

JACK COUNTY JURY SELECTION PLAN

This is a plan for the method of selecting jurors by mechanical and/or electronic means. It is recommended to the Commissioners Court of Jack County, Texas by the State District Judge of Jack County, Texas that the following plan for the selection of persons for jury selection be adopted in accordance with Chapter 62 of the Texas Government Code. This plan shall supersede any plan previously adopted, shall comply with Chapter 62 of the Texas Government Code and become effective immediately.

I. SOURCE OF NAMES

Pursuant to Section 62.001, Government Code, the source of which names of prospective jurors will be taken will be:

1. The names of all persons on the current voter registration list from all the precincts in the county.
2. All names on a current list to be furnished by the Texas Department of Public Safety, showing the citizens of Jack County who hold a valid Texas driver's license, and the citizens of the county who hold a valid personal identification card or certificate issued by the department other than persons who are disqualified from jury service.

The source of names shall not include those persons listed in a register of:

1. Person exempt from jury service under Govt. Code 62.108, permanent exemption because of age.
2. Person exempt from jury service under Govt. Code 62.109, permanent exemption because of physical or mental impairment or inability to comprehend English.
3. Persons exempt from jury service under Govt. Code 62.113 because the person is not a citizen of the United States.
4. Per Article 62.0145, those individuals whose prior jury notices have been returned as undelivered.
5. The District Clerk of Jack County, Texas shall at least monthly update the jury list by correcting the addresses for persons on the list pursuant to Article 62.0146 or otherwise as provided by law.
6. Persons convicted of a felony, residing outside of county or who have been duplicated on the source list as a potential juror. Govt. Code 62.001(f).

II. METHOD

The Jury list of prospective jurors will be created annually by the Secretary of State of Texas pursuant to Article 62.001 of the Texas Government Code and shall continue in effect until exhausted or until a new Jury list is provided by the Secretary of State, or as otherwise may be provided by statute or is created in accordance with this plan. Persons shall be selected for jury service at random with the aid of electronic equipment in a fair, impartial and objective manner from the source of names as specified above.

III. OFFICIAL IN CHARGE

The Clerk of the District Court of Jack County, Texas is designated as the official to be in charge of the selection process of jurors and shall have the duties and authority set forth herein.

The District Clerk shall give all notices as required by law to the Secretary of State as specified in Section 62.001 of the Texas Government Code. The list furnished to the county must be in a format, electronic or printed copy, as requested by the county. The Secretary of State shall furnish the list free of charge.

IV. SELECTION OF JURORS

The electronic jury selection process will be a statistically correct random computer selection process which will provide a fair, impartial and objective method of selecting persons for jury service. The District Clerk shall be authorized to purchase computer equipment and software necessary to accomplish the jury selection process set forth herewith from appropriate vendors as may from time to time be selected by the District Clerk, subject to approval of the Commissioners Court and the District Judge.

Periodic jury panel lists will be selected for the District Court, County Court, and Justice Court of Jack County. The District Clerk or an employee of the District Clerk's Office will perform the duties involved in periodic preparation of jury panels from which juries are to be selected for the above Courts.

The District Clerk may utilize computer equipment located in the District Clerk's Office or in the Voter Registrars' Office to prepare such jury list as set forth herein. The District Clerk shall, subject to the direction of the District Judge of the 271st Judicial District Court as provided by law, have sole authority and responsibility for the preparation of jury lists for the District Court. The Clerk of the County Court or the Justice Court(s) of Jack County or an employee designated by the clerk of the respective courts may assist the District Clerk, under her or his direction and supervision, in preparation of jury lists for their respective courts. The Clerks of said Courts shall request the preparation of a jury panel list as may be necessary for the efficient management and operation of said courts. The District Clerk shall, upon timely request of at least fifteen (15) days prior to the date that such panel is to appear for jury duty, prepare such jury list. The District Clerk or the designee shall access the jury wheel to execute the jury selection program to randomly extract the number of persons needed for jury service. The jurors so selected and qualified may serve interchangeably in all courts in Jack County. The Jury panel list will be provided to the clerk's requesting such list as soon as is practical by the District Clerk.

A true and complete written list showing the names and addresses of the persons summoned to begin service on a date specified by the courts shall be printed and kept by the District Clerk until said list has been used.

V. NOTICE TO PROSPECTIVE JURORS

The District Clerk, or the Clerk of the other Courts covered by this plan as may be authorized by law, shall issue a written summons for each prospective juror selected in accordance with this plan in the manner and form required by Article 62.0131 and Article 62.0132 of the Texas Government Code and the other provisions of Chapter 62 of the Government Code, the Code of Criminal Procedure or the Rules of Civil Procedures as they may be amended from time to time.

The District Clerk may delegate responsibility for notification of, or the issuance of summonses for jury service as may be provided by law and shall provide requested jury panel lists and summonses to the person or office authorized by law to serve such summonses.

The Clerk of the respective court shall send summons by ordinary mail delivery/first class mail to all persons randomly selected and listed for a particular day or week in a particular court to appear as jurors.

VI. ADDITIONAL JURORS

If the Presiding Judge of the particular court determines that the number of jurors previously selected for any designated date is insufficient, he or she shall direct the Clerk to prepare a supplemental list containing a specified number to be called for jury service in addition to those previously selected. Such additional persons shall be selected, listed and summoned in the same manner as those previously selected.

VII. JUROR QUALIFICATION AND EXEMPTIONS

Jurors selected under this plan and Govt. Code 62.0111(b) may appear in response to a summons by (1) contacting the county officer or a designee responsible for summoning jurors by computer [electronic mail] or (2) by appearing in person.

A juror selected under this plan, the county officer or a designee and the Court or a designee may provide or exchange information as allowed above to:

1. Determine qualifications under 62.102,
2. Determine exemptions under 62.106,
3. Submit requests for postponement or excuses under 62.110; and
4. Exchanging information of juror reassignment under 62.016.

VIII. JUDICIAL EXCUSES

As provided by Section 62.110, Government Code, a court may hear any reasonable excuse of a prospective juror and release him/her from jury service entirely or until another day of the term.

In all cases except a capital murder case the Court's designee may hear any reasonable excuse of a prospective juror and discharge the juror or release him/her from jury service until a specified day of the term. For the purpose of the jury selection plan, the Judges of all the courts appoint the District Clerk and Deputy District Clerk and the Court Administrator as their designees.

A prospective juror may not be excused for an economic reason unless each party of record is present either in person or by telephone or electronically and approves the release of the juror for that reason.

IX. POSTPONED JURORS

Except in capital cases, the District Clerk shall hear requests for and grant a postponement if the person summoned has not been granted a postponement within the preceding year. The substitute date shall be within six months of the date the person was originally summoned. The Clerk of the Court may approve a subsequent postponement only because of an extreme emergency that could not have been anticipated. Before the clerk may grant the subsequent postponement, the person and the clerk must determine a substitute date on which the person will appear for jury service that is not later than six months after the date in which the person was to appear after the postponement.

X. RECONSTITUTION OF JURY SOURCE

Jack County may utilize the Texas Secretary of State's, TEAM software program, or any other software program deemed suitable to reconstitute a jury wheel program to select juries for District Court, County Court, and Justice Court(s) of Jack County. Reconstitution of the jury wheel will be created annually and will be used for the selection of persons for Jury Service until the Secretary of State under the provisions of the Government Code to reconstitutes a new jury wheel.

Jack County will utilize the Texas Secretary of State's, TEAM software program, to reconstitute a jury wheel program to select juries for District Court, County Court, and Justice Court(s) of Jack County. Reconstitution of the jury wheel will be done annually and will be used for the selection of persons for Jury Service until the Secretary of State provides a new reconstituted jury wheel.

XI. AFFECTED COURTS AND COST

This plan applies to the selection of all juries, Petit and Grand, summoned for the District Court of Jack County, County Court, and the Justice of the Peace Court of Jack County, Texas.

All necessary expenses for the selection of equipment, software, forms and services will be paid out of the Jury Fund of Jack County or from the General Fund of said county as may be provided by the Commissioners Court.

XII. AMENDMENTS

This plan may be amended by the Commissioners Court upon recommendation of the District Judge of Jack County. Valid changes to the Government Code relation to the Juror Service Selection System shall be given immediate effect as enacted.

XIII. RECOMMENDATION

It is hereby ordered that this plan for the selection and management of persons for jury service with the aid of electronic or mechanical equipment pursuant to Government Code 62.011 be submitted to the Commissioners Court of Jack County for approval and entry in the minutes of the Court. The plan will become effective upon Commissioners Court approval.

Ordered this 1 day of 10, 2021.



Brock R. Smith, Presiding Judge

271st Judicial District Court of Jack County

WHEREAS, the District Judge of Jack County has recommended to the Commissioners Court of Jack County that the herein proposed "Jury Selection Plan" be officially approved and adopted for Jack County, Texas and;


NOW THEREFORE IT IS ORDERED by the Commissioners Court of Jack County, Texas that the proposed "Jury Selection Plan" officially approved and adopted to become effective immediately upon approval and

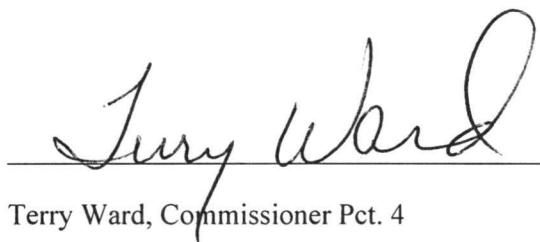
ORDERED to be recorded in the official minutes of this Court on the 12th day of October, 2021.


B. Keith Umphress, County Judge


Gary Oliver, Commissioner Pct. 1


Darren Francis, Commissioner Pct. 2


Henry Birdwell, Jr., Commissioner Pct. 3


Terry Ward, Commissioner Pct. 4

FILED FOR RECORD

_____ O'CLOCK _____ M

OCT 12 2021

VANESSA JAMES, County Clerk
JACK COUNTY, TEXAS

BY _____ DEPUTY