

selection of a fair cross section of the citizens of the State”, for consistency with revised CJ § 8-201.

As to “county” and “include”, see Art. 1, §§ 14 and 30 of the Code, respectively.

The third sentence and, except for the reference to lists, the first sentence of former CJ § 8-202(2)(i), which required use of either “a properly programmed electronic data processing system or device” or “a master jury wheel or a device similar in purpose and function”, are deleted as obsolete.

Defined terms: “Jury commissioner” § 8-101

“Jury plan” § 8-101

“Prospective juror” § 8-101

“Source pool” § 8-101

8-207. REQUIRED PROVISIONS – PROSPECTIVE AND QUALIFIED JUROR POOLS.

(A) REQUIRED.

EACH JURY PLAN SHALL SET INTERVALS FOR CREATION OF A PROSPECTIVE JUROR POOL AND A QUALIFIED JUROR POOL.

(B) MINIMUM NUMBER OF PROSPECTIVE JURORS.

(1) EACH JURY PLAN SHALL SET A MINIMUM NUMBER OF NAMES TO BE SELECTED FROM THE SOURCE POOL AS PROSPECTIVE JURORS.

(2) THE MINIMUM NUMBER SHALL BE:

(I) AT LEAST 150; AND

(II) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, AT LEAST 0.5% OF THE TOTAL NUMBER OF NAMES IN THE SOURCE POOL.

(3) IF THE MINIMUM PERCENTAGE UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION WOULD BE CUMBERSOME AND UNNECESSARY, A JURY PLAN MAY SET A SMALLER NUMBER.

(4) A JURY JUDGE FOR A COUNTY MAY ORDER ITS JURY COMMISSIONER TO HAVE ADDITIONAL NAMES SELECTED FROM THE COUNTY'S SOURCE POOL AS THE JUDGE CONSIDERS NECESSARY.

COMMITTEE NOTE: Subsection (a) of this section is new language derived from the introductory language of former CJ § 8-202 and the fourth sentence of (2)(ii) and revised to apply to creation of a “qualified” jury pool, as well as a “prospective juror pool” (formerly referred to as a “master jury wheel”). The revision, and the substitution in subsections (b)(1), (2)(ii), and (4) of this section of references to selecting names from the “source pool” for the former references to placing names “initially in the master jury wheel” and “master wheel”, conform to former CJ § 8-202(2)(i), which provided for use of electronic or other devices besides a wheel.