

Subsection (b)(1) through (3) of this section is new language derived from former CJ § 8-207(b)(2) through (4).

Subsection (b)(4) and (5) of this section is new language substituted for former CJ § 8-207(b)(5) and (6), which excluded individuals based on a crime "punishable by a fine of more than \$500, or by imprisonment for more than six months, or both" or a charge of wilful misrepresentation to avoid jury service. The substitution uses crimes "punishable by imprisonment exceeding ~~1 year~~ 6 months" (instead of the infamous crime standard in Md. Const., Art. I § 4 as implemented by current EL § 3-102(b) and (c)), ~~to be consistent with the requirement for federal jury duty under 28 U.S.C. §§ 1865(b)(5) and 1869(h) and, thereby, to avoid a dual standard in Maryland. However, subsection (c) of this section is new and added to allow a disqualifying conviction to be overcome, not only by pardon (as allowed under former CJ § 8-207(b)(5)) but by the passage of time after completion of sentence.~~

In the introductory language of subsection (b) of this section, reference to the federal Americans with Disabilities Act is added for consistency with the addition of "disability" in revised CJ § 8-102(b) and to emphasize the public policy of this State to avoid discrimination based on disability. See, e.g., Art. 49B of the Code. In accord with that policy, in subsection (b)(3) of this section, reference to a "disability" is substituted for the former references to a "physical or mental infirmity" and "infirmity".

Also in the introductory language of subsection (b) of this section, the word "individual" is substituted for the former word "person" to emphasize that only a natural being qualifies for jury service. As to "person", see Art. 1, § 15 of the Code.

In subsection (b)(2) of this section, the word "comprehend" is substituted for the former word "understand", for consistency with former CJ § 8-207(b)(3) now subsection (b)(1).

Subsection (b)(3) of this section is revised to require, instead of authorize, documentation, and reference to a "health care provide[r]" is substituted for the former reference to a "docto[r]".

Former CJ § 8-207(b)(9), which provided for disqualification based on an "objective test" adopted by the Court of Appeals, is deleted as the Court has not adopted any test since the initial enactment of the provisions codified in former CJ Title 8. See Ch. 408, Acts of 1969.

Subsection (c) of this section is new language derived from former CJ § 8-207(b)(5).

Defined term: "Prospective juror" § 8-101