



**House  
Legislative  
Analysis  
Section**

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**REVISE JURY SELECTION PROCESS**

**House Bill 5398**

**Sponsor: Rep. Laura Baird**

**Committee: Family and Civil Law**

**Complete to 11-1-00**

**A SUMMARY OF HOUSE BILL 5398 AS INTRODUCED 2-17-00**

Under current law, potential jurors are selected from a list compiled by the secretary of state. The current system requires a court to send juror qualification questionnaires to randomly selected people from this list, and then to send a summons to appear for service to the qualified potential jurors (those people who return their questionnaires and are not exempt from service). There is a significant disparity in the response and qualification rate between cities within a county. For some cities the percentage of persons who return the questionnaire and qualify as juror may be as high as 95 percent, while other cities may only have qualification rates of 65 percent. This often means that the majority of jurors tend to be drawn from the same area.

The bill would amend the Revised Judicature Act to allow each county's jury board to attempt to ensure that all areas of the county were proportionately represented on the first jury list. The bill would create an exception to the existing requirement that individuals placed on the first jury list must be selected through a random process. Under the bill, the board could, for example, select a greater number of names from areas that typically have been under represented in jury pools or replace undeliverable or unanswered questionnaires from under represented areas with names from those same areas. However, any techniques that the board decided to employ would have to first be approved by the chief circuit judge for that county.

Furthermore, the jury boards would be allowed to serve the jury questionnaire with the written summons to appear, instead of requiring the summons to be sent later and separately.

Finally, the bill would also delete an obsolete provision that has not been in effect since December 31, 1986.

MCL 600.1304 et al.

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