

HOUSE BILL No. 4150

January 30, 2007, Introduced by Reps. Lemmons, Dean and Clack and referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending sections 1321 and 1324 (MCL 600.1321 and 600.1324), as
amended by 2004 PA 12.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1321. (1) The names of those persons on the first jury
2 list whom the board accepts as persons qualified for and not exempt
3 from jury service shall be compiled into a list to be known as the
4 second jury list. The list shall remain sealed until otherwise
5 ordered by the chief circuit judge.

6 (2) The board shall make an additional list consisting of the
7 names on the second jury list segregated by the geographical area
8 of the jurisdiction of each district court district. If there are

1 not sufficient names on the segregated list for any district court
2 district, the board shall apply again the key number to that
3 district only and obtain as many additional jurors as needed for
4 that district.

5 (3) IF A CITY HAVING A POPULATION OF 750,000 OR MORE IS WITHIN
6 THE COUNTY, THE JURY BOARD SHALL MAKE AN ADDITIONAL LIST CONSISTING
7 OF THE NAMES ON THE SECOND JURY LIST OF PERSONS WHO RESIDE IN THAT
8 CITY.

9 Sec. 1324. (1) From time to time, the chief judge of each
10 court of record in the county shall order the board to select
11 jurors for jury service. Each such order shall contain all of the
12 following information:

13 (a) A time limit within which the selection shall be
14 completed.

15 (b) The number of jurors to be selected for a panel.

16 (c) The number of panels to be selected.

17 (d) The court or courts in which each panel shall serve.

18 (e) The period of service of each panel, subject to section
19 1343.

20 (2) ~~Upon~~ **EXCEPT AS PROVIDED IN SUBSECTION (4), UPON** the order
21 of the chief circuit judge, jury panels or parts of jury panels
22 selected for any court in the county may be used for jury selection
23 in any court of record in the county, if jurors on the panel or
24 part of a panel selected for such use are otherwise eligible to
25 serve as jurors in the particular court.

26 (3) If a city located in more than 1 county is placed entirely
27 within a single district of the district court pursuant to chapter

1 81, the supreme court by rule shall specify the procedure for
2 compiling the second jury list for that district court district so
3 as to include names and addresses of residents from the parts of
4 the counties which comprise that district.

5 (4) UPON THE REQUEST OF THE DEFENDANT IN A CRIMINAL TRIAL HELD
6 IN CIRCUIT OR DISTRICT COURT IN A CITY HAVING A POPULATION OF
7 750,000 OR MORE, THE JURORS SERVING IN THAT TRIAL ALL SHALL BE
8 RESIDENTS OF THAT CITY. THIS SUBSECTION DOES NOT TAKE EFFECT UNLESS
9 THE OPTION OF ALLOWING DEFENDANTS IN CRIMINAL TRIALS TO REQUEST
10 JURIES CONSISTING ENTIRELY OF RESIDENTS OF THAT CITY IS APPROVED BY
11 THE CITY IN EITHER OF THE FOLLOWING WAYS:

12 (A) THE LEGISLATIVE BODY OF THE CITY, BY A RESOLUTION APPROVED
13 BY A MAJORITY OF ITS MEMBERS, APPROVES THAT OPTION.

14 (B) THE CITY SUBMITS TO THE VOTERS OF THE CITY THE QUESTION OF
15 APPROVING THAT OPTION AND A MAJORITY OF THE QUALIFIED VOTERS WHO
16 VOTE ON THAT QUESTION APPROVE THAT OPTION.