

IN THE COURT OF APPEALS OF MARYLAND
ADMINISTRATIVE ORDER
ON CHANGES TO JURY PLANS REQUIRED BY CHAPTER 750 (2019)

WHEREAS, § 8-203 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland (§ 8-203) requires that the Court of Appeals determine whether to approve, within 60 days of filing, changes to jury plans proposed by the circuit courts and filed with the Court; and

WHEREAS, § 8-203 further provides that a proposed change to a jury plan takes effect on the sixty-first day after the plan's filing date; unless the Court sets an earlier effective date; and

WHEREAS, The General Assembly, from time to time, amends statutes in a manner that requires that all circuit courts change their plans to comply with the statutory amendment; and

WHEREAS, in Chapter 750 of its 2019 Session, the General Assembly amended § 8-103(b)(4) and (5) and § 8-302 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland, to modify two of the disqualifications for jury service as provided in the attached Exhibit; and

WHEREAS, The amendments apply to the jury plan of every circuit court in the State; and

WHEREAS, The jury plan of each circuit court should reflect current statutory requirements,

NOW, THEREFORE, Pursuant to the authority conferred by Article IV, § 18 of the Maryland Constitution, it is this 26th day of March 2021,

ORDERED, by the Court of Appeals of Maryland, effective March 26, 2021, that the circuit courts are hereby authorized and directed to make the change reflecting the 2019 Session, Chapter 750 amendments to § 8-103(b)(4) and (5) and § 8-302 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland to their respective jury plans; and further

ORDERED, the jury plans with the authorized change shall be filed with the Clerk of the Court of Appeals within thirty days of the issuance of this Order, accompanied by a memorandum noting that the change is pursuant to this Order and noting any other previous modifications to the jury plan pursuant to the *Administrative Order on Non-Substantive Modifications to Jury Plans*; filed March 26, 2021, and further

ORDERED, that the State Court Administrator shall cause jury plans approved by the Court of Appeals to be posted as soon as is practicable on the Judiciary website.

/s/ Mary Ellen Barbera

Mary Ellen Barbera

/s/ Robert N. McDonald

Robert N. McDonald

/s/ Shirley M. Watts

Shirley M. Watts

/s/ Michele D. Hotten

Michele D. Hotten

/s/ Joseph D. Getty

Joseph M. Getty

/s/ Brynja M. Booth

Brynja M. Booth

/s/ Jonathan Biran

Jonathan Biran

Date: March 26, 2021

/s/ Suzanne C. Johnson

Suzanne C. Johnson
Clerk of the Court of Appeals

Pursuant to Maryland Uniform Electronic Legal Materials Act
(§§ 10-1601 et seq. of the State Government Article) this document
is authentic.



Suzanne C. Johnson, Clerk

Chapter 750

(Senate Bill 236)

AN ACT concerning

Jury Service – Qualification Criteria – Criminal Conviction or Charge

FOR the purpose of increasing the minimum length of time of a certain criminal sentence or potential sentence that disqualifies an individual from jury service; making conforming changes; and generally relating to jury service qualifications.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–103 and 8–302
Annotated Code of Maryland
(2013 Replacement Volume and 2018 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

8–103.

(a) Notwithstanding § 8–102 of this subtitle, an individual qualifies for jury service for a county only if the individual:

- (1) Is an adult as of the day selected as a prospective juror;
- (2) Is a citizen of the United States; and
- (3) Resides in the county as of the day sworn as a juror.

(b) Notwithstanding subsection (a) of this section and subject to the federal Americans with Disabilities Act, an individual is not qualified for jury service if the individual:

- (1) Cannot comprehend spoken English or speak English;
- (2) Cannot comprehend written English, read English, or write English proficiently enough to complete a juror qualification form satisfactorily;
- (3) Has a disability that, as documented by a health care provider’s certification, prevents the individual from providing satisfactory jury service;
- (4) Has been convicted, in a federal or State court of record, of a crime

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punishable by imprisonment exceeding [6 months] **1 YEAR** and received a sentence of imprisonment for more than [6 months] **1 YEAR**; or

(5) Has a charge pending, in a federal or State court of record, for a crime punishable by imprisonment exceeding [6 months] **1 YEAR**.

(c) An individual qualifies for jury service notwithstanding a disqualifying conviction under subsection (b)(4) of this section if the individual is pardoned.

8-302.

(a) In accordance with an agreement, if any, under § 8-213 of this title, a juror qualification form in substantially the following form shall be provided to each prospective juror:

Juror Qualification Form

Name:

Resident address:

Telephone: (home) _____ (work) _____ (cellular) _____

Age: ____ Date of Birth: _____

If you are over 70 years of age, do you wish to be exempted from jury services?
____ Yes ____ No

U.S. Citizen? ____ Yes ____ No

Able to comprehend, read, speak, and write English? ____ Yes ____ No

Highest level of education completed:

____ high school ____ college ____ graduate school ____ other

Occupation of prospective juror: _____

Name of employer: _____

Occupation of spouse, if any: _____

Disability preventing satisfactory jury service? ____ Yes ____ No

Do you want an accommodation under the federal Americans with Disabilities Act?
____ Yes ____ No

EXHIBIT

LAWRENCE J. HOGAN, JR., Governor

Ch. 750

Pending charge for a crime punishable by imprisonment exceeding [6 months] 1 YEAR? ____ Yes ____ No

Conviction of crime punishable by imprisonment exceeding [6 months] 1 YEAR and received a sentence of imprisonment for more than [6 months] 1 YEAR and not legally pardoned? ____ Yes ____ No

Date of Conviction _____

____ Elected official of the federal Legislative Branch, as defined in 2 U.S.C. § 30a.

____ Active duty member of armed forces exempted in accordance with 10 U.S.C. § 982.

____ Member of Maryland’s organized militia exempted in accordance with Public Safety Article § 13–218.

Prior jury service within 3 preceding years: _____

Form completed by me ____ Another (name) ____ and, if another, why?

Under the penalties of perjury, the responses are true to the best of my knowledge

Signed: _____

Prospective Juror

Individual completing form for prospective juror:

This form must be completed, signed, and returned to the jury commissioner within 10 days after receipt. Documentation for excusal due to disability, exemption based on armed forces or militia service, pardons, and/or prior jury service must be attached.

(b) A juror qualification form for a county may include other questions as the county’s jury plan requires.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2019.