

SENATE BILL 278

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1999 Regular Session
9r1156
CF 9r1155

By: **Chairman, Judicial Proceedings Committee (Maryland Judicial Conference)**

Introduced and read first time: February 4, 1999

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Juror Information - Dissemination**

3 FOR the purpose of enabling jury commissioners or certain clerks of courts to provide
4 certain juror information to the State Board of Elections as provided in juror
5 selection plans; requiring the Board to adopt regulations to ensure the
6 confidentiality of the information; and generally relating to dissemination of
7 certain juror information to the State Board of Elections.

8 BY repealing and reenacting, with amendments,
9 Article - Courts and Judicial Proceedings
10 Section 8-201 and 8-212
11 Annotated Code of Maryland
12 (1998 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Courts and Judicial Proceedings**

16 8-201.

17 (a) (1) The circuit court of a county shall maintain in operation a written
18 plan for random selection of grand and petit jurors designed to achieve the objectives
19 of this title.

20 (2) The Court of Appeals from time to time may adopt rules governing
21 the provisions and the operation of plans formulated under this title.

22 (b) (1) The plan may provide for an agreement between the circuit court of a
23 county and the Administrative Office of the Courts, under which the Administrative
24 Office may agree to provide to the circuit court lists of randomly selected prospective
25 jurors in the numbers and at the times specified by the circuit court, and from the
26 sources specified in this title.

1 (2) The agreement also may provide for mailing juror questionnaires or
2 summonses, or both, by the Administrative Office, and for other services pertaining to
3 jury selection agreeable to both the circuit court and the Administrative Office.

4 (C) THE PLAN SHALL PROVIDE FOR THE MANNER IN WHICH THE JURY
5 COMMISSIONER OR CLERK PROVIDES TO THE STATE BOARD OF ELECTIONS
6 INFORMATION DISCLOSABLE TO THE BOARD UNDER § 8-212(C)(2) OF THIS SUBTITLE.
7 8-212.

8 (a) After the master jury wheel is emptied and refilled in accordance with §
9 8-202(2)(ii) of this subtitle, and after every person selected to serve as a juror before
10 the master wheel was emptied has completed [his] THE PERSON'S service, all records
11 and papers compiled and maintained by the jury commissioner or clerk before the
12 master wheel was emptied shall be preserved in the custody of the clerk or the jury
13 commissioner for four years or for a longer period if ordered by the circuit court of a
14 county.

15 (b) Until the master jury wheel has been emptied and refilled in accordance
16 with § 8-202(2) of this subtitle and every person who is selected to serve as a juror
17 before the master wheel was emptied has completed [his] THE PERSON'S service, the
18 contents of any records or papers used by the jury commissioner or clerk in connection
19 with the jury selection process may not be disclosed, except as PROVIDED IN
20 SUBSECTION (C) OF THIS SECTION.

21 (C) (1) THE CONTENTS OF RECORDS OR PAPERS MAY BE DISCLOSED AS
22 necessary for the support of a motion filed under § 8-211(a), (b), or (c) of this
23 subtitle. The] BY THE parties in a case, WHO may inspect and copy these records or
24 papers at any reasonable time during the pendency of the motion upon a showing that
25 the inspection and copying is necessary to prepare for a hearing on the motion.

26 (2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A JURY
27 COMMISSIONER OR CLERK MAY DISCLOSE TO THE STATE BOARD OF ELECTIONS
28 INFORMATION PROVIDED BY OR FOR A PROSPECTIVE JUROR THAT INDICATES THAT
29 THE PROSPECTIVE JUROR:

- 30 1. MOVED OUTSIDE THE COUNTY WHERE THE CIRCUIT
31 COURT IS LOCATED;
- 32 2. IS NOT A CITIZEN;
- 33 3. DIED; OR
- 34 4. WAS CONVICTED OF A CRIME.

35 (II) A DISCLOSURE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH
36 SHALL BE MADE ONLY AT THE TIMES AND IN THE MANNER PROVIDED IN THE
37 APPLICABLE JUROR SELECTION PLAN AND IN ACCORDANCE WITH REGULATIONS
38 ADOPTED BY THE STATE BOARD OF ELECTIONS TO ENSURE THE CONFIDENTIALITY
39 OF THE INFORMATION THAT THE BOARD RECEIVES.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1999.