

## *Chapter 8*

# ***Citizens Juries: One Solution for Difficult Environmental Questions***

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## Introduction

This paper presents a particular method of citizen participation, the Citizens Jury<sup>1</sup> process, as a novel way of obtaining citizen input on environmental questions. The Citizens Jury process uses random selection to impanel a group of citizens to study specific public policy issues or to review candidates in an election. The paper starts with an overview of the process, moves on to a discussion of using Citizens Juries on nuclear waste facilities and concludes with a review of how the process meets some general criteria of fairness and competency derived from the work of Jürgen Habermas.

## The Citizens Jury Process

### *A summary of the process*

A Citizens Jury is a group of randomly selected people, gathered in such a way as to represent a microcosm of their community, who are paid to attend a series of meetings to learn about and discuss a set of candidates in an election or a specific public policy issue and make public their conclusions. The process is similar to Peter Dienel's Planning Cells, which were invented two years before the Citizens Jury process (cf: Chapter 6). Fourteen Citizens Jury projects have now been conducted, only one of which was on an environmental issue. There are some key aspects of the process which help differentiate it from focus groups and other similar processes.

- A Citizens Jury should be designed and conducted so as to serve the general public and not a special interest. The process works better on value questions than technical issues.

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<sup>1</sup> The Jefferson Center has been granted a service mark by the U.S. government for the term "Citizens Jury." This was sought in order to prevent improper use of the method.

- The jurors are selected at random through a quota system which makes them a microcosm of the community from which they are drawn. Typically, the quotas include demographics such as age, gender, education and race, or else rely on balancing the attitudes of the jurors on the question at hand so that they resemble their community. Sometimes both demographic and attitudinal quotas are used.

- The jurors are paid to attend hearings where they become informed about the topic at hand. Hearings typically run for four or five full days. If a two-tiered system is used, where several regional juries meet and then select one to three of their members for further joint meetings, then those in the second meeting may spend up to 12 days in hearings. Longer meetings could be used, but the gain in understanding may be offset by a drop in acceptance rate among those who participate.

- The information presented to the jurors must come from several points of view and be presented in a way which is fair to the concerned parties. Usually this is done through witnesses. Sometimes the testimony of witnesses will be organized by case managers, analogous to litigators, so that two to four different points of view are presented to the jurors. Since there is no objective standard to use in achieving the proper balance between points of view, the views presented should be selected either by a group with a clear public record of holding fair discussions or done by the jurors themselves. A neutral moderator should facilitate all discussions, with the possible exception of the final deliberations.

- The findings and recommendations of the jurors should be made specifically in response to a "charge" given them by the sponsors of the project. This charge should be short, direct and clear and be made public at the beginning of the project. The jurors should be given adequate time to deliberate and should have the option of conducting their deliberations in private. The jurors must have the opportunity to review and approve all of their findings and recommendations.

- The jurors must be given the opportunity to evaluate the process and make public their views at the project's conclusion. This evaluation should include at least one standardized question on the fairness of the proceedings so that comparisons with other projects are possible. Also one or more of the jurors should be selected at the end of the hearings to attend an "oversight" meeting with jurors from other projects to review the rules and staff performance.

### *Past projects and their results*

The Jefferson Center, founded in 1974, is now the oldest of the six organizations which have been set up in the United States, independent of government and universities, to work to improve democracy without taking