

10. *Challenging compliance with selection procedures*

(a) *In criminal cases, before the voir dire examination begins, or within seven days after the defendant discovered or could have discovered, by the exercise of diligence, the grounds therefor, whichever is earlier, the defendant may move to dismiss the indictment or stay the proceedings against him on the ground of substantial failure to comply with the provisions of this Article in selecting the grand or petit jury.*

(b) *In criminal cases, before the voir dire examination begins, or within seven days after the State's Attorney discovered or could have discovered, by the exercise of diligence, the grounds therefor, whichever is earlier, the State's Attorney may move to dismiss the indictment or stay the proceedings on the ground of substantial failure to comply with the provisions of this Article in selecting the grand or petit jury.*

(c) *In civil cases, before the voir dire examination begins, or within seven days after the party discovered or could have discovered, by the exercise of diligence, the grounds therefor, whichever is earlier, any party may move to stay the proceedings on the ground of substantial failure to comply with the provisions of this Article in selecting the petit jury.*

(d) *Upon motion filed under subsection (a), (b), or (c) of this section, containing a sworn statement of facts which, if true, would constitute a substantial failure to comply with the provisions of this Article, the moving party shall be entitled to present in support of such motion the testimony of the jury commissioner or clerk, any relevant records and papers not public or otherwise available used by the jury commissioner or clerk, and any other relevant evidence. If the court determines that there has been a substantial failure to comply with the provisions of Section 2 of this Article in selecting a petit jury, the court shall stay the proceedings pending the selection of a petit jury in conformity with this Article. If the court determines that there has been a substantial failure to comply with any provisions of this Article, other than those contained in Section 2, in selecting the grand jury, and such failure is likely to be prejudicial to the moving party, the court shall stay the proceedings pending the selection of a grand jury in conformity with this Article or dismiss the indictment, whichever is appropriate. If the court determines that there has been a substantial failure to comply with the provisions of this Article, other than those contained in Section 2, in selecting a petit jury, and such failure is likely to be prejudicial to the moving party, the court shall stay the proceedings pending the selection of a petit jury in conformity with this Article.*

(e) *The procedures prescribed by this section shall be the exclusive means by which a person accused of a crime, the State's Attorney, or a party in a civil case may challenge any jury on the ground that such jury was not selected in conformity with the provisions of this Article. Except as to constitutional questions, nothing contained in this Article shall be deemed to constitute grounds for post conviction relief under the provisions of Article 27, Sections 645A-645J, of this Code (1967 Replacement Volume, as amended).*

(f) *The contents of any records or papers used by the jury commissioner or clerk in connection with the jury selection process shall not be disclosed, except as may be necessary in the preparation or*