

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1082

4
5 By: Representative Bevis
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For An Act To Be Entitled

9 AN ACT TO AMEND THE ARKANSAS CODE TO PROVIDE FOR THE
10 SELECTION OF JURORS FROM THE LIST OF PERSONS LICENSED
11 TO OPERATE MOTOR VEHICLES AND PERSONS ISSUED
12 IDENTIFICATION CARDS BY THE DEPARTMENT OF FINANCE AND
13 ADMINISTRATION; AND FOR OTHER PURPOSES.
14

Subtitle

15 TO PROVIDE FOR THE SELECTION OF JURORS
16 FROM THE LIST OF PERSONS LICENSED TO
17 OPERATE MOTOR VEHICLES AND PERSONS
18 ISSUED IDENTIFICATION CARDS BY THE
19 DEPARTMENT OF FINANCE AND
20 ADMINISTRATION.
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 SECTION 1. Arkansas Code 16-32-103 is amended to read as follows:
27 16-32-103. Master list.

28 (a) During the month of November or December of each year, the
29 prospective jurors for the following calendar year shall be selected from
30 among the current list of ~~registered voters of the~~ licensed drivers and
31 persons issued an identification card under § 27-16-805, who are eighteen (18)
32 years of age or older, and are residing in the applicable district or county
33 in the following manner:

34 (1) The circuit judge, in the presence of the circuit clerk,
35 shall select at random a number between one (1) and one hundred (100),
36 inclusive, which shall be the starting number, and the circuit court shall

1 then select the person whose name appears on the current; ~~voter registration~~
2 ~~list in that numerical position, counting sequentially from the first name on~~
3 ~~the list of licensed drivers and persons issued an identification card under §~~
4 ~~27-16-805, who are eighteen (18) years of age or older, in that numerical~~
5 ~~position, counting sequentially from the first name on the list.~~

6 (2) The circuit clerk shall then select the one hundredth (100th)
7 ~~voter registrant name~~ appearing on the list after the starting number. As an
8 example, if the starting number is sixty-seven (67), which is the first
9 selection, the second selection would be the one hundred sixty-seventh (167th)
10 ~~registered voter name~~, the third selection would be the two hundred
11 sixty-seventh (267th) ~~registered voter name~~, and so forth until the current
12 ~~registered voter list~~ is exhausted.

13 (3) The circuit judge and the circuit clerk shall then repeat the
14 random selection process until the number of jurors set out in this subsection
15 have been selected.

16 (b) The number of persons to be selected shall be based upon the number
17 of ~~qualified registered voters~~ licensed drivers and persons issued an
18 identification card under § 27-16-805, who are eighteen (18) years of age or
19 older, in the appropriate district or county as reflected by the current list
20 of ~~registered voters~~ licensed drivers and persons issued an identification
21 card under § 27-16-805, who are eighteen years of age or older, provided by
22 the ~~county clerk under legal requirements~~ Department of Finance and
23 Administration and, unless a larger number is designated by the circuit judge,
24 the minimum number selected shall be as follows:

	Minimum Number	Minimum Number
Number of	of Prospective	of Prospective
Registered Voters	Petit Jurors	Grand Jurors
28 <u>licensed drivers and</u>		
29 <u>persons issued</u>		
30 <u>identification cards</u>		
31 <u>under § 27-16-805</u>		
32 90,000 or more	1,200	120
33 16,000 to 89,999	1,000	100
34 10,000 to 15,999	800	90
35 6,000 to 9,999	600	75
36 2,000 to 5,999	500	75

0 to 1,999 250 or 50% of
the ~~Registered Voters,~~
licensed drivers and persons
issued identification cards
under § 27-16-805,
whichever is smaller

(c) After the list of prospective jurors has been submitted by the circuit clerk, the circuit judge may, in the exercise of his discretion, authorize clerical assistance in preparing the alphabetized master list and separate cards, chips, disks, or other appropriate means of including the names and addresses of the prospective jurors in the wheel or box.

(1) The expense of this clerical help shall be paid by the county as an expense of the administration of justice.

(2) Clerical employees shall take the following oath:

"I will not make known to anyone the names of the prospective jurors who have been selected and I will not, directly or indirectly, converse with anyone selected as a juror concerning the merits of any proceeding pending or likely to come before the grand jury or court until after the case is tried or otherwise finally disposed of."

(d) Subsections (a)-(c) of this section shall be applicable to all circuit courts and counties within the state.

(e) All circuit clerks ~~who maintain voter registration lists on computers, whether in house or contracted,~~ may utilize ~~the~~ computers and associated equipment for the purpose of selecting jury panels from the ~~voter registration lists~~ of licensed drivers and persons issued identification cards under § 27-16-805, who are eighteen years of age or older. The master list of jurors' names and addresses shall not be available for public inspection, publication, or copying, but it may be examined in the presence of the circuit judge by litigants or their attorneys who desire to verify that names drawn from the wheel or box were placed there in the manner provided in this act by the commissioners.

SECTION 2. Arkansas Code 16-32-201(b) is amended to read as follows:

(b) Circuit courts to which criminal cases are assigned may call grand jurors from the wheel or box from which petit jurors are drawn, or the circuit judge may direct the jury commissioners to provide the minimum number of names

1 for a separate grand jury wheel or box in the minimum number set forth in §
2 16-32-103(a)-(d). In the event the circuit judge directs the jury
3 commissioners to provide the minimum number of names for a separate grand jury
4 wheel or box, the jury commissioners shall select the names of persons whom
5 they believe to be qualified from the current ~~voter registration~~ list of
6 licensed drivers and persons issued identification cards under § 27-16-805,
7 who are eighteen years of age or older.

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9 SECTION 3. The Department of Finance and Administration shall no later
10 than October 31 of each year provide to the circuit clerk of each county a
11 list of all persons licensed by the department to operate motor vehicles and
12 persons issued identification cards under § 27-16-805, who are eighteen (18)
13 years of age or older, and who reside within the counties which the circuit
14 clerk serves.

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