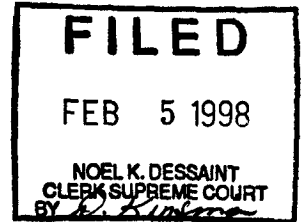


IN THE SUPREME COURT OF THE STATE OF ARIZONA



In the Matter of: )  
 )  
Civil Jury Filming Project ) Administrative Order  
 ) No. 98- 10  
 )

The Arizona Superior Court in Pima County has received State Justice Institute funding of its grant application, "Juror Discussions During Trial - Aid to Comprehension or Invitation to Premature Judgment." Under the direction of Presiding Judge Michael J. Brown, the project will film civil juror discussions and deliberations in civil trials, in order to ascertain the impact of Rule 39(f), Arizona Rules of Civil Procedure. To facilitate this project, it is necessary to temporarily suspend the mandatory language of current Rule 39(f), Arizona Rules of Civil Procedure, so that trial judges and study administrators can create a control group of jurors drawn from trials in which the former, traditional admonition prohibiting juror discussion of evidence during trial can be given and enforced. It is also necessary to film juror discussions and deliberations.

Now, therefore, pursuant to Article VI, Section 3 of the Arizona Constitution,

IT IS ORDERED that the judges in the Arizona Superior Court in Pima County hearing civil matters are authorized to participate in the Civil Jury Filming Project.

IT IS FURTHER ORDERED that the Presiding Judge of the Arizona Superior Court in Pima County may authorize filming of civil juror discussions and deliberations, provided that all parties and jurors have executed a consent form approved by the chief justice that fully discloses the provisions and effect of this order.

IT IS FURTHER ORDERED that the materials and information collected for the study, including audio and videotapes may be used only for the purposes of scientific and educational research. The Court shall take all measures necessary to ensure confidentiality of all materials. All tapes shall be stored using appropriate security measures. The materials and information collected for the study, including audio and videotapes, shall not be subject to discovery or inspection by the parties or their attorneys, to use as evidence in any case, or for use on appeal.

IT IS FURTHER ORDERED that Rule 39(f), Arizona Rules of Civil Procedure is suspended for certain trials of civil cases selected by the Presiding Judge and study administrators as part of the study.

IT IS FURTHER ORDERED that this order shall apply to and affect only those cases and trials selected for participation in the study. The order shall terminate and have no further force or effect once the last trial identified for study has been tried to conclusion and the information sought for the study collected.

Dated this 5th day of February, 1998.

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THOMAS A. ZLAKET  
Chief Justice

*Superior Court*

*Pima County  
110 W. Congress  
Tucson, Arizona 85701  
(520) 740-4200*

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**JUROR CONSENT FORM  
Civil Jury Filming Study**

I am aware that the Arizona Superior Court in Pima County (hereinafter "Court"), in accordance with an Administrative Order by the Supreme Court of Arizona, in collaboration with Duke University, the American Bar Foundation and the State Justice Institute, is conducting a scientific study on juries, which will involve the case of \_\_\_\_\_ v. \_\_\_\_\_ in which I am a juror. The Court has sought my permission to videotape the jury's discussions and deliberations.

I hereby give my consent to the Court videotaping all such discussions and deliberations and using the videotapes only for the purposes described below.

I understand the Court will use the videotapes only for scientific and educational research and will take all measures necessary to ensure confidentiality of the videotapes.

I understand that the videotapes will be kept completely confidential. Under no circumstances will the videotapes be released for general viewing.

I understand that my participation is completely voluntary.

Completed in open court this \_\_\_\_\_ day of \_\_\_\_\_, 1998.

Signed,

\_\_\_\_\_

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Date)