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Jury Standards Committee

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STATE OF NORTH DAKOTA

August 10, 2011

Honorable Gerald W. VandeWalle
Chief Justice
North Dakota Supreme Court
600 E. Boulevard, Dept. 180
Bismarck, ND 58505-0530

Re: Administrative Rule 9 - Jury Selection Procedure - Proposed Amendments\

Dear Chief Justice VandeWalle:

The Jury Standards Committee recently met to consider proposed amendments to Administrative Rule 9, which governs the jury selection process. The proposed amendments were submitted to the Committee by Sally Holewa, State Court Administrator.

The proposed amendments would delete Section 4, which currently requires the State Court Administrator to file a selection plan with each clerk of court every two years. This requirement is grounded in the previous selection practice in which a manual listing of prospective juror names was provided to each clerk and a random starting number and interval number were provided for purposes of selecting individual prospective juror names. The current automated juror selection process no longer requires that clerks be provided a manual list. Nor is it necessary to provide random starting and interval numbers as names are randomly selected by the automated system. The proposed amendments to Administrative Rule 9 are a relatively minor change to harmonize the rule with the current jury selection process.

At its July 29 meeting, the Jury Standards Committee voted unanimously to submit the proposed amendments to the Supreme Court for its consideration. If you have any questions about the proposal, please contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joel D. Medd". The signature is fluid and cursive, with a large initial "J" and "M".

Joel D. Medd, Chair
Jury Standards Committee

JDM/

Attachment

cc: Penny Miller, Clerk of the Supreme Court
Jim Ganje

JURY SELECTION PROCEDURE

Administrative Rule 9

Pursuant to N.D. Const. Art. VI, §3 and N.D.C.C. §27-09.1-18, the Supreme Court of North Dakota promulgates the following Administrative Rule relating to jury selection:

1. All courts conducting jury trials shall use jurors selected only pursuant to the Uniform Jury Selection and Service Act (N.D.C.C. Ch. 27-09.1) and this Administrative Rule.
2. All courts conducting jury trials shall obtain jury panels in the manner prescribed by the jury selection plan filed with the Clerk of the North Dakota Supreme Court.
3. The State Court Administrator, after consultation with the Jury Standards Committee, shall file a jury selection plan with the Clerk of the North Dakota Supreme Court. The plan shall detail the procedures to be followed in selecting and managing jurors in order to implement the policies set forth in N.D.C.C. Ch. 27-09.1.
4. ~~The State Court Administrator shall also file the jury selection plan with the clerk of district court of each county prior to November 1st of each even-numbered year.~~
5. The administration and management of the jury system in this state shall comply with the Standards Relating to Juror Use and Management, which are included and incorporated in this rule as an Appendix.

Dated at Bismarck, North Dakota, this ~~February 21, 2002~~ _____.

ATTEST:

Penny Miller, Clerk
 North Dakota Supreme Court

SOURCE: AR 9-1979 adopted as Emergency Rule effective August 1, 1979; readopted September 26, 1979; amended December 9, 1992; amended effective June 1, 2002; amended effective _____.