

LONG TERM CARE & SENIOR LIVING BLOG

Six Jurors Will Reach a Verdict Instead of Twelve in Illinois

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Less than a month before leaving office, former Illinois Governor Pat Quinn signed legislation reducing the number of jurors in civil cases from 12 to six. The legislation also requires counties to pay the jurors \$25 for their first day of jury service and \$50 every day for the remainder of their service. This legislation is effective starting June 1, 2015.

So how will this effect long-term care facilities? Critics of the bill believe it will lead to higher jury verdicts. A smaller jury is more likely to award higher damages; larger juries tend to award smaller verdicts. Thus, if a lawsuit against a nursing home is tried in front of a six-person jury, the award is more likely to be higher than it would be if tried in front of a 12-person jury. Nursing homes in Illinois already face significant exposure in jury trials because if a jury finds that a nursing home has violated the Illinois Nursing Home Care Act and awards the plaintiff damages, even in the amount of \$1.00, the nursing home must pay the plaintiff's attorneys fees.

Supporters of the bill argue that cutting the size of civil juries from 12 to six will be more efficient and save counties money, even though counties will have to pay the jurors higher daily stipends. Proponents say smaller juries will lead to citizens being called less often to serve and because their daily stipend will be \$25-\$50, jurors will be more willing to serve. Critics of the bill responded that there was no proof or data showing this bill would save counties money.

By Leslie M. Warren

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