

Celebrate Jury Appreciation Day on September 5

BY BRAD ROSS-SHANNON
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On May 24, 2023, Governor Polis signed Senate Bill 23-282, officially declaring September 5 as Jury Appreciation Day. Jury Appreciation Day is now a legal, commemorative “holiday” that will be held annually to recognize the importance that Colorado jurors serve in our democracy and the vital role they play in the justice system.

Origin and Objectives

Two years ago, the American Board of Trial Advocates (ABOTA) began promoting the idea of enacting a Jury Appreciation Day in Colorado.¹ ABOTA garnered support from Chief Justice Brian Boatright and the Colorado Supreme Court, the Colorado Court of Appeals, the chief judges of each judicial district, the Colorado Bar Association, all the metro area Inns of Court, various metro area district attorneys, the Colorado Criminal Defense Bar, and other organizations that regularly work with juries.

The Act creating Jury Appreciation Day declares that (1) the jury system is a cornerstone of Colorado’s form of government; (2) the jury service system is important to democracy because of the unbiased, impartial viewpoints that can be derived from our citizens who are selected from a wide cross section of our society; (3) sitting on a jury is the most direct and impactful way for citizens to participate and connect with our government; and (4) jurors make important sacrifices to devote to jury service.

The Act allows for “appropriate observance by suitable means” by the public, by all jury commissioners, and in all public schools in the state “to recognize the importance of jury

service to the community, the importance of jury trials to the state, and the great contribution jury trials make to the cause of freedom.”

Why September 5?

September 5 commemorates the 1670 trial of William Penn, who was facing the death penalty for preaching illegal Quaker ideals. After initial

deliberations, the jury came back divided. The judge ridiculed those who voted to acquit and sent them back. After two days with no food per order of the court, the jury returned with a “not guilty” verdict. The court fined the jurors and sent them to prison until the fines were paid. An appellate court overturned the punishment, claiming that a jury must resolve cases based on their own understanding, not because of punishment from the state.

The importance of juries in our democracy and justice system cannot be overstated. The jury trial continues to honor the Constitution and has remained important because decisions that affect our citizens are made by our peers rather than government. Juries provide justice by applying the common sense of the community. Serving on a jury requires a citizen to disrupt their daily lives, be responsible to the system, and determine the fates of their



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fellow citizens in criminal and civil matters. As Thomas Jefferson eloquently wrote in a letter to Thomas Paine, “I consider trials by jury as the only anchor ever yet imagined by man by which government can be held to the principles of its constitution.”²

Jury Appreciation Day in Colorado

Each year approximately 1,300 cases are tried to a jury in Colorado.³ As a result, 15,600 citizens of the state take time away from their personal and professional lives to uphold a right that is fundamental to democracy in the United States. Out of the 50 states, Colorado joins Arizona,

Florida, Illinois, Missouri, and Texas in annual jury appreciation events.

The creation of Jury Appreciation Day offers all of us in the judicial system an opportunity to thank jurors for their service to the community while educating the public about the importance of serving on a jury. Juries have always been a beacon of the strength of our democracy, serving as a check to unfettered prosecutorial power and enhancing public confidence in the legal system.

Please look for opportunities to contribute to and help the Colorado community celebrate Jury Appreciation Day on September 5. 

NOTES

1. ABOTA is a national, invitation-only organization comprised of plaintiff and defense civil lawyers who have tried at least 10 jury trials to conclusion. ABOTA's mission is to preserve the civil jury trial, promote professionalism, and support an independent judiciary.
2. *From Thomas Jefferson to Thomas Paine*, National Archives (July 11, 1789), <https://founders.archives.gov/documents/Jefferson/01-15-02-0259>.
3. *Colorado Judicial Branch Annual Statistical Report: Fiscal Year 2022*, https://www.courts.state.co.us/userfiles/file/Administration/Planning_and_Analysis/Annual_Statistical_Reports/2022/FY2022%20Annual%20Report.pdf.



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JURY APPRECIATION DAY - SEPTEMBER 5

On May 24, 2023, Governor Polis signed into law S.B. 23-282 establishing “Jury Appreciation Day.” C.R.S. 24-11-115, *et seq.* The new law recognizes and celebrates jury service beginning this year and annually on September 5th. The date marks the date in 1670 when William Penn was acquitted by a jury of violating a law forbidding the preaching of a banned religion.

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The Colorado statute establishing Jury Appreciation Day is the first of its kind in the United States. The bill was conceived and supported by the Colorado Chapter of the American Board of Trial Advocates. For more information go to: www.abota-co.org.