

In subsections (a), (b)(2) through (4), and (c)(1) of this section, references to a "trial" judge and to "strik[ing]" an individual are substituted for the former reference to the individual being "excused" or "disqualified, excused, or excluded" by "the court" then defined as a "circuit court" to distinguish actions of a bench, jury commissioner, or jury judge.

Former CJ § 8-210(d), which limited disqualification, excusal, or exemption of a "person or class of person" from jury service to the means set out in former CJ § 8-210, is deleted as surplusage and, in light of the provisions for peremptory challenges in Md. Rules 2-512 and 4-312, as inaccurate.

Former CJ § 8-302, which enabled a circuit court to strike names remaining because a party failed to strike enough of an array and provided for construction of this power, is deleted as unnecessary.

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

8-405. TEMPORARY EXCUSAL OF SWORN JURORS.

A TRIAL JUDGE MAY:

- (1) EXCUSE A SWORN JUROR TEMPORARILY; AND
- (2) ORDER THE SWORN JUROR TO RETURN:

- (I) ON A SPECIFIC DAY; OR

- (II) ON A DATE AND AT A TIME THAT THE TRIAL JUDGE OR JURY COMMISSIONER DIRECTS.

COMMITTEE NOTE: This section is new language substituted for former CJ § 8-107(a) and (b), which provided for a "court" as then defined, a circuit court to excuse jurors. Together with revised CJ § 8-215, the former provisions are revised to apply to prospective, qualified, and sworn jurors, but in the case of sworn jurors, the power is limited to a trial judge.

The substitution also omits the former reference to jury terms, as inconsistent with continuation of a sworn jury until completion of an investigation or case.

The substitution also omits the former reference to the form of notice as unnecessarily restrictive in light of modern communication methods.

8-406. RESERVED.

8-407. RESERVED.

PART II. CHALLENGES.

8-408. IN CIVIL CASE.

- (A) EXCLUSIVE PROCEDURE.