

ARIZONA JUDICIAL COUNCIL

Request for Council Action

Date Action Requested:	Type of Action Requested:	Subject:
June 19, 2008	<input checked="" type="checkbox"/> Formal Action/Request <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Maricopa County Alternative Juror Summoning Plan

FROM: The Administrative Office of the Courts (AOC), by Melinda Hardman

DISCUSSION: Effective January 1, 2008 the legislature modified Arizona's jury statutes to allow a superior court with multiple court locations within a county to propose an alternative system of summoning jurors (other than straight random summoning, countywide). Specifically, A.R.S. § 21-302 now allows a superior court to design an alternative juror summoning plan that will minimize the distance prospective jurors must travel and minimize the travel reimbursement expense of the county, so long as the plan complies with the constitutions of the United States and this state by providing for the summoning of jurors from a fair cross section of the community. In conjunction with the modified jury statutes, the AOC promulgated, and AJC approved, Arizona Code of Judicial Administration (ACJA) § 5-203, to establish a process by which a superior court can submit such an alternative juror summoning plan for approval by the Chief Justice.

Maricopa County has now presented such a plan, pursuant to the ACJA. The Code section requires the plan to be placed on the agenda of the Arizona Judicial Council, whereupon the Council shall either recommend approval of the plan, approval with modifications, or disapproval.

To aid the Council in this decision, the AOC asked the National Center for State Courts (NCSC) to review and comment on the Maricopa County plan. A copy of the plan, NCSC's report on the plan, and an Addendum to the plan are provided for your consideration.

RECOMMENDED COUNCIL ACTION: Recommend approval of the Maricopa County Alternative Juror Summoning Plan, with Addendum.