

HOUSE BILL 302

D1

71r0850
CF SB 142

By: **Chair, Judiciary Committee (By Request - Maryland Judicial Conference)**

Introduced and read first time: January 31, 2007

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Jury Selection and Service**

3 FOR the purpose of altering certain provisions of law relating to jury selection and
4 service, including provisions relating to limits on frequency of service, the
5 contents of the juror qualification form, and postponement and other
6 rescheduling of jury service; providing for the application of this Act; and
7 generally relating to jury selection and service.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 8–215(4), 8–216, 8–302(a), 8–304(b)(2), 8–305(2), 8–310(c)(2), 8–314(a),
11 and 8–402(a)
12 Annotated Code of Maryland
13 (2006 Replacement Volume)

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

16 **Article – Courts and Judicial Proceedings**

17 8–215.

18 The jury plan for a county may enable its jury commissioner, subject to criteria
19 set forth in the jury plan and under the overall supervision of the county's jury judge,
20 to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) [Postpone] **RESCHEDULE** jury service by prospective or qualified
2 jurors for specific reasons stated in this title.

3 8-216.

4 A jury plan may provide that, notwithstanding the limit on frequency of trial
5 jury service in § 8-310(c)(2) of this title, an individual who serves on a [trial] jury for
6 fewer than 5 days in a 3-year period may be summoned for jury service after 1 year.

7 8-302.

8 (a) In accordance with an agreement, if any, under § 8-213 of this title, a
9 juror qualification form in substantially the following form shall be provided to each
10 prospective juror:

11 **Juror Qualification Form**

12 Name:

13 Resident address:

14 **TELEPHONE: (HOME)** _____ **(WORK)** _____ **(CELLULAR)** _____

15 Age: ____ Date of Birth: _____

16 If you are over 70 years of age, do you wish to be exempted from jury services?
17 ____ Yes ____ No

18 U.S. Citizen? ____ Yes ____ No

19 Able to comprehend, read, speak, and write English? ____ Yes ____ No

20 [Education: _____] **HIGHEST LEVEL OF EDUCATION COMPLETED:**
21 ____ **HIGH SCHOOL** ____ **COLLEGE** ____ **GRADUATE SCHOOL** ____ **OTHER**

22 Occupation of prospective juror: _____

23 **NAME OF EMPLOYER:** _____

24 Occupation of spouse, if any: _____

1 Disability preventing satisfactory jury service? Yes No

2 **DO YOU WANT AN ACCOMMODATION UNDER THE FEDERAL AMERICANS**
3 **WITH DISABILITIES ACT? YES NO**

4 Pending charge for a crime punishable by imprisonment exceeding 6 months?
5 Yes No

6 Conviction of crime punishable by imprisonment exceeding 6 months and
7 received a sentence of imprisonment for more than 6 months and not legally
8 pardoned? Yes No

9 Date of Conviction _____

10 Elected official of the federal Legislative Branch, as defined in 2 U.S.C. §
11 30a.

12 Active duty member of armed forces exempted in accordance with 10
13 U.S.C. § 982.

14 Member of Maryland's organized militia exempted in accordance with
15 Public Safety Article § 13-218.

16 Prior jury service within 3 preceding years: _____

17 Form completed by me Another (name) _____ and, if another, why?

18 Under the penalties of perjury, the responses are true to the best of my
19 knowledge

20 Signed: _____

21 Prospective Juror

22 Individual completing form for prospective juror:

23 This form must be completed, signed, and returned to the jury commissioner within 10
24 days after receipt. Documentation for excusal due to disability, exemption based on
25 armed forces or militia service, pardons, and/or prior jury service must be attached.

26 8-304.

1 (b) Whenever a person appears under this section, a jury commissioner or
2 jury judge:

3 (2) If, at that time, it seems to the jury commissioner or jury judge to
4 be warranted, may question the person but only as to responses to questions in the
5 form and grounds for disqualification, excusal, exemption, or [postponement]
6 **RESCHEDULING**.

7 8–305.

8 Whenever a person appears for jury service, a jury commissioner or jury judge:

9 (2) If, at that time, it seems to the jury commissioner or jury judge to
10 be warranted, may question the person but only as to responses to questions in the
11 form and grounds for disqualification, excusal, exemption, or [postponement]
12 **RESCHEDULING**.

13 8–310.

14 (c) (2) Except as needed to complete service in a particular case or as
15 otherwise provided in a jury plan, an individual may not be required, in any 3–year
16 period, to serve or attend court for [prospective] **JURY** service [as a trial juror] more
17 than once.

18 8–314.

19 (a) A jury commissioner shall document each addition or other change to
20 information provided under this subtitle and each decision with regard to
21 disqualification, exemption, or excusal from, or [postponement] **RESCHEDULING** of,
22 jury service.

23 8–402.

24 (a) Subject to the requirements of this section, a jury judge or, if a county's
25 jury plan allows, its jury commissioner may disqualify, excuse, or exempt an
26 individual who is summoned for jury service or [postpone] **RESCHEDULE** jury service.

27 **SECTION 2. AND BE IT FURTHER ENACTED**, That this Act shall be
28 construed to apply only prospectively and may not be applied or interpreted to have
29 any effect on or application to any jury service or selection for jury service, including
30 juror qualification forms used before the effective date of this Act.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2007.