

# HOUSE BILL No. 6301

November 27, 1990, Introduced by Rep. Perry Bullard and referred to the Committee on Judiciary.

A bill to amend sections 1300, 1301, 1301a, 1302, 1303, 1303a, 1304, 1304a, 1305, 1307a, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1321, 1322, 1323, 1324, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1352, 1353, 1354, and 1355 of Act No. 236 of the Public Acts of 1961, entitled as amended

"Revised judicature act of 1961,"

section 1300 as added and sections 1301a, 1304, 1307a, 1310, 1311, and 1312 as amended by Act No. 104 of the Public Acts of 1986, sections 1302 and 1303 as amended by Act No. 438 of the Public Acts of 1980, section 1344 as amended by Act No. 226 of the Public Acts of 1982, and section 1348 as amended by Act No. 234 of the Public Acts of 1982, being sections 600.1300, 600.1301, 600.1301a, 600.1302, 600.1303, 600.1303a, 600.1304,

600.1304a, 600.1305, 600.1307a, 600.1308, 600.1309, 600.1310, 600.1311, 600.1312, 600.1313, 600.1314, 600.1315, 600.1316, 600.1317, 600.1318, 600.1319, 600.1321, 600.1322, 600.1323, 600.1324, 600.1326, 600.1327, 600.1328, 600.1329, 600.1330, 600.1331, 600.1332, 600.1333, 600.1334, 600.1337, 600.1338, 600.1339, 600.1340, 600.1341, 600.1342, 600.1343, 600.1344, 600.1345, 600.1346, 600.1347, 600.1348, 600.1349, 600.1350, 600.1352, 600.1353, 600.1354, and 600.1355 of the Michigan Compiled Laws; to add sections 1301c, 1310a, and 1332a; and to repeal certain parts of the act.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Section 1. Sections 1300, 1301, 1301a, 1302, 1303, 1303a,  
2 1304, 1304a, 1305, 1307a, 1308, 1309, 1310, 1311, 1312, 1313,  
3 1314, 1315, 1316, 1317, 1318, 1319, 1321, 1322, 1323, 1324, 1326,  
4 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1337, 1338, 1339,  
5 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350,  
6 1352, 1353, 1354, and 1355 of Act No. 236 of the Public Acts of  
7 1961, section 1300 as added and sections 1301a, 1304, 1307a,  
8 1310, 1311, and 1312 as amended by Act No. 104 of the Public Acts  
9 of 1986, sections 1302 and 1303 as amended by Act No. 438 of the  
10 Public Acts of 1980, section 1344 as amended by Act No. 226 of  
11 the Public Acts of 1982, and section 1348 as amended by Act  
12 No. 234 of the Public Acts of 1982, being sections 600.1300,  
13 600.1301, 600.1301a, 600.1302, 600.1303, 600.1303a, 600.1304,  
14 600.1304a, 600.1305, 600.1307a, 600.1308, 600.1309, 600.1310,  
15 600.1311, 600.1312, 600.1313, 600.1314, 600.1315, 600.1316,  
16 600.1317, 600.1318, 600.1319, 600.1321, 600.1322, 600.1323,

1 600.1324, 600.1326, 600.1327, 600.1328, 600.1329, 600.1330,  
2 600.1331, 600.1332, 600.1333, 600.1334, 600.1337, 600.1338,  
3 600.1339, 600.1340, 600.1341, 600.1342, 600.1343, 600.1344,  
4 600.1345, 600.1346, 600.1347, 600.1348, 600.1349, 600.1350,  
5 600.1352, 600.1353, 600.1354, and 600.1355 of the Michigan  
6 Compiled Laws, are amended and sections 1301c, 1310a, and 1332a  
7 are added to read as follows:

8       Sec. 1300. As used in this chapter:

9       (A) "CHIEF CIRCUIT JUDGE" MEANS ANY OF THE FOLLOWING:

10       (i) THE CIRCUIT JUDGE IN A JUDICIAL CIRCUIT HAVING ONLY 1  
11 CIRCUIT JUDGE.

12       (ii) EXCEPT IN THE COUNTY OF WAYNE, THE CHIEF JUDGE OF THE  
13 CIRCUIT COURT IN A JUDICIAL CIRCUIT HAVING 2 OR MORE CIRCUIT  
14 JUDGES.

15       (iii) IN THE COUNTY OF WAYNE, THE EXECUTIVE CHIEF JUDGE OF  
16 THE CIRCUIT COURT IN THE THIRD JUDICIAL CIRCUIT AND THE EXECUTIVE  
17 CHIEF JUDGE OF THE RECORDER'S COURT OF THE CITY OF DETROIT.

18       (B) "CHIEF JUDGE" MEANS 1 OF THE FOLLOWING:

19       (i) THE JUDGE OF A TRIAL COURT HAVING ONLY 1 JUDGE.

20       (ii) THE CHIEF JUDGE OF A TRIAL COURT HAVING 2 OR MORE  
21 JUDGES.

22       (C) "COMBINED LIST" MEANS A LIST PREPARED BY THE SECRETARY  
23 OF STATE UNDER SECTION 1310 THAT COMBINES THE DRIVER'S LICENSE  
24 LIST AND THE PERSONAL IDENTIFICATION CARDHOLDER LIST OF INDIVIDU-  
25 ALS RESIDING IN THE COUNTY.

26       (D) "DRAW" OR "DRAWING" MEANS THE CHOOSING OF A JUROR BY  
27 NONELECTRONIC AND NONMECHANICAL MEANS AND THE USAGE OF THE KEY

1 NUMBER DETERMINED UNDER SECTION 1311, THE SLIPS PREPARED UNDER  
2 SECTION 1321, AND THE BOARD BOX DESCRIBED IN SECTION 1321.

3 (E) ~~(a)~~ "Driver's license list" means a compilation of  
4 names of individuals who are 18 years of age or older, addresses,  
5 zip codes, dates of birth, and sexes of ~~persons~~ INDIVIDUALS  
6 licensed in Michigan as motor vehicle operators and chauffeurs  
7 under the Michigan vehicle code, Act No. 300 of the Public Acts  
8 of 1949, being sections 257.1 to 257.923 of the Michigan Compiled  
9 Laws.

10 (F) ~~(b)~~ "Personal identification cardholder list" means a  
11 compilation of names of individuals who are 18 years of age or  
12 older, addresses, zip codes, dates of birth, and sexes of  
13 Michigan residents who have received an official state personal  
14 identification card under Act No. 222 of the Public Acts of 1972,  
15 being sections 28.291 to 28.295 of the Michigan Compiled Laws.

16 (G) "SELECT" OR "SELECTION" MEANS THE CHOOSING OF A JUROR BY  
17 ANY PROCESS.

18 (H) "TRIAL COURT" MEANS ANY OF THE FOLLOWING:

19 (i) THE CIRCUIT COURT IN EACH COUNTY IN A JUDICIAL CIRCUIT.

20 (ii) THE RECORDER'S COURT OF THE CITY OF DETROIT.

21 (iii) THE PROBATE COURT IN EACH COUNTY.

22 (iv) THE DISTRICT COURT IN EACH COUNTY IN A DISTRICT OF THE  
23 FIRST CLASS.

24 (v) THE DISTRICT COURT IN EACH DISTRICT IN A DISTRICT OF THE  
25 SECOND OR THIRD CLASS.

26 (vi) THE MUNICIPAL COURT OF RECORD IN A CITY OF THIS STATE.

1       Sec. 1301. (1) In counties having a population of less than  
2 2,000,000, the jury board shall consist of 3 qualified electors  
3 of the county appointed by the governor on recommendation of the  
4 circuit judges of the judicial circuit in which the county is  
5 situated, not more than 2 of whom shall be members of the same  
6 political party. ~~The first appointment of members of the jury~~  
7 ~~board shall be for terms of 2, 4 and 6 years. Thereafter~~  
8 appointments shall be for 6-year terms.

9       (2) In counties having a population of 2,000,000 or more,  
10 the jury board shall consist of 7 qualified electors of the  
11 county appointed ~~for 6-year terms~~ by the governor on recommen-  
12 dation of the circuit judges of the judicial circuit in which the  
13 county is situated, not more than 4 of whom shall be members of  
14 the same political party. ~~The executive secretary and stenogra-~~  
15 ~~pher shall receive such compensation as is fixed by the board of~~  
16 ~~supervisors.~~ THE APPOINTMENTS SHALL BE FOR 6-YEAR TERMS.

17       (3) ~~In a county now having an appointive board or commis-~~  
18 ~~sion for the selection of jurors the members thereof shall serve~~  
19 ~~as members of the board created under this section until a~~  
20 ~~vacancy is created by expiration of term or otherwise. A new~~  
21 ~~appointment or an appointment to fill vacancies shall be made~~  
22 ~~under this section. If the number of board members is less than~~  
23 ~~previously, appointments to fill vacancies shall not be made~~  
24 ~~until the authorized number is reached. The board of supervisors~~  
25 ~~may prescribe the procedure for the orderly transition of~~  
26 ~~duties.~~ IF A VACANCY OCCURS IN THE JURY BOARD BEFORE THE  
27 EXPIRATION OF A MEMBER'S TERM, THE VACANCY SHALL BE FILLED IN THE

1 SAME MANNER AS PROVIDED IN SUBSECTION (1) OR (2) FOR THE  
2 REMAINDER OF THE UNEXPIRED TERM.

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

6 (a) Circuit court.

7 (b) Probate court.

8 (c) District court.

9 (d) Municipal courts of record.

10 ~~(2) Sections 1310, 1311, 1312, 1321(1), 1322, 1323, 1330,~~  
11 ~~1338, and 1343 shall not apply to a court which adopts a method~~  
12 ~~of jury selection described in section 1371.~~

13 (E) RECORDER'S COURT OF THE CITY OF DETROIT.

14 SEC. 1301C. (1) AS USED IN THIS SECTION, "1 DAY, 1 TRIAL  
15 TRIAL SYSTEM" MEANS A SYSTEM TO SELECT JURORS FOR EACH TRIAL  
16 COURT IN WHICH THE JUROR'S TERM OF SERVICE IS DETERMINED UNDER  
17 SECTION 1343.

18 (2) BEGINNING JANUARY 1, 1989, PETIT JURORS FOR A COURT  
19 LISTED IN SECTION 1301A(1) SHALL BE SELECTED ON A 1 DAY, 1 TRIAL  
20 SYSTEM.

21 (3) THE CHIEF CIRCUIT JUDGE IN EACH COUNTY SHALL ADOPT A  
22 PLAN TO IMPLEMENT A 1 DAY, 1 TRIAL SYSTEM TO SELECT JURORS FOR  
23 EACH TRIAL COURT IN THAT COUNTY.

24 (4) IF ON JANUARY 1, 1991, A TRIAL COURT HAS A 1 DAY,  
25 1 TRIAL SYSTEM IN EFFECT THAT WAS ADOPTED UNDER FORMER SECTIONS  
26 1301B AND 1371 TO 1376, THE TRIAL COURT MAY CONTINUE THE SYSTEM

1 IF IT COMPLIES WITH THIS CHAPTER, MAY REVISE THE SYSTEM AS  
2 NECESSARY, OR MAY SUBSTITUTE A NEW PLAN UNDER SUBSECTION (3).

3 Sec. 1302. (1) The jury board shall elect annually from its  
4 members a ~~president~~ CHAIRPERSON and secretary. ~~The~~

5 (2) EXCEPT IN THE COUNTY OF WAYNE, THE members of the JURY  
6 board shall be paid an annual salary in an amount fixed by the  
7 COUNTY board of commissioners or, instead of an annual salary, be  
8 paid an amount fixed by the COUNTY board of commissioners for  
9 each day of service. In the county of Wayne, THE STATE SHALL PAY  
10 the compensation of the members of the JURY board, ~~shall be paid~~  
11 ~~by the state,~~ and THE COMPENSATION shall be fixed in the same  
12 manner as provided in sections 592 and 9104.

13 (3) A majority of the JURY board constitutes a quorum.

14 Sec. 1303. ~~The~~ EXCEPT IN THE COUNTY OF WAYNE, THE county  
15 board of commissioners ~~of counties other than the county of~~  
16 ~~Wayne~~ may authorize assistants ~~to~~ FOR the jury board and fix  
17 ~~their~~ THE ASSISTANTS' salaries. In the county of Wayne, the  
18 executive chief judge of the circuit court in the third judicial  
19 circuit and the EXECUTIVE CHIEF JUDGE OF THE recorder's court of  
20 the city of Detroit may authorize employees of the state judicial  
21 council serving in the circuit court in the third judicial cir-  
22 cuit or IN the recorder's court OF THE CITY OF DETROIT to assist  
23 the jury board.

24 Sec. 1303a. Before ~~members~~ A MEMBER of ~~a~~ THE jury board  
25 ~~enter upon their duties, they~~ TAKES OFFICE, HE OR SHE shall  
26 take a constitutional oath of office before the ~~presiding~~ CHIEF

1 circuit judge and file ~~it~~ THE CONSTITUTIONAL OATH OF OFFICE  
2 with the county clerk.

3       Sec. 1304. ~~(1) The jury board shall select from the cur-~~  
4 ~~rent voter registration lists or books the names of persons as~~  
5 ~~provided in this chapter to serve as jurors. This subsection~~  
6 ~~applies to jurors summoned for trials beginning before~~  
7 ~~September 1, 1987.~~

8       ~~(2) The jury board shall select from a list which combines~~  
9 ~~the driver's license list and the personal identification~~  
10 ~~cardholder~~ THE COMBINED list the names of ~~persons~~ INDIVIDUALS  
11 as provided in this chapter to serve as jurors. ~~This subsection~~  
12 ~~applies to jurors summoned for trials beginning after August 31,~~  
13 ~~1987.~~

14       Sec. 1304a. The jury board may use electronic and mechani-  
15 cal devices in ~~carrying out its~~ PERFORMING THE duties OF THE  
16 JURY BOARD under this chapter.

17       Sec. 1305. The jury board shall meet annually in the month  
18 of May at the ~~court house~~ COURTHOUSE. The ~~presiding~~ CHIEF  
19 circuit judge shall fix the time and place of the annual meeting  
20 and may direct the JURY board to meet at other times and places.  
21 The JURY board may meet at other times and places necessary to  
22 ~~carry out its~~ PERFORM THE duties OF THE JURY BOARD. The secre-  
23 tary of the JURY board shall keep a record of the proceedings of  
24 the JURY board in a book to be provided for that purpose. ~~and~~  
25 ~~the~~ THE members of the JURY board shall sign the record,  
26 attested by the secretary. ~~, which~~ THE record ~~shall then be~~



1 IS evidence in all courts and places of the proceedings of the  
2 JURY board.

3       Sec. 1307a. (1) To qualify as a juror ~~a person~~ AN  
4 INDIVIDUAL shall:

5       (a) Be a citizen of the United States, 18 years of age or  
6 older, and a resident in the county for which ~~the person~~ THAT  
7 INDIVIDUAL is selected, and in the case of a district court in  
8 districts of the second and third class, be a resident of the  
9 district, and in the case of municipal courts of record, be a  
10 resident of the municipality, AND IN THE CASE OF THE RECORDER'S  
11 COURT OF THE CITY OF DETROIT, BE A RESIDENT OF THE CITY OF  
12 DETROIT.

13       (b) Be conversant with the English language.

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

17       (d) Not have served as a petit or grand juror in a TRIAL  
18 court ~~of record~~ during the preceding 12 months.

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

21       (2) ~~A person~~ AN INDIVIDUAL more than 70 years of age may  
22 claim exemption from jury service and shall be exempt upon making  
23 the request.

24       (3) For the purposes of ~~sections 1371 to 1376 a person has~~  
25 SUBSECTION (1)(D), AN INDIVIDUAL SHALL BE CONSIDERED TO HAVE  
26 served as a juror if that ~~person~~ INDIVIDUAL has been paid for  
27 jury service.

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

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

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

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

1 ~~lists as a list, with voters grouped either by precinct or by~~  
 2 ~~city, 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  
 12 list that combines the driver's license list and personal identi-  
 13 fication cardholder list ~~pertaining to persons~~ OF INDIVIDUALS  
 14 residing in the county.

15 (2) At the request of the JURY board before March 1, the  
 16 secretary of state shall transmit ~~only a first~~ jury list con-  
 17 sisting of the names and addresses of ~~persons~~ INDIVIDUALS  
 18 selected at random FROM THE COMBINED LIST, based on the total  
 19 number of jurors required as submitted to the secretary of state  
 20 by the JURY board, using electronic or other mechanical devices.  
 21 ~~Upon request,~~

22 (3) FOR THE PURPOSE OF SELECTING JURORS, the secretary of  
 23 state shall furnish AN additional ~~lists~~ COMBINED LIST UPON  
 24 REQUEST to any federal, state, or local governmental agency,  
 25 other than the clerk of each county. ~~, for the purpose of jury~~  
 26 ~~selection.~~ An agency ~~which~~ THAT requests and receives ~~a~~ THE  
 27 COMBINED list shall reimburse the secretary of state for actual

1 costs incurred in the preparation and transmittal of the COMBINED  
 2 list. ~~and~~ THE SECRETARY OF STATE SHALL DEPOSIT all reimburse-  
 3 ments ~~shall be deposited~~ UNDER THIS SUBSECTION in the state  
 4 general fund.

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

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

16 SEC. 1310A. (1) THE CHIEF CIRCUIT JUDGE IN EACH COUNTY MAY  
 17 ADOPT A PLAN FOR THE JURY BOARD TO SELECT JURORS WITH THE AID OF  
 18 MECHANICAL OR ELECTRONIC DEVICES.

19 (2) A PLAN ADOPTED UNDER SUBSECTION (1) SHALL MEET ALL OF  
 20 THE FOLLOWING REQUIREMENTS:

21 (A) THE PLAN SHALL SPECIFY THAT THE NAMES FOR THE PURPOSE OF  
 22 SELECTING JURORS SHALL BE TAKEN FROM THE COMBINED LIST.

23 (B) THE PLAN SHALL PROVIDE A FAIR, IMPARTIAL, AND OBJECTIVE  
 24 METHOD OF SELECTING JURORS WITH THE AID OF MECHANICAL OR ELEC-  
 25 TRONIC DEVICES.

26 (C) THE PLAN SHALL DESIGNATE AN OFFICIAL TO BE IN CHARGE OF  
 27 THE SELECTION AND MANAGEMENT OF JURORS AND SHALL SPECIFY THE

1 OFFICIAL'S DUTIES, INCLUDING, BUT NOT LIMITED TO, KEEPING MINUTES  
2 OF THE SELECTION MEETING. THE PLAN SHALL SPECIFY THAT THE OFFI-  
3 CIAL SHALL SIGN THE MINUTES OF THE SELECTION MEETING AND FILE THE  
4 MINUTES WITH THE JURY BOARD.

5 (D) THE PLAN SHALL SPECIFY THAT THE OFFICIAL IN CHARGE OF  
6 THE SELECTION AND MANAGEMENT OF JURORS SHALL FILE WITH THE COUNTY  
7 CLERK A LIST OF THE NAMES AND ADDRESSES OF ALL INDIVIDUALS SUM-  
8 MONED TO JURY SERVICE ON A PARTICULAR DATE. THE LIST SHALL BE  
9 FILED WITH THE COUNTY CLERK AT LEAST 10 DAYS BEFORE THE DATE THE  
10 INDIVIDUALS ARE TO BEGIN JURY SERVICE.

11 (3) IF A COUNTY HAS 2 OR MORE DISTRICT COURT DISTRICTS, THE  
12 PLAN SHALL PROVIDE FOR AN ADDITIONAL LIST CONSISTING OF THE NAMES  
13 ON THE JURY LIST, SEGREGATED BY THE GEOGRAPHICAL AREA OF EACH  
14 DISTRICT COURT DISTRICT IN THE COUNTY.

15 Sec. 1311. ~~The~~ IF THE JURY BOARD DOES NOT USE MECHANICAL  
16 OR ELECTRONIC DEVICES TO SELECT JURORS FROM THE COMBINED LIST AS  
17 PROVIDED IN SECTION 1310A, THE JURY board shall arrive at a key  
18 number as follows:

19 (a) ~~Add~~ DETERMINE the number of jurors THAT the CHIEF  
20 judge ~~has estimated~~ ESTIMATES will be needed ~~to~~ UNDER  
21 SECTION 1308 AND ADD the ESTIMATED number that ~~experience has~~  
22 ~~shown will~~ MAY be eliminated because of disqualification or  
23 exemption. Example: If the judge estimates 100 jurors will be  
24 needed and the board has found that to select ~~finally~~ 100  
25 jurors, 50 ~~persons~~ INDIVIDUALS will usually be found to be  
26 exempt or disqualified, including those who have moved from the  
27 county or died, the JURY board shall add 50 to the 100.

1 (b) Divide the number equal to the total number of names  
2 ~~which~~ THAT appear on the COMBINED list received ~~pursuant to~~  
3 UNDER section 1310 by the ~~result~~ NUMBER OBTAINED UNDER SUBDIVI-  
4 SION (A), obtaining the nearest integral quotient. Example: If  
5 there are 50,000 names on the combined list, divide 50,000 by  
6 150.

7 (c) The result UNDER SUBDIVISION (B) is the key number for  
8 the period for which jurors are to be selected. Example: 50,000  
9 divided by 150 equals  $333\frac{1}{3}$ , so 333 would be the key number in  
10 the example.

11 Sec. 1312. (1) ~~The~~ IF THE JURY BOARD DETERMINES A KEY  
12 NUMBER UNDER SECTION 1311, THE JURY board shall apply the key  
13 number uniformly to the names on the COMBINED list received  
14 ~~pursuant to~~ UNDER section 1310 and compile a list or card index  
15 ~~, to~~ THAT SHALL be known as the ~~first~~ jury list. ~~, which~~  
16 THE JURY LIST shall include every name and only those names as  
17 the application of the key number has designated. The JURY board  
18 shall ~~do this~~ PREPARE THE JURY LIST as follows:

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

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

1 (B) ~~(c)~~ Count down the COMBINED list the number of names  
2 to reach the starting number. That name shall be placed on the  
3 ~~first~~ jury list.

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

7 (D) ~~(e)~~ Repeat the process provided in subdivision ~~(d)~~  
8 (C) until the ~~whole~~ ENTIRE list has been counted and the names  
9 placed on the ~~first~~ jury list.

10 (E) ~~(f)~~ The JURY board shall ~~then~~ remove from the  
11 ~~first~~ jury list the name of ~~any person who its records show~~  
12 ~~served, pursuant to the provisions of this chapter, as a petit or~~  
13 ~~grand juror in any court of record or district court in the~~  
14 ~~county at any time in the preceding 1 year~~ AN INDIVIDUAL WHOSE  
15 NAME APPEARS ON THE LIST PREPARED BY THE JURY BOARD UNDER  
16 SECTION 1309.

17 (2) ~~The board may use electronic and mechanical devices in~~  
18 ~~carrying out its duties under this section.~~ FOR PURPOSES OF THIS  
19 SECTION, A LIST RECEIVED BY THE JURY BOARD UNDER SECTION 1310(2)  
20 IS THE JURY LIST.

21 Sec. 1313. The JURY board shall supply a juror qualifica-  
22 tions questionnaire to ~~persons~~ INDIVIDUALS on the ~~first~~ jury  
23 list PREPARED UNDER SECTION 1310(2), 1310A, OR 1312. This ques-  
24 tionnaire shall contain blanks for the information the board  
25 desires. ~~, concerning~~ THE INFORMATION SHALL INCLUDE, BUT NOT  
26 BE LIMITED TO, qualifications for, and exemptions from, jury  
27 service. ~~Persons~~ INDIVIDUALS on the ~~first~~ jury list are

1 required to return the questionnaire fully answered to the jury  
2 board within 10 days after it is received BY THAT INDIVIDUAL.

3       Sec. 1314. On the basis of answers to the juror qualifica-  
4 tions questionnaires, the JURY board may ~~excuse~~ EXCLUDE from  
5 service ~~persons~~ INDIVIDUALS on the ~~first~~ jury list who claim  
6 exemption and give satisfactory proof of ~~such~~ THAT right, and  
7 all ~~persons~~ INDIVIDUALS who are not qualified for jury  
8 service. The JURY board may investigate the accuracy of the  
9 answers to the questionnaires and may ~~call upon all~~ UTILIZE law  
10 enforcement agencies for assistance in the investigation.

11       Sec. 1315. The juror qualifications questionnaires shall be  
12 kept on file by the JURY board for a period of 3 years. ~~but~~  
13 HOWEVER, the ~~presiding~~ CHIEF circuit judge may order them to be  
14 kept on file for a longer period. The answers to the qualifica-  
15 tions questionnaires shall not be disclosed, ~~except that~~  
16 HOWEVER, the ~~presiding~~ CHIEF circuit judge may order that  
17 access be given to the questionnaires and the answers.

18       Sec. 1316. ~~The presiding~~ IN ADDITION TO COMPLETING A  
19 JUROR QUALIFICATIONS QUESTIONNAIRE, THE CHIEF circuit judge ~~,~~  
20 or the JURY board ~~,~~ may require ~~any person~~ AN INDIVIDUAL on  
21 the ~~first~~ jury list to appear before a JURY board member, at a  
22 specified time, ~~for the purpose of testifying~~ TO TESTIFY under  
23 oath or affirmation, concerning ~~his~~ THE INDIVIDUAL'S qualifica-  
24 tion to serve as a juror. ~~, in addition to completing the~~  
25 questionnaire. ~~Notice shall be given~~ THE JURY BOARD SHALL GIVE  
26 NOTICE, personally or by mail, to ~~a person~~ AN INDIVIDUAL  
27 required to appear not less than 7 days before ~~he~~ THE



1 INDIVIDUAL is to appear before the JURY board. The JURY board  
2 shall hold evening sessions as necessary for the examination of  
3 prospective jurors who are unable to attend at other times.

4 Sec. 1317. The JURY board may dispense with the personal  
5 attendance of a ~~person~~ PROSPECTIVE JUROR notified to appear  
6 before the JURY board ~~, when another person, cognizant~~ IF 1 OR  
7 MORE OF THE FOLLOWING OCCUR:

8 (A) ANOTHER INDIVIDUAL WHO IS AWARE of facts ~~which~~ THAT  
9 will qualify or disqualify the ~~person~~ PROSPECTIVE JUROR from  
10 service ~~, or which~~ THAT prevent ~~him~~ THE PROSPECTIVE JUROR  
11 from appearing, is produced and testifies ~~in his stead, or when~~  
12 ~~a~~ ON BEHALF OF THE PROSPECTIVE JUROR.

13 (B) IF A JURY board member has personal knowledge of facts  
14 ~~, and enters them~~ THE FACTS in his OR HER report on ~~that~~  
15 ~~person's~~ THE PROSPECTIVE JUROR'S qualifications.

16 Sec. 1318. A JURY board member may administer an oath or  
17 affirmation in relation to the examination of any matter  
18 ~~embraced~~ in this ~~act~~ CHAPTER.

19 Sec. 1319. The JURY board shall keep a record of the JURY  
20 board member's report on each ~~person~~ INDIVIDUAL examined ~~,~~  
21 UNDER THIS CHAPTER and a record showing the qualifications to  
22 serve as a juror of each ~~person~~ INDIVIDUAL on the ~~first~~ jury  
23 list ~~and whether or not he is a freeholder~~ COMPILED UNDER  
24 SECTION 1310(2), 1310A, OR 1312.

25 Sec. 1321. (1) ~~The names of those persons on the first~~  
26 ~~jury list whom the board accepts as persons qualified for and not~~  
27 ~~exempt from jury service shall be compiled into a list or card~~

1 ~~index to be known as the second jury list. The~~ IF THE JURY  
2 BOARD DETERMINES A KEY NUMBER UNDER SECTION 1311, THE JURY board  
3 shall write the names and addresses of the ~~persons thus select-~~  
4 ~~ed, and whether or not the records of the board show them to be~~  
5 ~~freeholders,~~ INDIVIDUALS WHO ARE QUALIFIED AND NOT EXEMPT on  
6 separate slips of paper of the same size and appearance. ~~as~~  
7 ~~nearly as may be.~~ The JURY board shall fold up each slip of  
8 paper in the same manner ~~so as~~ to conceal the name ~~thereon~~ ON  
9 THE PAPER and shall deposit it at the times ~~herein~~ provided IN  
10 THIS CHAPTER, in a box, to be called and labeled the board box.  
11 The form and construction of the board box shall be approved by  
12 the ~~chairman or president~~ CHAIRPERSON, and may ~~from time to~~  
13 ~~time~~ be changed with ~~his~~ THE CHAIRPERSON'S approval.  
14 Immediately after preparing the slips the JURY board shall seal  
15 the ~~second jury list. The~~ list WHICH shall remain sealed until  
16 otherwise ordered by the ~~presiding~~ CHIEF circuit judge.

17 (2) The JURY board shall make an additional list consisting  
18 of the names on the ~~second~~ jury list segregated by the geo-  
19 graphical area ~~of the jurisdiction~~ of each district court  
20 DISTRICT IN THE COUNTY. If there are not sufficient names on  
21 ~~such~~ THE segregated list for ~~any~~ A district, ~~court,~~ the  
22 JURY board shall apply again the key number to that district only  
23 and obtain as many additional jurors as needed for ~~such~~ THE  
24 district.

25 Sec. 1322. ~~The~~ IF THE JURY BOARD DETERMINES A KEY NUMBER  
26 UNDER SECTION 1311, THE first deposit of THE slips INTO THE BOARD  
27 BOX UNDER SECTION 1321 shall take place as soon as the slips are

1 prepared. ~~Slips drawn under previous statutes shall first be~~  
2 ~~removed.~~ Subsequent deposits OF SLIPS INTO THE BOARD BOX shall  
3 be made when the supply of slips in the board box is exhausted.  
4 An earlier deposit may be ordered by the ~~presiding~~ CHIEF cir-  
5 cuit judge. The JURY board shall keep a record of the number of  
6 slips deposited ~~,~~ and the number withdrawn. ~~, and~~ THE JURY  
7 BOARD shall inform the ~~presiding~~ CHIEF circuit judge of the  
8 number of slips remaining in the board box ~~on~~ UPON request,  
9 without opening the box. ~~Nothing herein shall affect the valid-~~  
10 ~~ity of a panel of jurors which was drawn for a term of court~~  
11 ~~before the first deposit of slips as provided herein.~~

12 Sec. 1323. If the slips PREPARED UNDER SECTION 1321 are not  
13 ~~to be~~ immediately deposited in the board box, they shall be  
14 sealed ~~up~~ by the JURY board and remain in the custody of the  
15 JURY board to be deposited IN THE BOARD BOX when the previous  
16 supply of slips in the board box is exhausted or when ordered by  
17 the ~~presiding~~ CHIEF circuit judge.

18 Sec. 1324. (1) ~~From time to time the presiding~~ THE CHIEF  
19 judge of each TRIAL court ~~of record and district court~~ in the  
20 county shall order, WHEN NECESSARY, the JURY board to ~~draw~~  
21 SELECT jurors for jury service. ~~Each such~~ THE order shall con-  
22 tain the following information:

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

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

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

2 (C) ~~(d)~~ The TRIAL court or courts in which ~~each panel~~  
3 THE JURORS shall serve.

4 (D) ~~(e)~~ The period of ~~service of each panel, subject to~~  
5 ~~the provisions of section 1343~~ TIME DURING WHICH THE JURORS ARE  
6 TO BE SUMMONED.

7 (2) ~~Upon the order of the presiding circuit judge, jury~~  
8 ~~panels or parts of jury panels drawn~~ JURORS SELECTED INITIALLY  
9 for any TRIAL court in the county may be used for jury selection  
10 in any OTHER TRIAL court ~~of record or in the district court,~~ IN  
11 THE COUNTY if THE jurors ~~on the panel or part of a panel~~  
12 ~~selected for such use~~ are otherwise eligible to serve as jurors  
13 in the ~~particular~~ OTHER TRIAL court.

14 (3) If a city located in more than 1 county is placed  
15 entirely within a single district of the district court ~~pursuant~~  
16 ~~to the provisions of~~ UNDER chapter 81, the supreme court by rule  
17 shall specify the procedure for compiling the ~~second~~ jury list  
18 for ~~that~~ THE district court IN THAT DISTRICT so ~~as to include~~  
19 THAT names and addresses of residents from the parts of the coun-  
20 ties ~~which~~ THAT comprise ~~such~~ THE district ARE INCLUDED IN  
21 THE JURY LIST.

22 Sec. 1326. If a grand jury is ordered by the court ~~—~~ or  
23 required by statute, the JURY board shall ~~draw~~ SELECT the names  
24 of a sufficient number of ~~persons~~ INDIVIDUALS, as determined by  
25 the ~~presiding~~ CHIEF circuit judge, to serve as grand jurors in  
26 accordance with the provisions of section 11 of chapter ~~7~~ VII  
27 of THE CODE OF CRIMINAL PROCEDURE, Act No. 175 of the Public Acts

1 of 1927, as amended, being section 767.11 of the MICHIGAN  
 2 Compiled Laws. ~~of 1948.~~ The names shall be drawn in the same  
 3 manner and from the same source as petit jurors. The term of  
 4 service of grand jurors shall be as prescribed by section 7a of  
 5 chapter ~~7~~ VII of THE CODE OF CRIMINAL PROCEDURE, Act No. 175 of  
 6 the Public Acts of 1927, as added, being section 767.7a of the  
 7 MICHIGAN Compiled Laws. ~~of 1948.~~

8       Sec. 1327. ~~A drawing~~ IN A COUNTY USING SLIPS PREPARED AND  
 9 DEPOSITED INTO THE BOARD BOX UNDER SECTIONS 1321 TO 1323, THE  
 10 SELECTION of jurors shall take place in public within the time  
 11 limit fixed by the ~~presiding~~ CHIEF circuit judge and at a time  
 12 and place designated by the JURY board. At the time and place  
 13 appointed, the clerk, or ~~his~~ THE CLERK'S deputy, and a judge or  
 14 an elected official, other than the clerk, as designated by the  
 15 ~~presiding~~ CHIEF judge shall attend to witness and assist in the  
 16 ~~drawing~~ SELECTION of jurors.

17       Sec. 1328. ~~The~~ IN A COUNTY USING SLIPS PREPARED AND  
 18 DEPOSITED INTO THE BOARD BOX UNDER SECTIONS 1321 TO 1323, THE  
 19 JURY board shall proceed in the drawing ~~as hereinafter~~  
 20 ~~provided.~~ OF JURORS AS FOLLOWS:

21       (A) An employee of the JURY board, or a JURY board member,  
 22 shall shake or turn the board box to ~~fairly~~ mix the slips ~~of~~  
 23 ~~paper~~ deposited ~~therein~~ IN THE BOARD BOX without exposing  
 24 them.

25       (B) The employee ~~or~~ OF THE JURY board OR A JURY BOARD  
 26 member, in the presence of the officer ~~or officers~~ attending  
 27 ~~—~~ AND without seeing the names on the slips, shall ~~then~~ draw

1 publicly from the box the NUMBER OF names of ~~as many~~ jurors ~~as~~  
2 ~~were~~ THAT ARE ordered by the CHIEF judge UNDER SECTION 1324.

3 (C) An attending officer or EMPLOYEE OF THE JURY BOARD OR  
4 JURY board member ~~or an employee of the board~~ shall keep ~~a~~  
5 ~~minute~~ MINUTES of the drawing, in which ~~he~~ THE ATTENDING OFFI-  
6 CER OR EMPLOYEE OF THE JURY BOARD OR JURY BOARD MEMBER shall  
7 enter the name written on every slip ~~of paper~~ drawn before ~~any~~  
8 ~~other~~ ANOTHER slip is drawn.

9 (D) If the name of ~~a person~~ AN INDIVIDUAL is drawn ~~who~~  
10 AND A MEMBER OF THE JURY BOARD KNOWS THAT INDIVIDUAL is not qual-  
11 ified to serve as a juror, ~~to the knowledge of any member of the~~  
12 ~~board, an entry of this~~ THAT fact shall be ~~made~~ ENTERED on the  
13 ~~minute~~ MINUTES of the drawing, the slip ~~of paper~~ containing  
14 ~~his~~ THE name OF THE DISQUALIFIED INDIVIDUAL shall be destroyed,  
15 and another slip ~~then drawn in place of that~~ SHALL BE DRAWN TO  
16 REPLACE THE destroyed SLIP.

17 (E) The minutes of the drawing shall be signed by the  
18 EMPLOYEE OF THE JURY BOARD OR THE JURY board member and the  
19 attending ~~officers~~ OFFICER and filed in the office of the JURY  
20 board. The signature shall constitute a certificate that the  
21 minutes are correct and that all provisions of law have been com-  
22 plied with.

23 Sec. 1329. (1) The legality or regularity of the drawing OF  
24 JURORS UNDER SECTION 1328 shall not be questioned if the minutes  
25 of the drawing are properly signed AS REQUIRED IN SECTION 1328.

26 (2) THE LEGALITY OR REGULARITY OF THE SELECTION OF JURORS  
27 UNDER A PLAN ADOPTED UNDER SECTION 1310A SHALL NOT BE QUESTIONED

1 IF THE MINUTES OF THE SELECTION MEETING ARE PROPERLY SIGNED AS  
2 REQUIRED IN SECTION 1310A.

3 (3) If the name of ~~any person~~ AN INDIVIDUAL not qualified  
4 to serve as a juror is included in the names ~~drawn~~ SELECTED  
5 UNDER A PLAN ADOPTED PURSUANT TO SECTION 1310A OR UNDER  
6 SECTIONS 1321 TO 1324 AND 1327 TO 1328, this fact shall not be a  
7 ground of challenge to ~~the~~ AN array OF JURORS, but only a  
8 ground of personal challenge to the ~~person shown to be so~~ dis-  
9 qualified INDIVIDUAL.

10 (4) ~~(2)~~ If the JURY BOARD DOES NOT USE ELECTRONIC OR  
11 MECHANICAL DEVICES TO SELECT JURORS FROM THE COMPILED LIST AND IF  
12 THE jurors ~~were~~ ARE drawn ~~in accordance with~~ PURSUANT TO this  
13 ~~act~~ CHAPTER and the SUPREME COURT rules, ~~of the court,~~ it is  
14 not a ground of challenge to ~~a panel or~~ THE array of jurors  
15 that the ~~person~~ INDIVIDUAL who drew ~~them was~~ THE JURORS IS a  
16 party or interested in the cause, ~~or was~~ IS counsel or attorney  
17 for, or related to, either party ~~therein~~ IN THE CAUSE.

18 (5) ~~(3)~~ If the jurors ~~were drawn in accordance with~~ ARE  
19 SELECTED PURSUANT TO this ~~act~~ CHAPTER and the SUPREME COURT  
20 rules, ~~of the court,~~ it is not a ground of challenge to ~~a~~  
21 ~~panel or~~ AN array of jurors that they were summoned by the sher-  
22 iff who ~~was~~ IS a party ~~,~~ or interested in the cause ~~,~~ or IS  
23 related to either party ~~therein~~ IN THE CAUSE, unless it is  
24 alleged in the challenge and satisfactorily shown that some of  
25 the jurors ~~drawn~~ SELECTED were not summoned ~~,~~ and that this  
26 omission was intentional BY THE SHERIFF.

1       Sec. 1330. When the drawing ~~is finished~~ OF JURORS UNDER  
2 SECTION 1328 IS COMPLETED, the EMPLOYEE OF THE JURY BOARD OR JURY  
3 board ~~box~~ MEMBER shall ~~be closed and sealed~~ CLOSE AND SEAL  
4 THE BOARD BOX in the presence of the ~~officers~~ OFFICER. All  
5 slips drawn out of the board box, unless destroyed as provided in  
6 ~~this chapter~~ SECTION 1328, shall be delivered to the clerk of  
7 the TRIAL court for which the jurors were drawn. The board box  
8 shall be kept in the custody of the JURY board at all times ~~,~~  
9 and shall not be opened nor the seal ~~be~~ broken until another  
10 drawing ~~,~~ OF JURORS unless OTHERWISE ordered by the court.

11       Sec. 1331. The JURY board shall deliver to the clerk  
12 ~~lists~~ OF THE TRIAL COURT A LIST containing the names and  
13 addresses of the jurors ~~drawn~~ SELECTED PURSUANT TO  
14 SECTION 1310(2), 1310A, OR 1328.

15       Sec. 1332. The clerk OF THE TRIAL COURT or sheriff shall  
16 summon THE jurors SELECTED for court attendance at ~~such times~~  
17 THE TIME and in ~~such~~ THE manner as directed by the ~~presiding~~  
18 ~~judge or by the judge to whom the action in which jurors are~~  
19 ~~being called for service is assigned~~ CHIEF JUDGE OF A TRIAL  
20 COURT. For a juror's first required court appearance, service  
21 shall be by a written notice addressed to ~~him at his~~ THE JUROR  
22 AT THE JUROR'S place of residence as shown by the records of the  
23 JURY board. ~~, which~~ THE notice may be by ordinary mail or by  
24 personal service. For subsequent service notice may be in any  
25 manner directed by the CHIEF judge. The officer giving notice to  
26 jurors shall keep a record ~~thereof~~ OF THE SERVICE 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. 1332A. IF THE NAME OF AN INDIVIDUAL WHO IS DECEASED OR  
4 WHO HAS MOVED FROM THE COUNTY IS SELECTED FOR JURY SERVICE OR THE  
5 POST OFFICE RETURNS A MAILED NOTICE, SUMMONS, OR QUESTIONNAIRE  
6 FOR THE REASON THAT THE ADDRESSEE WAS NOT FOUND, THE JURY BOARD  
7 SHALL REMOVE THAT INDIVIDUAL'S NAME FROM THE QUALIFIED JURORS'  
8 LIST AND FORWARD THAT FACT TO THE SECRETARY OF STATE.

9 Sec. 1333. (1) ~~A person~~ AN INDIVIDUAL who is NOT DISQUAL-  
10 IFIED OR EXEMPTED FROM JURY SERVICE UNDER THIS CHAPTER AND WHO IS  
11 notified to ~~attend~~ REPORT as a juror may apply to the  
12 ~~presiding~~ JURY BOARD OR THE CHIEF judge of the TRIAL court to  
13 be excused or have his OR HER term of service postponed on any  
14 ground ~~herein~~ provided IN THIS CHAPTER. ~~He~~ THE INDIVIDUAL  
15 may apply in person or by ~~a person~~ AN INDIVIDUAL capable of  
16 making the necessary proof of his OR HER claim.

17 (2) THE JURY BOARD OR THE CHIEF JUDGE OF THE TRIAL COURT MAY  
18 GRANT A POSTPONEMENT OF JURY SERVICE TO AN INDIVIDUAL IF THAT  
19 INDIVIDUAL HAS NOT BEEN CALLED FOR VOIR DIRE EXAMINATION IN AN  
20 ACTION. IF THE JURY BOARD GRANTS A POSTPONEMENT, THE JURY BOARD  
21 SHALL DETERMINE A FUTURE DATE, WITHIN THE NEXT SUCCEEDING  
22 6 MONTHS, ON WHICH THE INDIVIDUAL MAY SERVE. IF THE CHIEF JUDGE  
23 OF THE TRIAL COURT GRANTS A POSTPONEMENT, THE CHIEF JUDGE SHALL  
24 DETERMINE A FUTURE DATE, WITHIN THE NEXT SUCCEEDING 6 MONTHS, ON  
25 WHICH THE INDIVIDUAL MAY SERVE AND SHALL DIRECT THE JURY BOARD TO  
26 CALL THE INDIVIDUAL FOR JURY SERVICE ON THE DETERMINED DATE.

1 (3) An entry of the action of the ~~presiding~~ CHIEF judge OF  
2 THE TRIAL COURT upon the application ~~and of the reason therefor~~  
3 UNDER SUBSECTION (1) shall be made on the records of the TRIAL  
4 court.

5 Sec. 1334. ~~(1) The presiding judge may excuse any juror or~~  
6 ~~jurors from attendance without pay for any portion of the term.~~  
7 ~~The presiding judge shall excuse jurors from attendance on days~~  
8 ~~when it is not expected that they will be required. The presid-~~  
9 ~~ing judge may postpone the service of a juror to a later term of~~  
10 ~~court if the juror has not been called for voir dire examination~~  
11 ~~in any action.~~

12 ~~(2) The judge presiding at the trial of an action may excuse~~  
13 ~~jurors from attendance at such trial for cause.~~ UPON THE REQUEST  
14 OF A JUROR CALLED FOR VOIR DIRE EXAMINATION, THE CHIEF JUDGE OF  
15 AN ACTION MAY POSTPONE THE SERVICE OF A JUROR TO A LATER DATE,  
16 WITHIN THE NEXT SUCCEEDING 6 MONTHS, ON WHICH THE INDIVIDUAL MAY  
17 SERVE. THE CHIEF JUDGE OF THE TRIAL COURT SHALL DIRECT THE JURY  
18 BOARD TO CALL THE INDIVIDUAL FOR JURY SERVICE ON THE DETERMINED  
19 DATE.

20 Sec. 1337. ~~When~~ IF the court finds that ~~a person~~ AN  
21 INDIVIDUAL in attendance upon the court as a juror is not quali-  
22 fied to serve as a juror, or is exempt and claims an exemption,  
23 the court shall discharge ~~him~~ THAT INDIVIDUAL from further  
24 attendance and service as a juror.

25 Sec. 1338. (1) ~~When any person is excused~~ IF THE NAMES OF  
26 JURORS ARE SELECTED BY SLIPS UNDER SECTION 1328 AND IF AN  
27 INDIVIDUAL IS EXCLUDED from serving on the ground that ~~he~~ THE

1 INDIVIDUAL is exempt by law from serving on juries, or not  
2 qualified to serve as a juror, the clerk of the court shall  
3 destroy the slip containing the name of that ~~person~~  
4 INDIVIDUAL.

5 (2) The slip containing the name of ~~any person~~ AN  
6 INDIVIDUAL whose time of service is postponed BY THE JURY BOARD  
7 OR CHIEF JUDGE shall not be returned to the board box.

8 Sec. 1339. (1) The ~~presiding~~ CHIEF judge OF A TRIAL COURT  
9 shall report to the JURY board the names of all jurors whose  
10 service has been postponed BY THAT JUDGE to a subsequent time,  
11 and the names shall be placed upon the list of jurors ~~drawn~~  
12 SELECTED for that time. ~~No more~~

13 (2) IF THE NAMES OF JURORS ARE SELECTED BY SLIPS UNDER  
14 SECTION 1328, A NUMBER OF names shall be drawn from the board box  
15 ~~than~~ THAT are sufficient to make up the number ordered by  
16 adding the names of the jurors ~~so~~ WHOSE TIME OF SERVICE IS  
17 postponed to the names then drawn.

18 Sec. 1340. ~~The clerk of the court, within 10 days after~~  
19 ~~the close of each term for which jurors have been drawn, shall~~  
20 ~~deliver to the board his certificate specifying distinctly and in~~  
21 ~~detail as follows~~ THE JURY BOARD SHALL KEEP A CURRENT LIST OF  
22 ALL OF THE FOLLOWING:

23 (a) The name and residence of each juror who was ~~excused~~  
24 EXCLUDED or discharged by the court, with the reason ~~therefor~~  
25 FOR THE EXCLUSION OR DISCHARGE.

26 (b) The name and residence of each ~~person~~ INDIVIDUAL  
27 notified who did not attend or serve.

1 (c) The name and residence of each ~~person~~ INDIVIDUAL  
2 punished for contempt as provided in this chapter.

3 Sec. 1341. (1) The ~~presiding~~ CHIEF judge of a TRIAL court  
4 may order additional jurors ~~drawn~~ SELECTED by the JURY board  
5 for service ~~during the period of service of a jury panel or a~~  
6 ~~part thereof. A judge of a court of record or district court may~~  
7 ~~order additional jurors drawn by the board for immediate service~~  
8 ~~in a particular case. The~~ IF NEEDED.

9 (2) IN A COUNTY IN WHICH THE NAMES OF JURORS ARE SELECTED BY  
10 SLIPS UNDER SECTION 1328, THE CHIEF JUDGE'S order shall specify  
11 the number to be drawn ~~—~~ and the time and place of drawing. If  
12 additional jurors are needed for immediate service in a particu-  
13 lar case, ~~any~~ A member of the jury board may conduct the draw-  
14 ing if witnessed by the clerk or ~~his~~ THE CLERK'S deputy and by  
15 the CHIEF judge ordering the drawing.

16 (3) Jurors whose names are ~~so~~ drawn UNDER THIS SECTION  
17 shall be given notice to attend court in ~~such~~ THE manner ~~as~~  
18 THAT the court directs. ~~Additional jurors so drawn shall become~~  
19 ~~members of the panel then serving unless otherwise directed by~~  
20 ~~the presiding judge.~~

21 Sec. 1342. If the JURY board fails to meet and ~~return the~~  
22 ~~second jury list~~ SELECT JURORS at the time prescribed, or if any  
23 JURY list ~~of jurors~~ becomes exhausted or declared illegal, the  
24 ~~presiding~~ CHIEF circuit judge may order the JURY board to meet  
25 and ~~make a new list of~~ SELECT ADDITIONAL jurors.

26 Sec. 1343. The term of service of A petit ~~jurors~~ JUROR  
27 shall be determined ~~by local court rule but shall not exceed the~~

1 ~~term of court, unless at the end of this period a juror is~~  
2 ~~serving in connection with an unfinished case, in which event he~~  
3 ~~shall continue to serve, in that case only, until the case in~~  
4 ~~which he is serving is finished. Once commenced, the term of~~  
5 ~~service shall be continuous except as provided in sections 1334~~  
6 ~~to 1336.~~ AS FOLLOWS:

7 (A) JURY SERVICE IS COMPLETED WHEN THE FIRST TRIAL TO WHICH  
8 THE JUROR IS SWORN IS CONCLUDED REGARDLESS OF THE LENGTH OF THE  
9 TRIAL OR THE MANNER IN WHICH THE CASE IS DISPOSED.

10 (B) A JUROR WHO IS CHALLENGED AT VOIR DIRE EXAMINATION IN A  
11 CASE SHALL BE RETURNED TO THE JURY POOL AND SUBJECT TO VOIR DIRE  
12 EXAMINATION IN OTHER CASES FOR THE REMAINDER OF THAT DAY.

13 (C) A JUROR WHO REMAINS UNSEATED AND UNCHALLENGED AT VOIR  
14 DIRE EXAMINATION SHALL BE DISCHARGED AT THE END OF THAT DAY.  
15 HOWEVER, A JUROR MAY BE HELD OVER FOR CONTINUATION OF VOIR DIRE  
16 EXAMINATION IN A CASE AT THE DISCRETION OF THE TRIAL JUDGE.

17 Sec. 1344. (1) A juror shall be ~~paid mileage at a rate,~~  
18 ~~determined by the county board of commissioners, which is not~~  
19 ~~less than 10 cents per mile for traveling expenses from the~~  
20 ~~juror's residence to the place of holding court and return for~~  
21 ~~each day or 1/2 day of actual attendance at sessions of the~~  
22 ~~court. The juror also shall be compensated at a~~ THE rate ~~7~~  
23 ~~determined by the county board of commissioners, which is not~~  
24 ~~less than \$15.00~~ OF \$25.00 per day ~~and \$7.50 per 1/2 day~~ of  
25 actual attendance at the court.

26 (2) If an action is removed from the circuit court to ~~a~~  
27 ~~lower~~ THE DISTRICT court PURSUANT TO SECTION 641, the jury fee

1 shall be paid to the circuit court whether paid before or after  
2 removal of the action to the ~~lower~~ DISTRICT court, and the cir-  
3 cuit court shall be responsible for THE payment of ~~the~~ compen-  
4 sation to the juror involved.

5 (3) BEGINNING WITH THE SECOND DAY OF SERVICE OF A JUROR WHO  
6 IS IMPANELED ON A JURY, THE STATE SHALL REIMBURSE THE COUNTY OR  
7 DISTRICT CONTROL UNIT FOR 50% OF THE AMOUNT OF COMPENSATION PAID  
8 TO THE JUROR.

9 (4) ~~(3)~~ A clerk or deputy clerk of the court who fraudu-  
10 lently issues a certificate of attendance of a juror ~~on~~ UPON  
11 which the juror receives pay, except as allowed by law, is guilty  
12 of a misdemeanor, punishable by imprisonment for not more than 6  
13 months, or a fine of not more than \$500.00, or both.

14 Sec. 1345. A JURY board member shall report to the prose-  
15 cuting attorney and the ~~presiding~~ CHIEF circuit judge the name  
16 of any ~~person~~ INDIVIDUAL who in any manner seeks by request,  
17 hint, or suggestion to influence the JURY board or its members in  
18 the selection of ~~any~~ A juror.

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

21 (a) Failing to answer the questionnaire provided ~~for in~~  
22 UNDER section 1313.

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

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

1 (d) Refusing to answer questions ASKED BY A MEMBER OF THE  
2 JURY BOARD pertaining to ~~his~~ THE JUROR'S qualifications as a  
3 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 he~~ THAT THE  
9 JUROR can give affecting the liability or qualification of ~~a~~  
10 ~~person other than himself~~ ANOTHER INDIVIDUAL to serve as a  
11 juror.

12 (g) Offering, promising, paying, or giving money or anything  
13 of value to, or taking money or anything of value from ~~, a~~  
14 person, firm, or corporation for the purpose of enabling  
15 ~~himself~~ THE JUROR or another ~~person~~ INDIVIDUAL to evade serv-  
16 ice ~~or~~ AS A JUROR, to be wrongfully discharged, exempted, or  
17 ~~excused~~ DISQUALIFIED from service as a juror, OR TO HAVE SERV-  
18 ICE AS A JUROR WRONGFULLY POSTPONED.

19 (h) Tampering unlawfully in any manner with a jury list ~~, or~~  
20 PREPARED UNDER SECTION 1310(2), 1310A, OR 1312 OR the board box  
21 ~~, the jury box~~ or the slips PREPARED UNDER SECTION 1321.

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

24 (j) ~~Wilfully~~ WILLFULLY omitting to put on the jury list  
25 the name of ~~a person~~ AN INDIVIDUAL qualified and liable for  
26 jury duty.

1 (k) ~~Wilfully~~ WILLFULLY omitting to prepare or file a list  
2 or slip.

3 (l) Doing, or omitting to do, an act ~~with the design~~ to  
4 prevent the name of ~~a person~~ AN INDIVIDUAL qualified and liable  
5 to serve as a juror from being placed in the board box ~~or jury~~  
6 ~~box,~~ or from being drawn for service as a juror.

7 (m) ~~Wilfully~~ WILLFULLY placing the name of ~~a person~~ AN  
8 INDIVIDUAL upon a list, ~~or~~ preparing a slip with the name of ~~a~~  
9 ~~person thereon~~ AN INDIVIDUAL ON THE SLIP, or placing a slip in  
10 the ~~jury~~ BOARD box with the name of ~~a person thereon, who~~ AN  
11 INDIVIDUAL ON THE SLIP IF THE INDIVIDUAL is not qualified TO  
12 SERVE as a juror.

13 Sec. 1347. (1) ~~A person drawn~~ AN INDIVIDUAL SELECTED or  
14 summoned as a juror who takes anything to give ~~his~~ THE JUROR'S  
15 verdict or receives any gift or gratuity from any party to an  
16 action for the trial of which ~~he~~ THE JUROR has been ~~drawn~~  
17 SELECTED or summoned AS A JUROR is liable to the party aggrieved  
18 for actual damages sustained plus 10 times the amount or value of  
19 the thing ~~which he~~ THAT THE JUROR has taken, in addition to any  
20 criminal punishment to which ~~he~~ THE JUROR may be subject by  
21 law.

22 (2) An ~~embracer~~ EMBRACEOR who procures ~~a person drawn~~ AN  
23 INDIVIDUAL SELECTED or summoned as a juror to take gain or profit  
24 contrary to ~~the provisions of~~ subsection (1) is liable to the  
25 aggrieved party for the actual damages sustained plus 10 times  
26 the amount or value of the thing which was taken.



1       Sec. 1348. (1) An employer or the employer's agent, who  
2 threatens to discharge or discipline or who discharges,  
3 disciplines, or causes to be discharged from employment or to be  
4 disciplined ~~a person~~ AN INDIVIDUAL because that ~~person~~  
5 INDIVIDUAL is summoned for jury duty, serves on a jury, or has  
6 served on a jury, is guilty of a misdemeanor, and may also be  
7 punished for contempt of court.

8       (2) An employer or the employer's agent who requires ~~a~~  
9 ~~person having~~ AN INDIVIDUAL SUMMONED FOR jury duty to work ~~any~~  
10 A number of hours during a day which, if added to the number of  
11 hours ~~which~~ THAT the ~~person~~ INDIVIDUAL spends on jury duty  
12 during that day, exceeds the number of hours normally and custom-  
13 arily worked by the ~~person~~ INDIVIDUAL during a day, or the  
14 number of hours normally and customarily worked by the ~~person~~  
15 INDIVIDUAL during a day which extends beyond the normal and cus-  
16 tomary quitting time of that ~~person~~ INDIVIDUAL unless volun-  
17 tarily agreed to by that ~~person~~ INDIVIDUAL, or as provided in a  
18 collective bargaining agreement is guilty of a misdemeanor, and  
19 may also be punished for contempt of court.

20       Sec. 1349. ~~No~~ A juror may NOT be subject to an action,  
21 civil or criminal, on account of any verdict except for corrupt  
22 conduct in rendering ~~such~~ THE verdict ~~in the cases~~ AS pre-  
23 scribed by law.

24       Sec. 1350. Juries for condemnation cases and grade separa-  
25 tion damage cases shall be selected and impaneled from the  
26 ~~persons~~ INDIVIDUALS summoned to serve as petit jurors ~~at that~~  
27 ~~term of~~ FOR the court having jurisdiction over ~~such~~ THOSE

1 proceedings in the same manner as petit juries are selected and  
2 impaneled in other civil cases in the same court. Juries for  
3 ~~such~~ THOSE cases shall not be selected and impaneled in the  
4 manner prescribed by the provisions of the statute under which  
5 the proceedings were instituted. A jury ~~for such cases~~  
6 SELECTED UNDER THIS SECTION shall consist of 6 ~~persons~~  
7 INDIVIDUALS.

8       Sec. 1352. In civil cases commenced in a court governed by  
9 this chapter, ~~when~~ IF a trial by jury is requested ~~in accord-~~  
10 ~~ance with rules of the~~ PURSUANT TO supreme court RULES, the  
11 trial shall be by a jury of 6. Except in cases involving the  
12 possible commitment of ~~a person~~ AN INDIVIDUAL to a mental,  
13 correctional, or training institution, a verdict in any civil  
14 case including condemnation and grade separation cases shall be  
15 received when 5 jurors agree. In civil cases involving the pos-  
16 sible commitment OF AN INDIVIDUAL to a mental, correctional, or  
17 training institution, the court shall receive only a unanimous  
18 verdict.

19       Sec. 1353. The CIRCUIT judges of each JUDICIAL circuit  
20 ~~court~~ may ~~establish~~ ADOPT rules, not inconsistent with ~~the~~  
21 ~~provisions herein~~ THIS CHAPTER, necessary to carry out ~~these~~  
22 ~~provisions~~ THIS CHAPTER and to insure the proper conduct of the  
23 work of the JURY board members. ~~The judges of each circuit~~  
24 ~~court may provide by rule that the terms of jury service herein~~  
25 ~~provided need not commence at the same time for all members of a~~  
26 ~~panel.~~

1       Sec. 1354. (1) Failure to comply with ~~the provisions of~~  
2 this chapter shall not be grounds for a continuance nor shall it  
3 affect the validity of a jury verdict unless the party requesting  
4 the continuance or claiming invalidity has made timely objection,  
5 ~~and~~ unless the party demonstrates actual prejudice to ~~his~~ THE  
6 PARTY'S cause, and unless the noncompliance is substantial. An  
7 objection made at the day of a scheduled trial shall not be con-  
8 sidered timely unless the objection, with the exercise of reason-  
9 able diligence, could not have been made at an earlier time.

10       (2) If a data processing error occurs, that error shall not  
11 constitute grounds for questioning the entire list selected but  
12 only the specific ~~person~~ INDIVIDUAL affected.

13       Sec. 1355. With respect to the selection and impaneling of  
14 jurors, any examination, challenge, replacement, oath, or other  
15 practice not otherwise governed by ~~the provisions of~~ this chap-  
16 ter shall be governed by ~~rules adopted by the~~ supreme ~~Court~~  
17 COURT RULES.

18       Section 2. Sections 1301b, 1320, 1335, 1336, 1371, 1372,  
19 1374, 1375, and 1376 of Act No. 236 of the Public Acts of 1961,  
20 being sections 600.1301b, 600.1320, 600.1335, 600.1336, 600.1371,  
21 600.1372, 600.1374, 600.1375, and 600.1376 of the Michigan  
22 Compiled Laws, are repealed.

23       Section 3. This amendatory act shall take effect January 1,  
24 1991.