

HOUSE BILL No. 6259

August 13, 2002, Introduced by Rep. Zelenko and referred to the Committee on Civil Law and the Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 1301a, 1303a, 1304, 1305, 1307a, 1308, 1309,
1310, 1312, 1313, 1315, 1316, 1317, 1319, 1320, 1321, 1322, 1323,
1324, 1326, 1327, 1328, 1329, 1331, 1332, 1333, 1334, 1335, 1336,
1337, 1338, 1339, 1340, 1341, 1342, 1343, 1345, 1346, 1347, 1372,
1374, and 1375 (MCL 600.1301a, 600.1303a, 600.1304, 600.1305,
600.1307a, 600.1308, 600.1309, 600.1310, 600.1312, 600.1313,
600.1315, 600.1316, 600.1317, 600.1319, 600.1320, 600.1321,
600.1322, 600.1323, 600.1324, 600.1326, 600.1327, 600.1328,
600.1329, 600.1331, 600.1332, 600.1333, 600.1334, 600.1335,
600.1336, 600.1337, 600.1338, 600.1339, 600.1340, 600.1341,
600.1342, 600.1343, 600.1345, 600.1346, 600.1347, 600.1372,
600.1374, and 600.1375), sections 1301a, 1304, 1307a, 1310, 1312,
and 1375 as amended by 1986 PA 104.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1301a. (1) Except as provided in subsection (2), this
2 chapter shall govern the selection of juries in the following
3 courts:

4 (a) Circuit court.

5 (b) Probate court.

6 (c) District court.

7 ~~(d) Municipal courts of record.~~

8 (2) Sections 1310, 1311, 1312, 1321(1), 1322, 1323, 1330,
9 1338, and 1343 ~~shall~~ DO not apply to a court ~~which~~ THAT
10 adopts a method of jury selection described in section 1371.

11 Sec. 1303a. Before members of a jury board ~~enter upon~~
12 BEGIN their duties, they shall take a constitutional oath of
13 office before the ~~presiding~~ CHIEF circuit judge and file it
14 with the county clerk.

15 Sec. 1304. ~~(1) The jury board shall select from the cur-~~
16 ~~rent voter registration lists or books the names of persons as~~
17 ~~provided in this chapter to serve as jurors. This subsection~~
18 ~~applies to jurors summoned for trials beginning before~~

19 ~~September 1, 1987.~~ (2) The jury board shall select from a list
20 ~~which~~ THAT combines the driver's license list and the personal
21 identification cardholder list the names of persons as provided
22 in this chapter to serve as jurors. ~~This subsection applies to~~
23 ~~jurors summoned for trials beginning after August 31, 1987.~~

24 Sec. 1305. The jury board shall meet annually in the month
25 of May. ~~at the court house.~~ The ~~presiding~~ CHIEF circuit judge
26 shall fix the time and place of the annual meeting and may direct

1 the board to meet at other times and places. The board may meet
2 at other times and places necessary to carry out its duties. The
3 secretary of the board shall keep a record of the proceedings of
4 the board. ~~in a book to be provided for that purpose and the~~
5 THE members of the board shall sign the record, attested by the
6 secretary, which record shall then be evidence in all courts and
7 places of the proceedings of the board.

8 Sec. 1307a. (1) To qualify as a juror a person shall:

9 (a) Be a citizen of the United States, 18 years of age or
10 older, and a resident in the county for which the person is
11 selected ~~,~~ and, in the case of a district court in districts of
12 the second and third class, be a resident of the district. ~~, and~~
13 ~~in the case of municipal courts of record, be a resident of the~~
14 ~~municipality.~~

15 (b) Be ~~conversant with~~ ABLE TO COMMUNICATE IN the English
16 language.

17 (c) Be physically and mentally able to carry out the func-
18 tions of a juror. Temporary inability shall not be considered a
19 disqualification.

20 (d) Not have served as a petit or grand juror in a court of
21 record during the preceding 12 months.

22 (e) Not be under sentence for a felony at the time of jury
23 selection.

24 (2) A person more than 70 years of age may claim exemption
25 from jury service and shall be exempt upon making the request.

26 (3) For the purposes of sections 1371 to 1376 a person has
27 served as a juror if that person has been paid for jury service.

1 Sec. 1308. On or before each May 1, the ~~presiding~~ CHIEF
2 judge of each court of record ~~and district court~~ in the county
3 shall estimate the number of jurors that will be needed by their
4 courts for a 1-year period beginning the following September.
5 This estimate shall be entered on the journal of the court, and a
6 copy ~~thereof~~ OF THE ESTIMATE shall be certified by the clerk of
7 the court and delivered to the board. In making the estimate,
8 the judge shall consider the number of ~~slips then in the board~~
9 ~~box which may be~~ NAMES available for the period for which the
10 estimate is made.

11 Sec. 1309. The board shall secure from the clerk of each
12 court of record ~~and district court~~ in the county, and each
13 clerk shall provide, a list of persons who have served as jurors,
14 pursuant to the provisions of this chapter, in their courts
15 during the preceding 1 year.

16 Sec. 1310. ~~(1) The township or city clerk shall annually~~
17 ~~between April 15 and May 1 deliver to and file with the county~~
18 ~~clerk a full, current, and accurate copy of the voter registra-~~
19 ~~tion cards containing the names and addresses of the registered~~
20 ~~voters. In lieu of a copy of the registration card, a full, cur-~~
21 ~~rent, and accurate list of those registered together with the~~
22 ~~current addresses shown on the card may be filed.~~

23 ~~(2) The board shall secure from the county clerk, and the~~
24 ~~county clerk shall provide, copies of the current voter registra-~~
25 ~~tion cards or the current voter registration lists for each pre-~~
26 ~~inct in the county. The board shall treat the cards and lists~~

1 ~~as a list, with voters grouped either by precinct or by city,~~
2 ~~township, or village as they may be provided.~~

3 ~~(3) The board, in lieu of receiving a list from the county~~
4 ~~clerk of current registered voters, may, if electronic or mechan-~~
5 ~~ical devices are used by the township, city, or village clerks,~~
6 ~~order the clerks to provide only the names and addresses selected~~
7 ~~by applying the key number and starting number designated by the~~
8 ~~board.~~

9 (1) ~~(4) Beginning in 1987, the~~ THE secretary of state
10 shall transmit annually ~~—~~ before April 15 to the clerk of each
11 county at no expense a full, current, and accurate copy of a list
12 that combines the driver's license list and personal identifica-
13 tion cardholder list pertaining to persons residing in the
14 county. At the request of the board before March 1, the secre-
15 tary of state shall transmit only a first jury list consisting of
16 the names and addresses of persons selected at random, based on
17 the total number of jurors required as submitted to the secretary
18 of state by the board, using electronic or other mechanical
19 devices. Upon request, the secretary of state shall furnish
20 additional lists to any federal, state, or local governmental
21 agency, other than the clerk of each county, for the purpose of
22 jury selection. An agency which requests and receives a list
23 shall reimburse the secretary of state for actual costs incurred
24 in the preparation and transmittal of the list and all reimburse-
25 ments shall be deposited in the state general fund.

26 (2) ~~(5)~~ If an agency uses electronic or mechanical devices
27 to carry out its duties, the agency may request and receive a

1 copy of the combined driver's license and personal identification
2 cardholder list on computer tape or another electronically
3 produced medium under specifications prescribed by the secretary
4 of state. The secretary of state shall establish specifications
5 standardizing the size, format, and content of computer tapes and
6 other media utilized to transmit information used for jury
7 selection.

8 ~~(6) Subsections (1), (2), and (3) shall not apply after~~
9 ~~December 31, 1986.~~

10 Sec. 1312. ~~(1)~~ The board shall apply the key number uni-
11 formly to the names on the list received pursuant to section 1310
12 and compile a list or card index, to be known as the first jury
13 list, which shall include every name and only those names as the
14 application of the key number has designated. The board shall do
15 this as follows:

16 ~~(a) Arrange the various voter registration lists into 1~~
17 ~~list. The order in which the lists are arranged or the fact that~~
18 ~~some lists are by precincts, and some lists are alphabetized, is~~
19 ~~not relevant. This subdivision shall not apply after~~
20 ~~December 31, 1986.~~

21 (A) ~~(b)~~ Select by a random method a starting number
22 between 0 and the key number.

23 (B) ~~(c)~~ Count down the list the number of names to reach
24 the starting number. That name shall be placed on the first jury
25 list.

1 (C) ~~(d)~~ Continue from that name counting down the list,
2 beginning to count again with the number 1, until the key number
3 is reached. That name shall be placed on the first jury list.

4 (D) ~~(e)~~ Repeat the process provided in subdivision ~~(d)~~
5 (C) until the whole list has been counted and the names placed on
6 the first jury list.

7 (E) ~~(f)~~ The board shall then remove from the first jury
8 list the name of any person who its records show served, pursuant
9 to the provisions of this chapter, as a petit or grand juror in
10 any court of record ~~or district court~~ in the county at any time
11 in the preceding 1 year.

12 ~~(2) The board may use electronic and mechanical devices in~~
13 ~~carrying out its duties under this section.~~

14 Sec. 1313. (1) The board shall supply a juror qualifica-
15 tions questionnaire to persons on the first jury list. This
16 questionnaire shall contain blanks for the information the board
17 desires, concerning qualifications for, and exemptions from, jury
18 service. Persons on the first jury list are required to return
19 the questionnaire fully answered to the jury board within 10 days
20 after it is received.

21 (2) IN ANY COUNTY, THE JURY QUESTIONNAIRE DESCRIBED IN THIS
22 SECTION AND THE WRITTEN SUMMONS NOTICE DESCRIBED IN SECTION 1332
23 MAY BE PROVIDED TOGETHER IN THE SAME MAILING.

24 Sec. 1315. The juror qualifications questionnaires shall be
25 kept on file by the board for a period of 3 years but the
26 ~~presiding~~ CHIEF circuit judge may order them to be kept on file
27 for a longer period. The answers to the qualifications

1 questionnaires shall not be disclosed except that the ~~presiding~~
2 CHIEF circuit judge may order that access be given to the ques-
3 tionnaires and the answers.

4 Sec. 1316. The ~~presiding~~ CHIEF circuit judge, or the
5 board, may require any person on the first jury list to appear
6 before a board member at a specified time, for the purpose of
7 testifying under oath or affirmation concerning his OR HER quali-
8 fication to serve as a juror, in addition to completing the
9 questionnaire. Notice shall be given, personally or by mail, to
10 a person required to appear not less than 7 days before he OR SHE
11 is to appear before the board. The board shall hold evening ses-
12 sions as necessary for the examination of prospective jurors who
13 are unable to attend at other times.

14 Sec. 1317. The board may dispense with the personal
15 attendance of a person notified to appear before the board ~~—~~,
16 when another person cognizant of facts which will qualify or dis-
17 qualify the person from service ~~—~~, or which prevent ~~him~~ THE
18 PERSON from appearing is produced and testifies in his OR HER
19 stead ~~—~~, or when a board member has personal knowledge of facts
20 ~~—~~ and enters them in ~~his~~ THE BOARD MEMBER'S report on that
21 person's qualifications.

22 Sec. 1319. The board shall keep a record of the board
23 member's report on each person examined, and a record showing the
24 qualifications to serve as a juror of each person on the first
25 jury list. ~~and whether or not he is a freeholder.~~

26 Sec. 1320. (1) The board shall make a preliminary screening
27 of the qualifications and exemptions of prospective jurors and

1 shall not include in the second jury list the names of persons it
2 finds not qualified or exempt; but the court may decide upon the
3 qualifications and exemptions of prospective jurors upon a writ-
4 ten application and satisfactory legal proof at any time after
5 the jurors attend court.

6 (2) If a prospective juror without legal disqualification or
7 exemption ~~shall apply~~ APPLIES to the board to be excused from
8 jury service, the jury board may, with the written approval of
9 the ~~presiding~~ CHIEF circuit judge, exclude his OR HER name from
10 the second jury list when it appears that the interests of the
11 public or of the prospective juror will be materially injured by
12 his OR HER attendance ~~,~~ or the health of the juror or that of a
13 member of his OR HER family requires his OR HER absence from
14 court.

15 Sec. 1321. (1) The names of those persons on the first jury
16 list whom the board accepts as persons qualified for and not
17 exempt from jury service shall be compiled into a list ~~or card~~
18 ~~index~~ to be known as the second jury list. ~~The board shall~~
19 ~~write the names and addresses of the persons thus selected, and~~
20 ~~whether or not the records of the board show them to be freehold-~~
21 ~~ers, on separate slips of paper of the same size and appearance~~
22 ~~as nearly as may be. The board shall fold up each slip of paper~~
23 ~~in the same manner so as to conceal the name thereon and shall~~
24 ~~deposit it at the times herein provided, in a box, to be called~~
25 ~~and labeled the board box. The form and construction of the~~
26 ~~board box shall be approved by the chairman or president, and may~~
27 ~~from time to time be changed with his approval. Immediately~~

1 ~~after preparing the slips the board shall seal the second jury~~
2 ~~list.~~ The list shall remain sealed until otherwise ordered by
3 the ~~presiding~~ CHIEF circuit judge.

4 (2) The board shall make an additional list consisting of
5 the names on the second jury list segregated by the geographical
6 area of the jurisdiction of each district court DISTRICT. If
7 there are not sufficient names on ~~such~~ THE segregated list for
8 any district court DISTRICT, the board shall apply again the key
9 number to that district only and obtain as many additional jurors
10 as needed for ~~such~~ THAT district.

11 Sec. 1322. The first deposit of ~~slips~~ NAMES shall take
12 place as soon as the ~~slips are~~ SECOND JURY LIST IS prepared.
13 ~~Slips drawn under previous statutes shall first be removed.~~
14 Subsequent deposits shall be made when the supply of ~~slips in~~
15 ~~the board box~~ NAMES is exhausted. An earlier deposit may be
16 ordered by the ~~presiding~~ CHIEF circuit judge. The board shall
17 keep a record of the number of ~~slips~~ NAMES deposited, and the
18 number withdrawn, and UPON REQUEST shall inform the ~~presiding~~
19 CHIEF circuit judge of the number of ~~slips~~ NAMES remaining. ~~in~~
20 ~~the board box on request, without opening the box.~~ Nothing
21 ~~herein~~ IN THIS SECTION shall affect the validity of a panel of
22 jurors which was drawn for a term of court before the first
23 deposit of ~~slips~~ NAMES as provided ~~herein~~ IN THIS SECTION.

24 Sec. 1323. If the ~~slips~~ NAMES are not to be immediately
25 ~~deposited in the board box~~ USED, they shall be sealed up by the
26 board and remain in the custody of the board ~~to be deposited~~
27 ~~when the previous supply of slips in the board box is exhausted~~

1 UNTIL ADDITIONAL NAMES ARE NEEDED or when ordered by the
2 ~~presiding~~ CHIEF circuit judge.

3 Sec. 1324. (1) From time to time, the ~~presiding~~ CHIEF
4 judge of each court of record ~~and district court~~ in the county
5 shall order the board to ~~draw~~ SELECT jurors for jury service.
6 Each such order shall contain ALL OF the following information:

7 (a) A time limit within which the ~~drawing~~ SELECTION shall
8 be completed.

9 (b) The number of jurors to be ~~drawn~~ SELECTED for a
10 panel.

11 (c) The number of panels to be ~~drawn~~ SELECTED.

12 (d) The court or courts in which each panel shall serve.

13 (e) The period of service of each panel, subject to ~~the~~
14 ~~provisions of~~ section 1343.

15 (2) Upon the order of the ~~presiding~~ CHIEF circuit judge,
16 jury panels or parts of jury panels ~~drawn~~ SELECTED for any
17 court in the county may be used for jury selection in any court
18 of record ~~or~~ in the ~~district court~~ COUNTY, if jurors on the
19 panel or part of a panel selected for such use are otherwise eli-
20 gible to serve as jurors in the particular court.

21 (3) If a city located in more than 1 county is placed
22 entirely within a single district of the district court pursuant
23 to the provisions of chapter 81, the supreme court by rule shall
24 specify the procedure for compiling the second jury list for that
25 district court DISTRICT so as to include names and addresses of
26 residents from the parts of the counties which comprise ~~such~~
27 THAT district.

1 Sec. 1326. If a grand jury is ordered by the court, or
 2 required by statute, the board shall ~~draw~~ SELECT the names of a
 3 sufficient number of persons, as determined by the ~~presiding~~
 4 CHIEF circuit judge, to serve as grand jurors in accordance with
 5 the provisions of section 11 of chapter ~~7~~ VII of ~~Act No. 175~~
 6 ~~of the Public Acts of 1927, as amended, being section 767.11 of~~
 7 ~~the Compiled Laws of 1948~~ THE CODE OF CRIMINAL PROCEDURE, 1927
 8 PA 175, MCL 767.11. The names shall be ~~drawn~~ SELECTED in the
 9 same manner and from the same source as petit jurors. The term
 10 of service of grand jurors shall be as prescribed by section 7a
 11 of chapter ~~7~~ VII of ~~Act No. 175 of the Public Acts of 1927, as~~
 12 ~~added, being section 767.7a of the Compiled Laws of 1948~~ THE
 13 CODE OF CRIMINAL PROCEDURE, 1927 PA 175, MCL 767.7A.

14 Sec. 1327. ~~A drawing~~ THE SELECTION of jurors shall take
 15 place in public within the time limit fixed by the ~~presiding~~
 16 CHIEF circuit judge and at a time and place designated by the
 17 board. At the time and place appointed, the clerk or ~~his~~ THE
 18 CLERK'S deputy ~~,~~ and a judge or an elected official ~~,~~ other
 19 than the clerk, as designated by the ~~presiding~~ CHIEF judge,
 20 shall attend to witness and assist in the ~~drawing~~ SELECTION of
 21 jurors.

22 Sec. 1328. The board shall proceed in the ~~drawing as here-~~
 23 ~~inafter provided. An~~ SELECTION OF JURORS IN A RANDOM MANNER AS
 24 ORDERED BY THE CHIEF CIRCUIT JUDGE AS PROVIDED IN THIS SECTION.
 25 A BOARD MEMBER OR AN employee of the board ~~,~~ ~~or a board member,~~
 26 ~~shall shake or turn the board box to fairly mix the slips of~~
 27 ~~paper deposited therein without exposing them. The employee or~~

1 ~~board member, in the presence of the officer or officers~~
2 ~~attending, without seeing the names on the slips, shall then draw~~
3 ~~publicly from the box the names of as many jurors as were ordered~~
4 ~~by the judge. An attending officer or board member or an~~
5 ~~employee of the board shall keep a minute of the drawing, in~~
6 ~~which he shall enter the name written on every slip of paper~~
7 ~~drawn before any other slip is drawn.~~ SHALL KEEP A RECORD OF THE
8 SELECTION PROCESS, LISTING THE NAMES OF JURORS SELECTED. If the
9 name of a person is ~~drawn~~ SELECTED who is not qualified to
10 serve as a juror to the knowledge of any member of the board, an
11 entry of this fact shall be made on the ~~minute of the drawing,~~
12 ~~the slip of paper containing his name shall be destroyed, and~~
13 ~~another slip then drawn in place of that destroyed. The minutes~~
14 ~~of the drawing~~ RECORD AND THAT PERSON SHALL BE EXCUSED. A
15 RECORD OF THE SELECTION PROCESS shall THEN be signed by the board
16 member ~~and the attending officers~~ and filed in the office of
17 the board. The signature shall constitute a certificate that the
18 ~~minutes are~~ RECORD IS correct and that all provisions of law
19 have been complied with.

20 Sec. 1329. (1) The legality or regularity of the ~~drawing~~
21 SELECTION OF JURORS shall not be questioned if the ~~minutes~~
22 RECORD of the ~~drawing are~~ SELECTION IS properly signed. If the
23 name of any person not qualified to serve as a juror is included
24 in the names ~~drawn~~ SELECTED, this fact shall not be a ground of
25 challenge to the array, but only a ground of personal challenge
26 to the person shown to be so disqualified.

1 (2) If the jurors were ~~drawn~~ SELECTED in accordance with
2 this act and the rules of the court, it is not a ground of
3 challenge to a panel or array of jurors that the person who
4 ~~drew~~ SELECTED them was a party or interested in the cause ~~,~~
5 or was counsel or attorney for, or related to, either party
6 ~~therein~~ IN THE CAUSE.

7 (3) If the jurors were ~~drawn~~ SELECTED in accordance with
8 this act and the rules of the court, it is not a ground of chal-
9 lenge to a panel or array of jurors that they were summoned by
10 the sheriff who was a party ~~,~~ or interested in the cause, or
11 related to either party ~~therein~~ IN THE CAUSE, unless it is
12 alleged in the challenge and satisfactorily shown that some of
13 the jurors ~~drawn~~ SELECTED were not summoned ~~,~~ and that this
14 omission was intentional.

15 Sec. 1331. The board shall deliver to the clerk lists con-
16 taining the names and addresses of the jurors ~~drawn~~ SELECTED.

17 Sec. 1332. The clerk, JURY BOARD, or sheriff shall summon
18 jurors for court attendance at such times and in such manner as
19 directed by the ~~presiding~~ CHIEF judge or by the judge to whom
20 the action in which jurors are being called for service is
21 assigned. For a juror's first required court appearance, service
22 shall be by a written notice addressed to ~~him~~ THE JUROR at
23 ~~his~~ THE JUROR'S place of residence as shown by the records of
24 the board, which notice may be by ordinary mail or by personal
25 service. For subsequent service notice may be in any manner
26 directed by the judge. The officer giving notice to jurors shall
27 keep a record ~~thereof~~ OF THE SERVICE OF THE NOTICE and shall

1 make a return if directed by the court. ~~Such~~ THE return shall
2 be presumptive evidence of the fact of service.

3 Sec. 1333. A person who is notified to attend as a juror
4 may apply to the ~~presiding~~ CHIEF judge of the court to be
5 excused or have his OR HER term of service postponed on any
6 ground ~~herein~~ provided IN THIS CHAPTER. He OR SHE may apply in
7 person or by a person capable of making the necessary proof of
8 his OR HER claim. An entry of the action of the ~~presiding~~
9 CHIEF judge upon the application and of the reason ~~therefor~~ FOR
10 THAT ACTION shall be made on the records of the court.

11 Sec. 1334. (1) The ~~presiding~~ CHIEF judge may excuse any
12 juror or jurors from attendance without pay for any portion of
13 the term. The ~~presiding~~ CHIEF judge shall excuse jurors from
14 attendance on days when it is not expected that they will be
15 required. The ~~presiding~~ CHIEF judge may postpone the service
16 of a juror to a later term of court if the juror has not been
17 called for voir dire examination in any action.

18 (2) The judge presiding at the trial of an action may excuse
19 jurors from attendance at ~~such~~ THAT trial for cause.

20 Sec. 1335. (1) The ~~presiding~~ CHIEF judge of the court to
21 which a person is returned as a juror may excuse ~~him~~ THE PERSON
22 from serving when it appears that the interests of the public or
23 of the individual juror will be materially injured by his OR HER
24 attendance ~~—~~ or the health of the juror or that of a member of
25 his OR HER family requires his OR HER absence from court.

26 (2) The ~~presiding~~ CHIEF judge of the court to which a
27 person is returned as a juror shall postpone ~~his~~ THE PERSON'S

1 term of service until the end of the school year if the person is
2 a full-time student enrolled in and attending high school.

3 Sec. 1336. If the ~~presiding~~ CHIEF judge finds that the
4 number of jurors in attendance is greater than that needed, ~~he~~
5 THE CHIEF JUDGE may order the panel or any part ~~thereof~~ OF THE
6 PANEL discharged for the balance of its term or excused until a
7 day certain ~~therein~~ IN THE TERM. Any juror discharged, but not
8 excused, under this section shall be deemed to have served his OR
9 HER term of service but shall receive compensation only for the
10 time of his OR HER actual service on the panel.

11 Sec. 1337. When the court finds that a person in attendance
12 ~~upon the~~ AT court as a juror is not qualified to serve as a
13 juror, or is exempt and claims an exemption, the court shall dis-
14 charge him OR HER from further attendance and service as a
15 juror.

16 Sec. 1338. ~~(1)~~ When any person is excused from serving on
17 the ground that he OR SHE is exempt by law from serving on juries
18 ~~,~~ or IS not qualified to serve as a juror, the clerk of the
19 court shall ~~destroy the slip containing~~ REMOVE the name of that
20 person FROM THE SECOND JURY LIST.

21 ~~(2) The slip containing the name of any person whose time~~
22 ~~of service is postponed shall not be returned to the board box.~~

23 Sec. 1339. The ~~presiding~~ CHIEF judge shall report to the
24 board the names of all jurors whose service has been postponed to
25 a subsequent time, and the names shall be placed upon the list of
26 jurors ~~drawn~~ SELECTED for that time. ~~No more names shall be~~
27 ~~drawn from the board box than are sufficient to make up the~~

1 ~~number ordered by adding the names of the jurors so postponed to~~
 2 ~~the names then drawn.~~

3 Sec. 1340. The clerk of the court OR THE CLERK'S DESIGNEE,
 4 within 10 days after the close of each term for which jurors have
 5 been ~~drawn~~ SELECTED, shall ~~deliver to the board his certifi-~~
 6 ~~cate specifying distinctly and in detail~~ CERTIFY as follows:

7 (a) The name and residence of each juror who was excused or
 8 discharged by the court, with the reason ~~therefor~~ FOR THE
 9 EXCUSE OR DISCHARGE.

10 (b) The name and residence of each person notified who did
 11 not attend or serve.

12 (c) The name and residence of each person punished for con-
 13 tempt as provided in this chapter.

14 Sec. 1341. The ~~presiding~~ CHIEF judge of a court may order
 15 additional jurors ~~drawn~~ SELECTED by the board for service
 16 during the period of service of a jury panel or a part ~~thereof~~
 17 OF A PANEL. A judge of a court of record ~~or district court~~ may
 18 order additional jurors ~~drawn~~ SELECTED by the board for immedi-
 19 ate service in a particular case. The order shall specify the
 20 number to be ~~drawn,~~ SELECTED and the time and place of
 21 ~~drawing~~ SELECTION. If additional jurors are needed for immedi-
 22 ate service in a particular case, any member of the jury board
 23 may conduct the ~~drawing~~ SELECTION if witnessed by the clerk or
 24 ~~his~~ THE CLERK'S deputy and by the judge ordering the ~~drawing~~
 25 SELECTION. Jurors whose names are so ~~drawn~~ SELECTED shall be
 26 given notice to attend court in ~~such~~ THE manner ~~as~~ THAT the
 27 court directs. Additional jurors so ~~drawn~~ SELECTED shall

1 become members of the panel then serving unless otherwise
2 directed by the ~~presiding~~ CHIEF judge.

3 Sec. 1342. If the board fails to meet and return the second
4 jury list at the time prescribed ~~—~~, or if any list of jurors
5 becomes exhausted or declared illegal, the ~~presiding~~ CHIEF cir-
6 cuit judge may order the board to meet and make a new list of
7 jurors.

8 Sec. 1343. The term of service of petit jurors shall be
9 determined by local court rule but shall not exceed the term of
10 court, unless at the end of this period a juror is serving in
11 connection with an unfinished case, in which event ~~he~~ THE JUROR
12 shall continue to serve, in that case only, until the case in
13 which he OR SHE is serving is finished. Once commenced, the term
14 of service shall be continuous except as provided in sections
15 1334 to 1336.

16 Sec. 1345. A board member shall report to the prosecuting
17 attorney and the ~~presiding~~ CHIEF circuit judge the name of any
18 person who in any manner seeks by request, hint, or suggestion to
19 influence the board or its members in the selection of any
20 juror.

21 Sec. 1346. The following acts are punishable by the circuit
22 court as contempts of court:

23 (a) Failing to answer the questionnaire provided for in sec-
24 tion 1313.

25 (b) Failing to appear before the board or a member ~~thereof~~
26 OF THE BOARD, without being excused at the time and place
27 notified to appear.

1 (c) Refusing to take an oath or affirmation.

2 (d) Refusing to answer questions pertaining to his OR HER
3 qualifications as a juror, when asked by a member of the board.

4 (e) Failing to attend court, without being excused, at the
5 time specified in the notice, or from day to day, when summoned
6 as a juror.

7 (f) Giving a false certificate, ~~or~~ making a false repre-
8 sentation, or refusing to give information ~~which~~ THAT he OR SHE
9 can give affecting the liability or qualification of a person
10 other than himself OR HERSELF to serve as a juror.

11 (g) Offering, promising, paying, or giving money or anything
12 of value to, or taking money or anything of value from, a person,
13 firm, or corporation for the purpose of enabling himself OR
14 HERSELF or another person to evade service or to be wrongfully
15 discharged, exempted, or excused from service as a juror.

16 (h) Tampering unlawfully in any manner with a jury list ~~,~~
17 ~~the board box, the jury box or the slips~~ OR THE JURY SELECTION
18 PROCESS.

19 (i) ~~Wilfully~~ WILLFULLY doing or omitting to do an act with
20 the design to subvert the purpose of this act.

21 (j) ~~Wilfully~~ WILLFULLY omitting to put on the jury list
22 the name of a person qualified and liable for jury duty.

23 (k) ~~Wilfully~~ WILLFULLY omitting to prepare or file a list
24 or slip.

25 (l) Doing ~~,~~ or omitting to do ~~,~~ an act with the design
26 to prevent the name of a person qualified and liable to serve as

1 a juror from being placed ~~in the board box or jury box,~~ ON A
 2 JURY LIST or from being ~~drawn~~ SELECTED for service as a juror.

3 (m) ~~Wilfully~~ WILLFULLY placing the name of a person upon a
 4 list ~~, or preparing a slip with the name of a person thereon or~~
 5 ~~placing a slip in the jury box with the name of a person~~
 6 ~~thereon,~~ who is not qualified as a juror.

7 Sec. 1347. (1) A person ~~drawn~~ SELECTED or summoned as a
 8 juror who takes anything to give his OR HER verdict or receives
 9 any gift or gratuity from any party to an action for the trial of
 10 which he OR SHE has been ~~drawn~~ SELECTED or summoned is liable
 11 to the party aggrieved for actual damages sustained plus 10 times
 12 the amount or value of the thing which he OR SHE has taken, in
 13 addition to any criminal punishment to which he OR SHE may be
 14 subject by law.

15 (2) An embracer who procures a person ~~drawn~~ SELECTED or
 16 summoned as a juror to take gain or profit ~~contrary to the pro-~~
 17 ~~visions of~~ AS PROHIBITED UNDER subsection (1) is liable to the
 18 aggrieved party for the actual damages sustained plus 10 times
 19 the amount or value of the thing which was taken.

20 Sec. 1372. (1) Sections 1371 to 1376 ~~shall~~ apply only to
 21 those districts of the district court, circuits of the circuit
 22 court, and county or probate court districts of the probate court
 23 ~~, a common pleas court, and municipal courts of record which~~
 24 THAT adopt the ~~one~~ 1 day, ~~one~~ 1 trial jury system.

25 (2) Any court in this state may adopt a ~~one~~ 1 day, ~~one~~ 1
 26 trial jury system.

1 Sec. 1374. (1) When the name of a person who is deceased is
2 ~~drawn~~ SELECTED for jury service, the name shall be removed from
3 the qualified jurors' list and that fact may be forwarded to the
4 local clerk. ~~The person's name shall then be removed from the~~
5 ~~voter registration list.~~

6 (2) The trial judge, at his or her discretion, may grant a
7 deferral of jury service to an individual if the individual
8 claims that serving on the date he or she is called creates a
9 hardship. If the trial judge grants a deferral, the judge shall
10 determine a future date on which the individual may serve without
11 hardship, and shall direct the board to call the individual on
12 that date.

13 Sec. 1375. ~~(1) The township or city clerk shall annually~~
14 ~~between April 15 and May 1 deliver to and file with the county~~
15 ~~clerk a full, current, and accurate copy of the voter registra-~~
16 ~~tion cards containing the names and addresses of the registered~~
17 ~~voters. In lieu of a copy of the registration card, a full, cur-~~
18 ~~rent, and accurate list of those registered together with the~~
19 ~~current addresses shown on the card may be filed. The clerk~~
20 ~~shall provide a monthly update of the list or of the registration~~
21 ~~cards to the county clerk.~~

22 ~~(2) If electronic or mechanical devices are used by the~~
23 ~~township, city, or village clerk, the clerk shall provide a copy~~
24 ~~of the list on computer tapes, punch card, or in any other form~~
25 ~~as ordered by the board.~~

26 ~~(3) The board shall secure from the county clerk, and the~~
27 ~~county clerk shall provide, copies of the current voter~~

1 ~~registration cards or the current voter registration lists for~~
2 ~~each precinct in the county. The board shall treat the cards and~~
3 ~~lists as 1 list, with voters grouped either by precinct or by~~
4 ~~city, township, or village as they may be provided.~~

5 ~~(4) The board, in lieu of receiving a list from the county~~
6 ~~clerk of current registered voters, may, if electronic or mechan-~~
7 ~~ical devices are used by the township, city, or village clerks,~~
8 ~~order the clerk to provide only the names and addresses selected~~
9 ~~by applying the key number and starting number designated by the~~
10 ~~board.~~

11 (1) ~~(5) Beginning in 1987, the~~ THE secretary of state
12 shall transmit annually, before April 15, to the clerk of each
13 county a full, current, and accurate copy of a list that combines
14 the driver's license and personal identification cardholder lists
15 pertaining to persons residing in the county. At the request of
16 the board before March 1, the secretary of state shall transmit
17 only a first jury list consisting of the names and addresses of
18 persons selected at random, based on the total number of jurors
19 required as submitted to the secretary of state by the board,
20 using electronic or other mechanical devices. Upon request, the
21 secretary of state shall furnish additional lists to any other
22 federal, state, or local governmental agency, other than the
23 clerk of each county, for the purpose of jury selection. An
24 agency which requests and receives a list shall reimburse the
25 secretary of state for actual costs incurred in the preparation
26 and transmittal of the list and all reimbursements shall be
27 deposited in the state general fund.

1 (2) ~~(6)~~ If an agency uses electronic or mechanical devices
2 to carry out its duties, the agency may request and receive a
3 copy of the combined driver's license and personal identification
4 cardholder list on computer tape or another electronically
5 produced medium under specifications prescribed by the secretary
6 of state. The secretary of state shall establish specifications
7 standardizing the size, format, and content of computer tapes and
8 other media utilized to transmit information used for jury
9 selection.

10 ~~(7) Subsections (1), (2), (3), and (4) shall not apply~~
11 ~~after December 31, 1986.~~

12 Enacting section 1. This amendatory act takes effect
13 January 1, 2003.