

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 994

S. P. 381

In Senate, February 21, 1967

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Mills of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Relating to List of Prospective Jurors and Selection of Jurors.

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

R. S., T. 14, §§ 1254 and 1255, repealed and replaced. Sections 1254 and 1255 of Title 14 of the Revised Statutes are repealed and the following enacted in place thereof:

§ 1254. Preparation of list of prospective jurors

The municipal officers of the several municipalities shall prepare annually, from the original registration files of voters of such municipalities, a complete list, specifying with respect to each name appearing on said list all the information upon the original registration card of each qualified voter, and shall certify and file such list with the jury commissioners of their respective county on or before the first day of June of each year.

The jury commissioners of the several counties shall, from the lists received, select at random persons who, in their judgment, are deemed qualified for jury service, and the names of persons finally selected shall be placed on a list kept by said commissioners. A copy of said list shall be deposited with the clerks of courts for their respective counties and shall, at all times during business hours, be open to public inspection.

The list shall contain such a number of names of persons, male and female, qualified for jury service, as the commissioners shall deem necessary.

In the selection of persons for jury service, due regard shall be given to their mental, moral and physical fitness. Persons rejected by said commissioners shall not be placed on said jury list for a period of at least 3 years.

The commissioners may add names to such list as often as may be necessary to maintain the number provided. They shall drop from the list names of persons who, by reason of infirmity, death or other disability, could not reasonably be expected to serve as jurors if called, and shall drop therefrom names of persons who have reached their 70th birthday, persons engaged in the unlawful traffic in intoxicating liquors or who are known to be habitually addicted to the use of intoxicating liquors, or who have been convicted of any scandalous crime or gross immorality. No person shall be qualified or selected for traverse jury service who has served as such at any term of the Superior Court in his county held within 5 years next preceding the reselection of said person by the jury commissioners.

§ 1255. Selection of jurors

On receipt of written or verbal notice from the clerk or deputy clerk of courts of their respective counties designating the number of jurors required and the date on which they are to report for duty, said commissioners shall forthwith select, by such method as will give a fair and just distribution according to population, economic and social status, occupation and age, a sufficient number of persons to perform jury service at the prospective term. Such selection shall be made with reasonable allowances for supernumeraries and for unforeseen causes of inability to attend. Summonses for those so elected shall be prepared by said commissioners and mailed by registered mail, postage prepaid, to each person selected at his regular place of abode. A returned registered receipt shall be sufficient evidence that the person or persons so selected have received the summons. Additional jurors may be drawn and summoned at any time during a term of court by direction of the presiding justice, and they may be summoned to attend in a manner and at such time as the court may direct. When, by reason of challenge or other cause, a sufficient number of jurors duly drawn and summoned cannot be obtained for the trial of a cause, the court shall cause jurors to be returned from the bystanders or from the county at large to complete the panel. Such jurors shall be returned by the sheriff or his deputy or such other disinterested person as the court appoints. Grand jurors shall be selected in like manner prior to the first term of the Superior Court to be held for the transaction of criminal business on or after the first day of September annually, and grand jurors shall serve at each criminal term during the year. When the number of grand jurors is reduced by death or otherwise, additional grand jurors may be selected and summoned under direction of the court at any time.