

NEWS

Chicago Daily Law Bulletin: Trial Advocacy Courtwatching Program releases 3rd annual Report

The Law Practice Group Trial Advocacy Program Courtwatching Program was featured in the May 25 edition of the Chicago Daily Law Bulletin, including interviews with Professor Steve Beckett, Professor C.K. Gunsalus, and recent graduate Antonio Martinez.

[Read story here \(need CDLB access\)...](#)

Here is the text of the story.

Students see disparity in Champaign courts

By *Jerry Crimmins*

Law Bulletin staff writer

More than 100 students from the University of Illinois College of Law watched the courts in Champaign County for what amounted to 60 days last fall and saw zero Asian males in the jury pools.

They saw only three black men in the jury pools.

But in the same jury pools - all assembled for criminal cases - the students did see a higher than expected number of white women, according to a report recently issued.

Of the criminal defendants in Champaign County courts during that time, 70 percent were black.

These are some of the latest findings in the third annual report on the Champaign County Court Watching Project.

The project is a collaboration between the Trial Advocacy Program at UI Law and the League of Women Voters.

Although the students' observations describe only what went on while the students were watching, court personnel support their observations, said Professor [J. Steven Beckett](#), director of the Trial Advocacy Program at the school.

Judges, attorneys, bailiffs and sheriffs "have noticed the same thing we noticed" in the courts, Beckett said.

Beckett's students from the Trial Advocacy Program do most of the court watching.

Adjunct Professor [C. Kristina Gunsalus](#) is also deeply involved in overseeing the

program. Joan Miller, chair of the Justice Committee of the League of Women Voters of Champaign County, said the league supplies two regular court watchers.

"I think if you look at our ideals and goals in having a jury of your peers, a representative pool is pretty desirable," Gunsalus said.

"And I think that if you care about faith in the justice system and trust in it, having a jury pool that looks like the population is an element in that trust."

"According to the 2000 Census," Gunsalus said, "78 percent of Champaign County is Caucasian non-Hispanic.

"Eleven percent is African-American. Seven percent is Asian. Three percent is Hispanic. Women are 49.7 percent of the population."

But black and Asian males were significantly underrepresented in the jury pools for criminal trials, the report states, and white women were overrepresented.

The hard numbers tell the story.

The students observed 262 potential jurors in the county's criminal jury pools. Based on the percentage of Asians in the population, "you would expect nine Asian males," in those jury pools, "and there were zero," Gunsalus said.

"You would expect 15 African-American males by statistical method, and there were three.

"You would expect 102 Caucasian females, and there were 126."

No other population group, such as black females or Asian females, white men, or Hispanics, was significantly underrepresented in the jury pool relative to their population in the county.

The defendants observed in the county were 70 percent black, 28 percent white, and 2 percent Hispanic.

Judging by the report, the observers saw no Asian defendants in Champaign during the time of the Court Watching Project, from September through December of 2006.

According to Antonio Martinez, one of the students who has since graduated, each student in the Trial Advocacy class spent 12 hours in court watching.

Observers decided the race of each defendant based on his or her appearance and name, he said.

For jurors, since the court watchers did not have the jurors' names, the court watchers guessed the races by appearance, he said.

Martinez, 42, an ex-Marine who wants to be a prosecutor, said he saw some "very good and efficient lawyering" in the courts, and some not so good, or perhaps more difficult to understand from an observer's point of view.

Martinez said he particularly enjoyed watching jury selections where lawyers try to weed out jurors who might be biased against their clients.

The court watchers' hours in Champaign County courts, added together, amounted to 60.4 work days.

For the first time, the report included results from watching the federal courts in Champaign County.

Interestingly, almost all defendants observed in the federal courts, 99.2 percent, were male, according to the report. Also, 86.5 percent of the federal defendants were black, 11.3 percent were white, 1.5 percent were Hispanic and 0.8 percent were Asian.

The observers saw no discrepancies between the demographics of the eleven counties comprising the federal Urbana Division of the Illinois-Central District of Illinois.

"Every years' observations have resulted in really careful scrutiny by the justice system and the judiciary here and the circuit court clerk," Gunsalus said.

In 2005, the project reported that black people as a whole were underrepresented in the jury pool. As a result, the county made an effort to expand the pool of potential jurors, and that significant difference disappeared.

Students who participate as court watchers "have the sense that they are contributing to how the system works," Gunsalus stated.

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