

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

---

Legislative Document

No. 157

S.P. 63

In Senate, January 13, 2005

### **An Act Concerning the Disclosure of Juror Information**

---

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MILLS of Somerset.

2  
3  
4  
5  
6

**Be it enacted by the People of the State of Maine as follows:**

7  
8  
9  
10  
11

**Sec. 1. 14 MRSA §1254-A, sub-§7,** as enacted by PL 1981, c. 705, Pt. G, §14, is amended to read:

12  
13  
14  
15  
16  
17  
18

**7. Availability of qualification forms.** The names of prospective jurors and the contents of juror qualification forms shall may not be made ~~available to the public upon specific request to the court, supported by an affidavit setting forth the reasons therefor,~~ disclosed to any person unless the court determines ~~in any instance,~~ on the basis of a specific request to the court supported by an affidavit setting forth the reasons for the request, that ~~this information~~ in the interest of justice disclosure should be ~~kept confidential or its use limited~~ made in whole or in part. The contents of juror qualification forms may at the discretion of the court be made available to attorneys at the courthouse for use in the conduct of voir dire examination.

19  
20  
21

**Sec. 2. 14 MRSA §1254-B, sub-§2,** as enacted by PL 1981, c. 705, Pt. G, §14, is amended to read:

22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

**2. Records' confidentiality; limits.** The Except as otherwise permitted pursuant to any other provision of this chapter, the contents of any records or lists used in connection with the selection process ~~and not made public under any other provision of this chapter shall~~ of persons to serve as grand jurors or traverse jurors may not be disclosed, except in connection with the preparation or presentation of a motion under section 1214, ~~until all persons selected to serve as grand jurors or traverse jurors from those lists have been discharged unless the court determines,~~ on the basis of a specific request to the court supported by an affidavit setting forth the reasons for the request, that in the interest of justice disclosure should be made in whole or in part.

35  
36  
37  
38

**SUMMARY**

39  
40  
41  
42  
43  
44

This bill reverses the onus of disclosure of jurors' names from requiring disclosure unless the court determines that the names should be kept confidential. Under this bill, jurors' names are kept confidential unless the court determines that the interests of justice require the jurors' names to be released.