

8-215. AUTHORIZED PROVISIONS – DISQUALIFICATION, EXCUSAL, AND EXEMPTION OF PROSPECTIVE OR QUALIFIED JURORS AND POSTPONEMENT OF SERVICE.

THE JURY PLAN FOR A COUNTY MAY ENABLE ITS JURY COMMISSIONER, SUBJECT TO CRITERIA SET FORTH IN THE JURY PLAN AND UNDER THE OVERALL SUPERVISION OF THE COUNTY'S JURY JUDGE, TO:

- (1) DISQUALIFY PROSPECTIVE OR QUALIFIED JURORS FOR SPECIFIC REASONS STATED IN THIS TITLE;
- (2) EXCUSE PROSPECTIVE OR QUALIFIED JURORS FOR SPECIFIC REASONS STATED IN THIS TITLE;
- (3) EXEMPT PROSPECTIVE OR QUALIFIED JURORS FOR SPECIFIC REASONS STATED IN THIS TITLE; OR
- (4) POSTPONE JURY SERVICE BY PROSPECTIVE OR QUALIFIED JURORS FOR SPECIFIC REASONS STATED IN THIS TITLE.

COMMITTEE NOTE: This section is new language substituted for former CJ § 8-107(a) and (b), which enabled a "court" as then defined, a circuit court to excuse jurors, and the second sentence of former CJ § 8-207(a), which empowered only a jury judge to disqualify, excuse, or exempt jurors, to reflect current practice whereby jury judges have delegated the power to jury commissioners to disqualify, excuse, or exempt individuals not yet sworn as jurors, or postpone their service, for certain reasons allowed by law. The substitution will require that the power be stated expressly in a jury plan and, thereby, be subject to prior approval of the Court of Appeals. See also Md. Rule 16-106a and the administrative order of the Chief Judge of the Court of Appeals dated November 21, 2001, as to closing of courthouses in emergencies.

As to a jury judge, see revised CJ § 8-204.

As to "county", see Art. 1, § 14 of the Code.

Defined terms: "Jury commissioner" § 8-101

"Jury plan" § 8-101

"Prospective juror" § 8-101

"Qualified juror" § 8-101

8-216. AUTHORIZED PROVISIONS – FREQUENCY OF SERVICE.

A JURY PLAN MAY PROVIDE THAT, NOTWITHSTANDING THE LIMIT ON FREQUENCY OF TRIAL JURY SERVICE IN § 8-310(C)(2) OF THIS TITLE, AN INDIVIDUAL WHO SERVES ON A TRIAL JURY FOR FEWER THAN 5 DAYS IN A 3-YEAR PERIOD MAY BE SUMMONED FOR JURY SERVICE AFTER 1 YEAR.

COMMITTEE NOTE: This section is new language derived without substantive change from former CJ § 8-209(c).

The word "trial" is substituted for the former word "petit", in accordance