

Introduced: 3/4/81
Referred: Judiciary

BY THE JUDICIARY COMMITTEE
BY REQUEST

1 IN THE HOUSE

2 HOUSE BILL NO. 254

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to jurors and jury panels; and provid-
7 ing for an effective date."

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 a total of three months as a juror during
14 any consecutive two-year period. However, if a person is serving as a
15 juror at the conclusion of the three months period, he shall complete
16 the trial then in progress. In this section, a person is "serving as a
17 juror" whenever he is in attendance in court as a member of a jury or
18 a jury panel.

19 * Sec. 3. AS 09.20.050(b) is amended to read:

20 (b) The jury list shall be based on a list of all persons who
21 purchased a resident trapping, hunting or fishing license during the
22 preceding calendar year which showed an Alaskan address (to be prepared
23 by the Department of Fish and Game), a list of all persons who filed
24 for a distribution of Alaska permanent fund income under AS 43.23 [A
25 STATE INCOME TAX RETURN] during the preceding calendar year which
26 showed an Alaskan address (to be prepared by the Department of Revenue),
27 [AND] a list of all persons who have registered to vote in this state
28 (to be prepared by the director of elections), and, if considered
29 necessary by the administrative director of courts, a list of all

1 persons who hold a valid Alaska drivers' license (to be prepared by
2 the Department of Public Safety) [LIEUTENANT GOVERNOR]]. The depart-
3 ments and the director of elections [LIEUTENANT GOVERNOR] shall submit
4 their respective lists [FILES] to the Department of Administration not
5 later than January 15 of each year. To the extent that it is available,
6 the lists [FILES] submitted by the departments and the director of
7 elections [LIEUTENANT GOVERNOR] shall contain the following information
8 for each person on the list for the preceding calendar year: his first
9 name, middle initial, and last name; his residence address as well as
10 his mailing address, including the zip code for each; his social secur-
11 ity number; his birth date; and the number of years and months he has
12 been a resident of the state. The lists [FILES] submitted by the
13 departments and the director of elections [LIEUTENANT GOVERNOR] shall
14 be recorded on magnetic tape compatible with Department of Administra-
15 tion data processing equipment.

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

17 (c) A copy of the appropriate portion of the jury list shall be
18 transmitted to the presiding judge of each judicial district [ONLY TO
19 EACH DISTRICT JUDGE AND EACH SUPERIOR COURT JUDGE,] and shall only be
20 used to summon jurors and for other purposes of judicial administra-
21 tion. Duplicate names and the names of deceased persons and persons
22 permanently excused from jury service shall be eliminated from the
23 list before it is transmitted to the presiding judge [STATE GOVERNMEN-
24 TAL PURPOSES]. A questionnaire for prospective jurors may be adopted
25 and submitted to them by the administrative director of courts.

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

27 Sec. 09.20.060. USE OF JURY BOX OR COMPUTER LIST. The clerk of
28 the court shall write the names included in the list on separate pieces
29 of paper or prepare metal, plastic, or other types of pieces to corre-

1 spond to numbers on the jury list. As directed by the court, he shall
2 deposit the named or numbered pieces in the jury box in a number and
3 manner to assure a fair and impartial drawing of the jury panel.
4 A randomly generated computer list of prospective jurors may be used
5 in place of the jury box. The jury box and the named or numbered
6 pieces, or the computer list may be examined by the parties or by an
7 attorney authorized to practice law in the state within limitations and
8 under conditions prescribed by the court.

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

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

23 * Sec. 7. AS 09.20.080 is repealed and reenacted to read:

24 Sec. 09.20.080. JURY PANEL. (a) The jury panel for the trial of
25 civil cases consists of at least twice the number of jurors needed to
26 serve on a trial jury, including any needed alternate jurors. If the
27 number of jurors on the panel falls below the number required by this
28 section or if the regular panel is exhausted, the court shall order the
29 clerk to complete the panel or to secure additional jurors by drawing

1 names from the jury box or by obtaining names from the randomly gener-
2 ated computer list.

3 (b) If the list of prospective jurors for a court location does
4 not produce sufficient names for a jury panel of minimum size, the
5 administrative director of courts may authorize that additional names
6 of prospective jurors be randomly selected from sources other than
7 those listed in AS 09.20.050.

8 * Sec. 8. Notwithstanding AS 09.20.050(b) amended by sec. 3 of this Act,
9 the Department of Revenue shall furnish the Department of Administration
10 with a list of all persons who filed for a distribution of Alaska permanent
11 fund income under AS 43.23 during calendar year 1980 within 30 days of the
12 effective date of this Act.

13 * Sec. 9. This Act takes effect immediately in accordance with AS 01.10.-
14 070(c).