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LETTERS TO THE EDITOR ARE ENCOURAGED. Email your letter, including your full name and title, with *Attn: Editor* in the subject line, to judicature@law.duke.edu.

BRIEFS

TWEET THIS: JURORS AREN'T ABUSING SOCIAL MEDIA IN THE COURTROOM. *YET.*

DESPITE FEARS TO THE CONTRARY, A RECENT REPORT FROM THE FEDERAL JUDICIAL CENTER INDICATES THAT JURORS DO NOT SEEM TO BE USING SOCIAL MEDIA FREQUENTLY DURING TRIALS – YET.

The report, issued in late 2014, examines the use of social media during voir dire, trials, and jury deliberations. The findings are based on the results of a survey of federal district court judges to assess the frequency with which jurors used social media to communicate during trials and deliberations in the past two years, and to identify strategies for curbing this behavior.

The survey found that judges still aren't seeing a lot of social media use among juries. Only 33 of the 494 judges who responded to the survey reported detecting social media use by jurors during trial or deliberations. In addition, it appears that detectable social media use among jurors has not increased in frequency since a similar survey was conducted in 2011.

Judges were asked to describe strategies they use to prevent jurors' use of social media in the courtroom; the most common are using plain language to explain the reason behind the ban and incorporating rules on social media use into jury instructions, either the model jury instructions provided by the Committee on Court Administration and Case Management or judges' own personal jury instructions.

The survey also attempted to assess the frequency with which attorneys use social media to conduct research on potential jurors during voir dire. But most judges said they do not know whether attorneys are doing so, as this is very difficult to detect and few judges address this issue with the lawyers.

— MEGHAN DUNN, *Jurors' and Attorneys' Use of Social Media During Voir Dire, Trials, and Deliberations* (FEDERAL JUDICIAL CENTER 2014). [http://www.fjc.gov/public/pdf.nsf/lookup/jurors-attorneys-social-media-trial-dunn-fjc-2014.pdf/\\$file/jurors-attorneys-social-media-trial-dunn-fjc-2014.pdf](http://www.fjc.gov/public/pdf.nsf/lookup/jurors-attorneys-social-media-trial-dunn-fjc-2014.pdf/$file/jurors-attorneys-social-media-trial-dunn-fjc-2014.pdf)



MEET THE TWEETING JUDGE

WHO

Justice Don Willett
better known on Twitter as @JusticeWillett

STATS

TWEETS **15.9K** FOLLOWING **990**
FOLLOWERS **16.1K**
FAVORITES **11.4K** LISTS **1**

BIO

Justice on the Texas Supreme Court. Former drummer & rodeo bull rider. Fluent in legalese. Baller. Extravagantly blessed husband & cofounder of 3 wee Willetts.

SAMPLE WORK

Mar 28

Dear Insomnia Sufferers—
You can watch archived video of Texas Supreme Court arguments here: <https://www.texasbarcle.com/cle/TSCSearchMobile.asp>