

(1) THIS SUBSECTION APPLIES ONLY IN A CRIMINAL TRIAL IN WHICH A DEFENDANT IS SUBJECT, ON ANY SINGLE COUNT, TO:

(I) A DEATH SENTENCE BECAUSE THE STATE HAS GIVEN NOTICE OF INTENTION TO SEEK A DEATH SENTENCE IN ACCORDANCE WITH § 2-202 OF THE CRIMINAL LAW ARTICLE; OR

(II) A SENTENCE OF LIFE IMPRISONMENT, INCLUDING A CASE IN WHICH THE STATE HAS NOT GIVEN NOTICE OF INTENTION TO SEEK A DEATH SENTENCE IN ACCORDANCE WITH § 2-202 OF THE CRIMINAL LAW ARTICLE BUT EXCLUDING A COMMON LAW OFFENSE FOR WHICH NO SPECIFIC STATUTORY PENALTY IS PROVIDED.

(2) EACH DEFENDANT IS ALLOWED 20 PEREMPTORY CHALLENGES.

(3) THE STATE IS ALLOWED 10 PEREMPTORY CHALLENGES FOR EACH DEFENDANT.

(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.