

(B) NONCAPITAL CASE - SENTENCE OF AT LEAST 20 YEARS.

(1) THIS SUBSECTION APPLIES ONLY IN A CRIMINAL TRIAL IN WHICH A DEFENDANT IS SUBJECT, ON ANY SINGLE COUNT, TO A SENTENCE OF AT LEAST 20 YEARS, EXCLUDING A CASE SUBJECT TO SUBSECTION (A) OF THIS SECTION OR A COMMON LAW OFFENSE FOR WHICH NO SPECIFIC STATUTORY PENALTY IS PROVIDED.

(2) EACH DEFENDANT IS ALLOWED 10 PEREMPTORY CHALLENGES.

(3) THE STATE IS ALLOWED FIVE PEREMPTORY CHALLENGES FOR EACH DEFENDANT.

(C) NONCAPITAL CASE - OTHER.

IN EVERY OTHER CRIMINAL TRIAL, EACH PARTY IS ALLOWED FOUR PEREMPTORY CHALLENGES.

COMMITTEE NOTE: This section is new language derived without substantive change from former CJ § 8-301(a) through (d).

8-421. MINIMUM SIZE OF JURY AND ARRAY.

(A) CIVIL JURY.

IN A CIVIL CASE IN WHICH A JURY TRIAL IS ALLOWED, THE JURY SHALL CONSIST OF SIX JURORS.

(B) CIVIL ARRAY.

IF THE PARTIES IN A CIVIL CASE AGREE, A TRIAL JUDGE MAY DISPENSE WITH SELECTING AN ARRAY OF AT LEAST 14 QUALIFIED JURORS.

(C) CRIMINAL ARRAY.

IF THE PARTIES IN A CRIMINAL CASE AGREE, A TRIAL JUDGE MAY DISPENSE WITH SELECTING AN ARRAY OF AT LEAST 20 QUALIFIED JURORS.

COMMITTEE NOTE: Subsection (a) of this section is new language derived without substantive change from former CJ § 8-306.

Subsections (b) and (c) of this section are new language derived from former CJ § 8-303 and revised in the active voice to state affirmatively that the discretion to dispense is a trial judge's. See also revised CJ § 8-310(a)(2).

In subsections (b) and (c) of this section, the words "selecting an array" are substituted for the former words "drawing of a panel", in light of the use of computers and conformity to Md. Rules 2-512(a) and 4-312(a).

Also in subsections (b) and (c) of this section, the defined term "qualified juro[r]" is substituted for the former references to "jurors", for precision.

Former CJ § 8-305, which required 72-hour notice to waive the right to a jury trial, is deleted as unnecessary.