

JURY SELECTION PLAN BROWN COUNTY, TEXAS

Section 62.011, Texas Government Code, provides that on the recommendation of the District Judge of a county, the Commissioner's Court, by order entered in its minutes, may adopt a plan for the selection of persons for jury service with the aid of electronic or mechanical equipment instead of drawing the names from a jury wheel.

The following plan is recommended by Judge Stephen Ellis of the 35th Judicial District Court. In addition, since the 35th Judicial District Court and the Brown County Court at Law utilize the same prospective jurors interchangeably as a general jury panel, both the District Judge and the Judge of the Brown County Court at Law join in this recommendation to the Commissioner's Court as set out below.

STATUTORY AUTHORITY

This plan concerning petit jury selection shall be in compliance with all portions of Chapter 62 of the Texas Government Code. In addition, this plan shall be in compliance with Article 19.01 of the Texas Code of Criminal Procedure concerning the selection and summons of prospective grand jurors.

SOURCE OF NAMES

As stated in Section 62.001 of the Government Code, the source from which the jury wheel shall be constituted, is the names of all persons on the current voter registration lists from all the precincts in Brown County, Texas, all names on a current list to be furnished by the Department of Public Safety showing the citizens of Brown County who hold a valid Texas driver's license, and the citizens of Brown County other than persons who are disqualified from jury service, who hold a valid persons identification card or certificate issued by the department. The names of the persons listed in a register of persons exempt from jury service may not be used in preparing the record of names from which a jury list is selected, as provided by Section 62.108 and 62.109 of the Government Code.

METHOD

Persons called for jury service shall be selected at random with the aid of electronic equipment in a fair, impartial and objective manner from the source of names required by Section 62.001 of the Government Code, taking into consideration those persons exempt from jury service as provided by Section

May 2, 2016

1

(Exhibit #2)

62.108 and 62.109 of the Government Code. Brown County at the present time utilizes the NETDATA Corporation as the vendor for its jury selection process.

SELECTION OF JURORS

The Judge of the District Court shall direct the District Clerk to prepare lists of persons to be called for jury service in either the District Court or the Brown County Court at Law and shall specify the number of lists of persons to be selected and number of persons on each list. The Judge may direct lists to be drawn in advance for six months, for one year or for a specific term of court, etc. After such direction has been given, the District Clerk, or their deputy, shall pull a jury by logging into the NETDATA jury selection system, typing in the code for the court the jury will be in, assigning the next available list number for the jury, inputting the number of jurors requested and the date of service. Once all is entered the random number generation system will produce a jury list. This method of selection either will use the same record of names for the selection of persons for jury service until that record is exhausted or will use the same record of names for a period of time specified by the plan.

OFFICIAL IN CHARGE

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

DATE OF RECONSTITUTION OF JURY SERVICE

At a time each year, on or before December 31, the jury source shall be reconstituted from the certified list provided by the Secretary of State under the provisions of Section 62.001 of the Government Code.

NOTICE OF JURY SERVICE

The Judge of the District Court shall provide in a timely manner to the District Clerk information regarding the required petit jury panels for the District Court or the Brown County Court at Law. In addition, the District Judge shall also timely provide the District Clerk information regarding the required grand jury panels.

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

The District Clerk shall utilize the form of written jury summons mandated by Section 62.0131 and the written jury summons questionnaire mandated by

Section 62.0132 of the Texas Government Code. The District Clerk will provide the Sheriff of Brown County a written summons for each prospective juror showing the date, time and place the juror is to appear. The summons shall be provided to the Sheriff of Brown County in a timely manner. The Sheriff of Brown County shall deliver the summons to the prospective jurors by the United States Postal Service.

ADDITIONAL JURORS

Whenever the Presiding Judge of the general jury panel determines that the number of jurors previously selected for any designated date is insufficient, the Judge shall direct the specific number of persons to be called for jury service in addition to those previously selected. Such additional persons shall be selected and summoned in the same manner as those previously selected.

JURY SERVICE FOR BROWN COUNTY COURT AND JUSTICE COURTS

The County Judge of the Constitutional County Court of Brown County and the Justices of the Peace shall select their jury panels separately but in the same manner as outlined above but with the Brown County Clerk or the Clerks of the Brown County Justice of the Peace Courts as the officials in charge of the selection process for their respective courts as provided by law.


AMENDMENTS

This plan may only be amended by the Commissioners' Court of Brown County upon recommendation of the District Judge of Brown County.

EFFECTIVE DATE

This plan shall become effective upon the adoption by the Brown County Commissioners' Court.

APPROVED and RECOMMENDED to the Commissioner's Court of Brown County, Texas on this the 26 day of APRIL, 2010.



Stephen Ellis, 35th Judicial District Judge
Brown County, Texas



Sam C. Moss, Judge Brown County Court
At Law