic Communication Technologies

2

The Committee believes that more explicit mention in jury instructions of the various methods and modes of electronic communication and research would help jurors better understand and adhere to the scope of the prohibition against the use of these devices.

If you have any questions or comments regarding these instructions, please contact Abel Mattos, Chief, Court Administration Policy Staff, at (202) 502-1560 or via email to [Abel Mattos/DCA/AO/USCOURTS](mailto:Abel.Mattos/DCA/AO/USCOURTS).

Attachment



Attachment

**Proposed Model Jury Instructions  
The Use of Electronic Technology to Conduct Research on  
or Communicate about a Case**

Prepared by the Judicial Conference Committee on  
Court Administration and Case Management  
December 2009

**Before Trial:**

You, as jurors, must decide this case based solely on the evidence presented here within the four walls of this courtroom. This means that during the trial you must not conduct any independent research about this case, the matters in the case, and the individuals or corporations involved in the case. In other words, you should not consult dictionaries or reference materials, search the internet, websites, blogs, or use any other electronic tools to obtain information about this case or to help you decide the case. Please do not try to find out information from any source outside the confines of this courtroom.

Until you retire to deliberate, you may not discuss this case with anyone, even your fellow jurors. After you retire to deliberate, you may begin discussing the case with your fellow jurors, but you cannot discuss the case with anyone else until you have returned a verdict and the case is at an end. I hope that for all of you this case is interesting and noteworthy. I know that many of you use cell phones, Blackberries, the internet and other tools of technology. You also must not talk to anyone about this case or use these tools to communicate electronically with anyone about the case. This includes your family and friends. You may not communicate with anyone about the case on your cell phone, through e-mail, Blackberry, iPhone, text messaging, or on Twitter, through any blog or website, through any internet chat room, or by way of any other social networking websites, including Facebook, My Space, LinkedIn, and YouTube.

**At the Close of the Case:**

During your deliberations, you must not communicate with or provide any information to anyone by any means about this case. You may not use any electronic device or media, such as a telephone, cell phone, smart phone, iPhone, Blackberry or computer; the internet, any internet service, or any text or instant messaging service; or any internet chat room, blog, or website such as Facebook, My Space, LinkedIn, YouTube or Twitter, to communicate to anyone any information about this case or to conduct any research about this case until I accept your verdict.