

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.

Defined term: "Qualified juror" § 8-101

#### 8-422. SEPARATION OR SEQUESTRATION.

AT ANY TIME BEFORE OR AFTER SUBMISSION OF A CASE TO A JURY, A TRIAL JUDGE MAY ALLOW THE JURY TO SEPARATE OR BE SEQUESTERED.

COMMITTEE NOTE: This section is new language derived from former CJ § 8-304 and revised in the active voice to state expressly that the decision is the trial judge's.

Reference to "after" submission is added, reference to "be[ing] sequestered" is substituted for the former reference to "be[ing] kept in charge of proper officers", and the former word "criminal" is deleted, to conform to Md. Rules 2-511(c) and 4-311(c).

Reference to a "trial judge" is substituted for the former reference to a "court" as then defined, a circuit court to avoid the inference that a majority of the judges of a circuit court must concur.

The former reference to "discretion" is deleted as surplusage in light of the word "may".

8-423. RESERVED.

8-424. RESERVED.

#### PART V. REIMBURSEMENT.

8-425. "PER DIEM" DEFINED.

IN THIS PART V OF THIS SUBTITLE, "PER DIEM" MEANS THE AMOUNT TO BE PAID FOR ALL OF THE TIME FROM MIDNIGHT THROUGH A 24-HOUR PERIOD FOR WHICH A CIRCUIT COURT REQUIRES A PROSPECTIVE, QUALIFIED, OR SWORN JUROR TO BE IN ATTENDANCE AT OR IN PROXIMITY TO THE CIRCUIT COURT.