

ENROLLED HOUSE
BILL NO. 1583

By: Nations of the House

and

Crutchfield of the Senate

An Act relating to municipal courts; amending 11 O.S. 2001, Section 27-120, which relates to the selection of jurors in municipal courts; adding an alternative method to select jurors; amending 38 O.S. 2001, Section 18.1, which relates to selection of jurors with the aid of mechanical or electronic means; allowing certain municipal courts to select jurors by mechanical or electronic means; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 11 O.S. 2001, Section 27-120, is amended to read as follows:

Section 27-120. Jurors in the municipal court shall be selected pursuant to this section under the same terms and conditions as are provided for by law for the district courts, or in the alternative, pursuant to Section 18.1 of Title 38 of the Oklahoma Statutes. Upon written request of the judge of the municipal court for a stated number of jurors to the chief judge of the appropriate district court, it shall be the duty of the clerk of the district court to draw from the jury wheel a requested number of jurors in the same manner as is provided by law for the district court until the number requested, who from their addresses appear to reside within the corporate limits of the municipality, is drawn, and to prepare a list of names drawn and certify such list to the judge of the municipal court. On completion of the draw, the clerk shall immediately return to the jury wheel all names drawn which are not placed on the certified list. The judge of the municipal court shall make written request to the chief judge of the district court for a stated number of additional jurors if, after allowance of claimed statutory exemptions, the listed number is found to be insufficient. Summons of the prospective jurors shall be issued as set out by ordinance, and may be served in person by the chief of police or any member of the police force of the municipality, or may be served by the clerk of the municipal court by mail.

SECTION 2. AMENDATORY 38 O.S. 2001, Section 18.1, is amended to read as follows:

Section 18.1 A. In lieu of any other procedure now provided by law, the judge in charge of court administration in the county may, by order, adopt a plan for the selection of qualified jurors for

jury service with the aid of mechanical or electronic means and implement such plan upon its approval by the Supreme Court.

B. Any such plan so adopted shall conform to the following requirements:

1. A complete plan shall be proposed in writing and submitted for approval by the Supreme Court.

2. It shall provide a fair, impartial and objective method of selecting persons for jury service with the aid of mechanical or electronic equipment.

3. It shall designate the court clerk as the official to be in charge of the selection process and shall define ~~his~~ the duties of the court clerk.

4. It shall specify that a true and complete written list showing the names and addresses of the persons summoned to begin jury service on a particular date shall be filed of record with the court clerk at least ten (10) days prior to the date such persons are to begin jury service.

C. In any county where such a plan is adopted, as provided in this section, the laws relating to the selection of petit jurors by use of a jury wheel shall not apply. In such counties, a municipal court, at the option of the municipal judge, may select jurors in the same manner as provided for by the plan. The municipal court clerk shall be designated to fulfill the duties provided in the plan for the district court clerk.

SECTION 3. This act shall become effective November 1, 2003.

Passed the House of Representatives the 12th day of May, 2003.

Presiding Officer of the House of
Representatives

Passed the Senate the 13th day of May, 2003.

Presiding Officer of the Senate