

SENATE BILL 142

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71r0849
CF HB 302

By: **Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

Introduced and read first time: January 25, 2007

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 20, 2007

CHAPTER _____

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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 8-215.

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

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

7 8-216.

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

11 8-302.

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

15 Juror Qualification Form

16 Name:

17 Resident address:

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

19 Age: _____ Date of Birth: _____

20 If you are over 70 years of age, do you wish to be exempted from jury services?
21 _____ Yes _____ No

22 U.S. Citizen? _____ Yes _____ No

23 Able to comprehend, read, speak, and write English? _____ Yes _____ No

24 [Education: _____] **HIGHEST LEVEL OF EDUCATION COMPLETED:**
25 _____ **HIGH SCHOOL** _____ **COLLEGE** _____ **GRADUATE SCHOOL** _____ **OTHER**

26 Occupation of prospective juror: _____

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

4 8-304.

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

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

11 8-305.

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

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

17 8-310.

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

22 8-314.

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

27 8-402.

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.