

House Bill 5129
Sponsor: Rep. Jim Howell
Committee: Judiciary

Complete to 10-13-03

A SUMMARY OF HOUSE BILL 5129 AS INTRODUCED 10-7-03

The bill would make several technical amendments regarding the jury selection process set forth in Chapter 13 of the Revised Judicature Act of 1961 (Public Act 236). The bill would take effect January 1, 2004. Among the other technical and editorial changes, the bill would amend the act as follows:

- Add that in any county, the jury questionnaire and written summons notice could be provided in the same mailing.
- Delete detailed language pertaining to the second jury list that requires the jury board to: record the names and addresses of persons selected, and whether records indicate that those persons are shown to be freeholders (property owners); fold the slip of paper with the names of those on the second jury list; and deposit the slips into the board box, the form and construction of which must be approved by the chairman or president of board.
- Delete detailed language pertaining to the jury selection process that requires an employee of the jury board or a board member to shake and turn the board box in such a manner as to fairly mix the slips of paper without exposing them, and to publicly draw names of as many jurors as ordered by the judge. Rather, the bill would require the jury selection to be conducted in a ‘random manner as ordered by the chief circuit judge’.
- Add that the jury board would summon jurors for court attendance. Under current law, only the clerk of the court or the sheriff summon jurors.
- Add that a designee of the clerk of the court could certify the name and residence of each juror who was excused or discharged and the reasons for such excuse or discharge; each person notified who did not attend or serve; and each person punished for contempt. Under current law, only the clerk of the court can perform this function.

The major technical amendments of the bill include the following:

- Delete references to a ‘municipal court of record’. [The only such court was the Detroit Recorder’s Court, which was merged with the Third Circuit Court (Wayne County) pursuant to Public Act 374 of 1996.]
- Delete an outdated reference to “a common pleas court”.
- Delete several date-sensitive provisions that are no longer applicable. [See MCL 600.1304, 600.1310, 600.1312, and 600.1375.]

- Change references to the “presiding” judge of each circuit court or court of record, to instead refer to the “chief” judge of the court.

- Delete language regarding the determinations of the jury board as to whether a person is a freeholder (a property owner).

MCL 600.1301a et al.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.