

Original sponsor: Parker

Offered: 1/29/80
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 252

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the qualifications and selection of
7 jurors."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 09.20.010(3) is amended to read:

10 (3) at least 18 [19] years of age;

11 * Sec. 2. AS 09.20.025 is amended to read:

12 Sec. 09.20.025. LIMITATION ON JURY SERVICE. No person may be
13 required to serve more than three months in the aggregate as a juror
14 during any consecutive two-year period. However, if a person is serving
15 as a juror at the conclusion of the three months period, he shall com-
16 plete the trial then in progress. In this section, "serve" means actual
17 attendance required by the court as a member of a jury panel.

18 * Sec. 3. AS 09.20.030 is amended to read:

19 Sec. 09.20.030. EXEMPTIONS AND DEFERRAL OF SERVICE. (a) A person
20 may claim exemption and may be excused from service as a juror if it is
21 shown that jury service will cause him to suffer material injury or
22 destruction to his property or to the property entrusted to him, or if
23 his health, the health or proper care of his family, or the sickness or
24 death of a member of his family, or other substantial hardship to him-
25 self or others makes it necessary for him to be excused [, OR IF HE IS
26 (1) A JUDICIAL OFFICER: (2) ANY OTHER CIVIL OFFICER OF THE STATE OR
27 UNITED STATES WHOSE DUTIES ARE AT THE TIME INCONSISTENT WITH HIS
28 ATTENDANCE OR SERVICE AS A JUROR: (3) AN ATTORNEY: (4) A MINISTER OF
29 THE GOSPEL OR PRIEST OF ANY DENOMINATION: (5) A TEACHER IN A UNIVER-

1 SITY, COLLEGE, ACADEMY, OR SCHOOL: (6) A PRACTICING PHYSICIAN: (7) A
2 PRACTICING DENTIST].

3 (b) A person may request that his jury service be deferred if it
4 is shown that jury service at the time for which he is summoned will
5 cause hardship to himself or others. Jury service may not be deferred
6 for more than 10 months from the date the initial jury service was to
7 begin.

8 * Sec. 4. AS 09.20.050(c) is amended to read:

9 (c) A copy of the appropriate portion of the jury list shall be
10 transmitted to the presiding judge of each judicial district [ONLY TO
11 EACH DISTRICT JUDGE AND EACH SUPERIOR COURT JUDGE,] and shall only be
12 used to summon jurors and for other purposes of judicial administration.
13 To the extent possible, duplicate names and the names of deceased per-
14 sons and persons permanently excused from jury service shall be
15 eliminated from the list before it is transmitted to the presiding judge
16 [STATE GOVERNMENTAL PURPOSES]. A questionnaire for prospective jurors
17 may be adopted and submitted to them by the administrative director of
18 courts.

19 * Sec. 5. AS 09.20.060 is amended to read:

20 Sec. 09.20.060. USE OF JURY BOX OR COMPUTER LIST. The clerk of
21 the court shall write the names included in the list on separate pieces
22 of paper or prepare metal, plastic, or other types of pieces to corres-
23 pond to numbers on the jury list. As directed by the court, he shall
24 deposit the named or numbered pieces in the jury box in a number and
25 manner to assure a fair and impartial drawing of the jury panel. A
26 randomly generated computer list of prospective jurors may be used in
27 place of the jury box. The jury box, [AND] the named or numbered
28 pieces, and the computer list may be examined by the parties or by an
29 attorney authorized to practice law in the state within limitations and

1 under conditions prescribed by the court.

2 * Sec. 6. AS 09.20.070 is amended to read:

3 Sec. 09.20.070. PUBLIC DRAWING FOR JURORS FOR PANEL. Under the
4 direction of the court the clerk shall conduct the public drawing of
5 jurors for the panel by shaking the box to mix the named or numbered
6 pieces. The clerk shall then draw as many names or numbers as are
7 ordered by the court to fill the jury panel. A random selection of the
8 jury panel by computer may be used in place of the public drawing of
9 names. If the name or number of a person is drawn [FROM THE BOX] and
10 the person is deceased, unqualified, disqualified, or the person's
11 attendance cannot be obtained within a reasonable time or may involve a
12 large and unnecessary expense, and the fact appears to the satisfaction
13 of the court through the use of questionnaires or otherwise, the court
14 may reject the name of that person and direct that the name or number of
15 another be drawn in his place.

16 * Sec. 7. AS 09.20.080 is repealed and re-enacted to read:

17 Sec. 09.20.080. JURY PANEL. (a) The jury panel for the trial of
18 civil cases shall consist of at least double the number of jurors
19 actually needed to serve on the trial jury, including any alternate
20 jurors. If at any time the number of jurors on the panel falls below
21 this number or the regular panel is exhausted, the court shall order the
22 clerk to complete the panel or secure additional jurors by drawing
23 sufficient names from the jury box or by obtaining additional names from
24 the randomly generated computer list.

25 (b) If the list of prospective jurors for a court location fails
26 to produce sufficient names to constitute a jury panel of minimum size,
27 the administrative director of courts may authorize that additional
28 names of prospective jurors be secured from sources other than those
29 enumerated in AS 09.20.050, provided that the names of the additional

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prospective jurors are randomly selected.