

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1612

S. P. 620

In Senate, April 28, 1967

Reported by Senator Mills of Franklin from Committee on Judiciary. Printed under Joint Rules No. 18.

JERROLD B. SPEERS, Secretary

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R. S., T. 14, §§ 1254 and 1255, repealed and replaced. Sections 1254 and 1255 of Title 14 of the Revised Statutes are repealed and the following enacted in place thereof: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, 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 shall, in July of each year, from the list received, publicly select at random, using any given multiple that will give a fair and just distribution according to population, the names of a sufficient number of persons to be kept on a list which shall be considered a jury pool. A copy of said list shall be deposited with the clerk of courts of the several counties and shall, during all business hours, be open to public inspection.

This list shall contain such a number of names of persons as the commissioners shall deem necessary for the number of terms to be served by the jury in their county for the period of July 1st through June 30th.

The jury commissioners shall send to each person selected a jury questionnaire, when returned by the prospective juror, shall be deposited with the clerks of courts for their respective counties and shall at all times during business hours be open to inspection by the court and attorneys of record of the State of Maine.

The commissioners may, by the same process, add names to such lists 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 the names of persons engaged in the unlawful traffic of 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 should 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

The jury commissioners of the several counties shall place in a master jury wheel the names of those persons selected in section 1254 and, upon receipt of written or verbal notice from the clerk or deputy clerk of their respective counties, designating the number of jurors required and the date on which they are to report for duty, said commissioners shall publicly draw from the master jury wheel the names of as many persons as may be required for jury service at the prospective term, prepare an alphabetical list of the names drawn, and submit the same to the clerk or deputy clerk of courts of their respective counties. Such selection shall be made with reasonable allowances for supernumeraries and for unforeseen causes of inability to attend. Summonses for those so selected 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 summonses. 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 motion, 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. No prospective juror shall be excused for reasons other than extreme hardship, and then only by the court, except as provided in section 1254. In any event, no juror shall serve for a period of more than 2 weeks except if necessary to conclude a case in which the juror is sitting.

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 subsequent 12 months. When the number of grand jurors is reduced by death or otherwise, additional grand jurors may be selected and summoned under the direction of the court at any time.