

8-104. SELECTION POLICY.

EACH JURY FOR A COUNTY SHALL BE SELECTED AT RANDOM FROM A FAIR CROSS SECTION OF THE ADULT CITIZENS OF THIS STATE WHO RESIDE IN THE COUNTY.

COMMITTEE NOTE: This section is new language derived without substantive change from former CJ § 8-102(a).

The word "adult" is added to modify "citizens", to reflect the substance of former CJ § 8-104(a)(1) through (3) now revised CJ § 8-206(b)(1). As to "adult", see Art. 1, § 24 of the Code and revised CJ § 8-103(a)(1) and, as to State citizenship, see *Moore v. Illinois*, 55 U.S. 13, 14 How. 13, 1852 WL 6776, 14 L.Ed. 306 (1852).

The phrase "for a county" is substituted for the former clause "where the court convenes", to accommodate an extraordinary circumstance that might require a court to sit outside its county. As to "county", see Art. 1, § 14 of the Code.

The introductory clause of former CJ § 8-102(a), "[w]hen a litigant ... is entitled to trial by a petit jury and when a person accused of a criminal offense is presented to a grand jury", is deleted as surplusage and, as it related to grand juries, inaccurate as a person need not be accused at presentation.

As to construction of "at random" as not statistically perfect but without a particular result in mind, see, e.g., *U.S. v. Bearden*, 659 F.2d 590 (5th Circuit, 1981).

8-105. DISCLOSURE OF INFORMATION.

(A) PROSPECTIVE, QUALIFIED, OR SWORN JUROR.

A CUSTODIAN, AS DEFINED IN § 10-611 OF THE STATE GOVERNMENT ARTICLE, MAY ALLOW ACCESS TO INFORMATION ABOUT PROSPECTIVE, QUALIFIED, AND SWORN JURORS ONLY IN ACCORDANCE WITH RULES THAT THE COURT OF APPEALS ADOPTS.

(B) CHALLENGES.

THE RULES SHALL PROVIDE FOR ACCESS TO, AND COPYING OF, INFORMATION NEEDED FOR A CHALLENGE UNDER § 8-408 OR § 8-409 OF THIS TITLE.

(C) INFORMATION FOR STATE BOARD OF ELECTIONS.

THE RULES SHALL PROVIDE FOR DISCLOSURE OF INFORMATION TO THE STATE BOARD OF ELECTIONS AS TO INDIVIDUALS WHO HAVE DIED, HAVE MOVED, OR ARE NOT CITIZENS OF THE UNITED STATES.

(D) INFORMATION FOR STATE MOTOR VEHICLE ADMINISTRATION.