



# HOUSE BILL No. 5398

February 17, 2000, Introduced by Rep. Baird and referred to the Committee on Family and Civil Law.

A bill to amend 1961 PA 236, entitled  
"Revised judicature act of 1961,"  
by amending sections 1312, 1313, and 1332 (MCL 600.1312,  
600.1313, and 600.1332), section 1312 as amended by 1986 PA 104.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1312. (1) ~~The~~ SUBJECT TO SUBSECTION (3), THE board  
2 shall apply the key number uniformly to the names on the list  
3 received pursuant to section 1310 and compile a list or card  
4 index, to be known as the first jury list, which shall include  
5 every name and only those names as the application of the key  
6 number has designated. The board shall do this as follows:

7       ~~(a) Arrange the various voter registration lists into 1~~  
8 ~~list. The order in which the lists are arranged or the fact that~~  
9 ~~some lists are by precincts, and some lists are alphabetized, is~~

1 ~~not relevant. This subdivision shall not apply after~~  
2 ~~December 31, 1986.~~

3 (A) ~~-(b)-~~ Select by a random method a starting number  
4 between 0 and the key number.

5 (B) ~~-(c)-~~ Count down the list the number of names to reach  
6 the starting number. That name shall be placed on the first jury  
7 list.

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

11 (D) ~~-(e)-~~ Repeat the process provided in subdivision ~~-(d)-~~  
12 (C) until the whole list has been counted and the names placed on  
13 the first jury list.

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

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

21 (3) IN ANY COUNTY, THE BOARD MAY EMPLOY TECHNIQUES DESIGNED  
22 TO ENSURE THAT ALL AREAS OF THE COUNTY ARE REPRESENTED PROPOR-  
23 TIONATELY ON THE FIRST JURY LIST. THESE TECHNIQUES MAY INCLUDE,  
24 FOR EXAMPLE, SELECTING A GREATER NUMBER OF NAMES FROM AREAS THAT  
25 TYPICALLY HAVE BEEN UNDERREPRESENTED IN JURY POOLS OR REPLACING  
26 UNDELIVERABLE OR UNANSWERED QUESTIONNAIRES FROM UNDERREPRESENTED  
27 AREAS WITH NAMES FROM THOSE SAME AREAS. ANY TECHNIQUES EMPLOYED

1 UNDER THIS SECTION SHALL FIRST BE APPROVED BY THE CHIEF CIRCUIT  
2 JUDGE FOR THE COUNTY.

3       Sec. 1313. (1) The board shall supply a juror qualifica-  
4 tions questionnaire to persons on the first jury list. This  
5 questionnaire shall contain blanks for the information the board  
6 desires, concerning qualifications for, and exemptions from, jury  
7 service. Persons on the first jury list are required to return  
8 the questionnaire fully answered to the jury board within 10 days  
9 after it is received.

10       (2) IN ANY COUNTY, THE JURY QUESTIONNAIRE DESCRIBED IN THIS  
11 SECTION AND THE WRITTEN SUMMONS NOTICE DESCRIBED IN SECTION 1332  
12 MAY BE PROVIDED TOGETHER.

13       Sec. 1332. (1) The clerk or sheriff shall summon jurors for  
14 court attendance at such times and in such manner as directed by  
15 the CHIEF OR presiding judge or by the judge to whom the action  
16 in which jurors are being called for service is assigned. For a  
17 juror's first required court appearance, service shall be by a  
18 written notice addressed to him OR HER at his OR HER place of  
19 residence as shown by the records of the board. ~~—, which~~ THE  
20 notice may be by ordinary mail or by personal service. For sub-  
21 sequent service notice may be in any manner directed by the  
22 judge. The officer giving notice to jurors shall keep a record  
23 ~~thereof and~~ OF THE NOTICE. THE OFFICER shall make a return if  
24 directed by the court, ~~— Such return~~ WHICH shall be presump-  
25 tive evidence of the fact of service.

1           (2) THE WRITTEN SUMMONS NOTICE DESCRIBED IN THIS SECTION MAY  
2 BE PROVIDED TOGETHER WITH THE JURY QUESTIONNAIRE AS PROVIDED IN  
3 SECTION 1313.