

## Answering duty's call, but which one?

By Esther Baird

Wednesday, February 07, 2007 - Updated: 06:45 PM EST

I've never been called for jury duty. Probably because I've moved every two years since I was 18. So I knew it was simply a matter of time before the system caught up with me in my stable, Beverly existence. And I was happy to be found. Just not, I groused as I got the little postcard in the mail, when my daughter was only two and I was seven months pregnant.

I had already played the deferral card last fall; so on a sleety Tuesday a few weeks ago, I had no excuses left. My daughter was at pre-school where I had signed her up for a one-day extended program. I knew she was safe and happy, but she had no school the next day, I had no family in the area, nor could my husband take the day off.

While Massachusetts does exempt caregivers of the elderly and disabled, the state has not adopted "family-friendly" jury laws for caregivers of children under the age of 10. If I were to be impaneled, figuring out childcare for my daughter would be my problem and my expense to the tune of a \$2,000 fine if I failed to comply.

I couldn't help but be worried. A week before at the YMCA's Teeny Tiny Tumbler class, I learned that a fellow mom, also pregnant with a toddler, had recently been impaneled.

As we stood in our socks and watched our tiny tumblers jump through a padded obstacle course she said, "I was on the jury for six days over two weeks. My son was shuffled between five different people including my husband who had to use vacation time."

That stressed me out.

So I did the only thing I could think of. I picked out a pasty pink maternity top that was — well let's just say it wasn't slimming. Remember Dumbo's "Pink Elephants on Parade?" You get the picture. I wanted to make myself look like a person who might just give birth at any possible moment. Including, say, during a trial.

When I got to the Salem courtroom there weren't any seats left except for those inside the bar. Figuring it was more important that I sit than to worry about the propriety of bar-crossing, I ducked under the chair-rail. This proved to be the wrong decision. My snow boot got stuck while my belly maintained its velocity. I tottered over onto the floor in a heap of puffy, down coat and pink fabric. Pink Elephants on the Floor.

There was a collective 'Oooohh' from the jury pool. I quickly managed to pull myself into the chair that had been my goal all along, and then gave a quick wave to those behind me indicating that I was fine. Still stressed out, still pink, but safely contained in a chair.

Eventually the judge came in to address us about the day. He smiled and spoke graciously. He knew we all had busy lives and probably would rather not be here. I fidgeted a bit — was my shirt maybe overly dramatic? He continued to say that as Americans we had three civic duties: The draft (when applicable), participating in the census and jury duty.

He then told this story. "On President Truman's first day out of office, a reporter asked him how it felt to go from being the most powerful man in the free world to simply an ordinary citizen." The judge paused, scanned the jury pool, and then concluded. "Truman replied that he was 'rather enjoying the promotion.'"

Suddenly I wanted to be there. I wanted to sit in the courtroom and perform my civic duty. I wanted to exercise my right as an ordinary citizen. It felt so real and tangible. But a sharp jab to my ribs from the baby-beneath-the-pink reminded me that my job as mom was even more tangible. I truly didn't have any back-up care for my daughter. Thankfully, unlike the mom from the Y, I was not impaneled. After a morning of waiting, I was let go.

I'm glad the jury system has found me. I only wish Massachusetts would adopt family-friendly laws such that I was not stuck between my civic duty and my parental duty. It's not even a close choice. A court would never have my full attention if my daughter were being 'shuffled' around. But come find me in six years or so and I'll be there — and I promise not in pasty pink.

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