

By: Senator(s) Albritton

To: Judiciary, Division A

SENATE BILL NO. 2518

1 AN ACT TO AMEND SECTIONS 13-5-2 AND 13-5-26, MISSISSIPPI CODE
2 OF 1972, TO PROVIDE THAT THE MASTER LIST OF POTENTIAL JURORS MAY
3 BE DRAWN FROM THE ENTIRE CIRCUIT COURT DISTRICT FOR TRIALS
4 CONDUCTED IN CIRCUIT COURT; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 13-5-2, Mississippi Code of 1972, is
7 amended as follows:

8 13-5-2. It is the policy of this state that all persons
9 selected for jury service be selected at random from a fair cross
10 section of the population of the area served by the court, or, if
11 applicable, from the entire circuit court district, and that all
12 qualified citizens have the opportunity in accordance with this
13 chapter to be considered for jury service in this state and an
14 obligation to serve as jurors when summoned for that purpose. A
15 citizen shall not be excluded from jury service in this state on
16 account of race, color, religion, sex, national origin, or
17 economic status.

18 **SECTION 2.** Section 13-5-26, Mississippi Code of 1972, is
19 amended as follows:

20 13-5-26. (1) The circuit clerk shall maintain a jury box
21 and shall place therein the names or identifying numbers of all
22 prospective jurors drawn from the jury wheel.

23 (2) A judge or any court or any other state or county
24 official having authority to conduct a trial or hearing with a
25 jury within the county may direct the circuit clerk to draw and
26 assign to that court or official the number of jurors he deems
27 necessary for one or more jury panels or as required by law for a
28 grand jury, except as otherwise provided by subsection (3) of this

29 section. Upon receipt of the direction, and in a manner
30 prescribed by the court, the circuit clerk shall publicly draw at
31 random from the jury box the number or jurors specified.

32 (3) The court may order that the drawing and assigning of
33 jurors pursuant to subsection (2) of this section may be performed
34 by random selection of a computer or electronic device pursuant to
35 such rules and regulations as may be prescribed by the court. The
36 jurors drawn for jury service shall be assigned at random by the
37 clerk to each jury panel in a manner prescribed by the court.

38 (4) The senior circuit judge by order duly spread on the
39 minutes of the court of each county comprising the circuit court
40 district may order the jury commission of each county comprising
41 the circuit court district to meet jointly in April of each year
42 and more often if necessary to compile a district-wide master list
43 of potential jurors. The number of names to be placed in the jury
44 wheel from each contributing county shall be proportional to the
45 relationship of the population of each county to the population of
46 the district as a whole. In any circuit court district in which
47 the senior judge has entered an order under this subsection,
48 juries for trials in the circuit courts of the counties in that
49 circuit court district shall be drawn by the circuit clerk from
50 the district-wide master list compiled pursuant to the authority
51 of this subsection, applying by analogy insofar as possible the
52 requirements of this chapter as relate to the selection of
53 potential jurors. Any juror or potential juror summoned to be and
54 appear outside his county of residence shall be obliged to fulfill
55 the obligation as if summoned by the circuit clerk of the county
56 in which he lives.

57 **SECTION 3.** This act shall take effect and be in force from
58 and after July 1, 2004.