

CHAPTER 13

(Senate Bill 142)

AN ACT concerning

Jury Selection and Service

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

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

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

Article – Courts and Judicial Proceedings

8–215.

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

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

8–216.

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

8-302.

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

Juror Qualification Form

Name: _____

Resident address: _____

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

Age: _____ Date of Birth: _____

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

U.S. Citizen? ___ Yes ___ No

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

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

Occupation of prospective juror: _____

NAME OF EMPLOYER: _____

Occupation of spouse, if any: _____

Disability preventing satisfactory jury service? ___ Yes ___ No

DO YOU WANT AN ACCOMMODATION UNDER THE FEDERAL AMERICANS WITH DISABILITIES ACT? ___ YES ___ NO

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

Conviction of crime punishable by imprisonment exceeding 6 months and received a sentence of imprisonment for more than 6 months and not legally pardoned? ____Yes ____No

Date of Conviction _____

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

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

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

Prior jury service within 3 preceding years: _____

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

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

Signed:_____

Prospective Juror

Individual completing form for prospective juror:

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

8-304.

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

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

8-305.

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

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

8-310.

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

8-314.

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

8-402.

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

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

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

Approved by the Governor, April 10, 2007.