

CITYDESK

How One D.C. Man Became the Face of Jury Duty

Posted by **Perry Stein** on Apr. 16, 2014 at 2:56 pm



Andrew Ferguson just starred in his first movie. There was a director, professional makeup, and free lunch on set, but the script focused on the rather un-Hollywood subject of jury duty—a seemingly dull topic that galvanizes Ferguson more than it does just about anyone in this country.

Ferguson, 42, a D.C. native and University of District of Columbia law professor, stars in the D.C. Superior Court's newest orientation video for jurors, "We the People: A Call to Duty." The 22-minute video, which made its debut Feb. 24, is shown twice a day in the juror's lounge on a half dozen or so screens to each summoned District juror. The video features dramatic music, clips from old American movies, and jurors played by actors. Ferguson starts off the video by talking to the jurors who, like most jurors, are serving begrudgingly. He responds to their complaints by extolling the virtues of jury duty—a process that he calls "foundational to the American legal system." The rest of

the video explains to the jurors the process of serving on a jury and what their days on a jury will be like.

In real life, Ferguson is even more passionate about jury duty. He jokes that he's become the face of jury duty, but with little competition for that quasi-laudatory title, he sort of is.

Prior to his academic career, Ferguson worked as a public defender in D.C. It was there, he says, that he realized the importance of jury duty. He saw that the 12 people deciding the fate of the person on trial all took their responsibilities seriously. They sat across the table from each, talking and deliberating with each other. It is the only place, Ferguson says, that the wealthy lobbyist from K Street and the low-wage worker from east of the river work together as equals.

"The D.C. jury room is one of the most democratic places in all of D.C.," Ferguson, who has never served on a jury, says. "The moment can be transformational."

In 2013, he wrote a book about jury duty—*Why Jury Duty Matters*—that explains the constitutional meaning and importance of jury duty and employs anecdotes from his time as a D.C. lawyer. It's the first book ever written for jurors on jury duty service, according to Ferguson's UDC [bio](#).

"There are 10,000 books on cats, but none on jury duty," he says. "As a society, we don't do a good job of explaining why jury duty is important."

And Ferguson is making it his mission to explain. Though he's a criminal law and procedure professor, he says he "speaks passionately" about jury duty in his classes. He's written about jury duty for *The Atlantic* and has been called by the likes of CNN as a "jury expert" to comment on high-profile cases like the **Trayvon Martin** case. And when the Superior Court film's director, documentary filmmaker **Noel Izon**, asked if he would star in his latest \$50,000 budget jury duty film, Ferguson said yes and offered to do it for free.

"I've seen jury duty videos across the country where they use celebrities or local news people, and they do it well enough. But the passion he brought to the film was really impressive," Izon says. "I have nothing but praise for Andrew. He is that perfect apostle for communicating how vital and critical it is that people participate in the jury system."

The filming of the video lasted two days and was shot in a D.C. Superior Court courtroom. Ferguson did not use a teleprompter and memorized all of his lines. Though he didn't write the script, the content of it was based on Ferguson's book, Izon says.

Ferguson says the shooting days were long and acting was harder than he anticipated, but he hopes the project will help people realize how serving on a jury is not only fundamental to the country's

democracy, but also personally fulfilling. The jury duty yield rate—the percentage of people summoned that actually show up to serve—is only 20 percent, according to Ferguson, and he hopes awareness of the process can help change that figure.

"I've been trying to change the way we think about jury duty," says Ferguson. "The stories that I hear from [jurors] are almost always positive—and that's what's missing from the discourse."

Ferguson has yet to be recognized on the street from his starring role in the film but has received some notes from old friends that saw him in the jurors lounge. The response, Ferguson says, has been positive.

"My 5-year-old has seen it," he says. "He is not as much of a fan of jury duty as I am, although I have been trying to teach him."

The UDC law professor is currently writing a children's book on the Constitution with his son called "Constitutional Characters," starring 13 animals, each representing a colony.

Watch the video below:

Photo courtesy of Andrew Ferguson