

PLAN FOR THE SELECTION OF PROSPECTIVE JURORS

EL PASO COUNTY TEXAS

WHEREAS, CHAPTER 62 OF THE TEXAS GOVERNMENT CODE AND ARTICLE 35.03, CODE OF CRIMINAL PROCEDURE, PROVIDES FOR THE RECOMMENDATION OF A PLAN FOR THE SELECTION OF PERSONS FOR JURY SERVICE TO BE ADOPTED BY THE COMMISSIONERS COURT:

AND WHEREAS THE FOLLOWING PLAN HAS BEEN APPROVED BY THE DISTRICT JUDGES OF EL PASO COUNTY, TEXAS;

IT IS THEREFORE RECOMMENDED TO THE COMMISSIONERS COURT OF EL PASO COUNTY, TEXAS, BY THE DISTRICT JUDGES OF EL PASO COUNTY, PURSUANT TO SECTION 62.011 OF THE TEXAS GOVERNMENT CODE, AND SECTION 35.03, CODE OF CRIMINAL PROCEDURE, THAT THE FOLLOWING PLAN FOR THE SELECTION OF NAMES OF PROSPECTIVE JURORS BE ADOPTED AND THAT THE PLAN HERETOFORE ADOPTED JUNE OF 1993, BE SET ASIDE AND BE REPLACED BY THE BELOW PLAN.

1.0 AUTHORITY

1.1 STATUTES

THIS PLAN IS ESTABLISHED IN ACCORDANCE WITH THE PROVISIONS FOR THE ELECTRONIC OR MECHANICAL METHOD OF SELECTION OF NAMES OF PERSONS FOR JURY SERVICE CONTAINED IN TEXAS GOVERNMENT CODE 62.011 AND SECTION 35.03, CODE OF CRIMINAL PROCEDURE OR ITS SUCCESSOR STATUTE AND ALL OTHER STATUTES WHICH GOVERN THE SELECTION OF NAMES OF PERSONS FOR JURY

SERVICE AND WHICH ARE NOT INCONSISTENT WITH THIS PLAN AS PERMITTED BY LAW.

1.2 COURT RULES

THE MOST RECENT COURT RULES, CIVIL AND CRIMINAL, ADOPTED BY JUDGES IN EL PASO COUNTY SHALL ALSO GOVERN THE JURY SYSTEM WHERE APPLICABLE.

1.3 APPLICABILITY

THIS JURY PLAN SHALL BE USED TO SELECT THE NAMES OF PERSONS FOR JURY SERVICE IN EL PASO COUNTY IN ALL COURTS OF GENERAL AND LIMITED JURISDICTION WHICH CONDUCT JURY TRIALS.

1.4 JURY BAILIFF

IN LIGHT OF THE DISTRICT JUDGES APPOINTMENT OF A JURY BAILIFF, AND ASSISTANT OR DEPUTY BAILIFFS TO BE IN CHARGE OF THE CENTRAL JURY ROOM AND THE GENERAL PANEL, SAID JURY BAILIFF IS DESIGNATED AS THE OFFICER IN CHARGE OF ACCOMPLISHING THE QUALIFICATION AND SUMMONING AND MAY ASSIST THE COUNTY TREASURY IN DELIVERING PAYMENTS TO PROSPECTIVE JURORS, AND TO USE ALL REASONABLE MEANS TO ACCOMPLISH THESE DUTIES. § 62.014, §62.019.

1.5 SUMMONS

WRITTEN SUMMONS SHALL REFLECT THAT THE COURTS, SHERIFF, OR JURY BAILIFF OR ANY COMBINATION OF THESE HAVE SUMMONED THE PROSPECTIVE JUROR.

1.6 DISTRICT CLERK

THE DISTRICT CLERK SHALL REVIEW THIS SELECTION PLAN FROM TIME TO TIME, AND SUBMIT WRITTEN DETAILED RECOMMENDATIONS TO THE COUNCIL OF JUDGES REGARDING HIS OPINION ON WAYS TO IMPROVE THIS PLAN. THE DISTRICT CLERK

SHALL PROVIDE DEPUTY DISTRICT CLERK(S) AS NEEDED, AT THE REQUEST OF THE LOCAL PRESIDING JUDGE OF THE COUNCIL OF JUDGES, OR THE EXECUTIVE DIRECTOR OF THE COUNCIL OF JUDGES, TO AID AND HELP THE JURY BAILIFF ACCOMPLISH HIS DUTIES UNDER THIS PLAN.

1.7 JURY PAYROLL AUDIT

THE COUNTY TREASURY SHALL CONTINUE TO AUDIT THE JURY PAYROLL AND DO BANK RECONCILIATION.

2.0 SELECTION PROCESS

THE DISTRICT CLERK OF EL PASO COUNTY, TEXAS IS DESIGNATED AS THE OFFICER IN CHARGE OF THE SELECTION PROCESS.

2.1 SOURCE LIST

THE SOURCE OF NAMES OF PERSONS FOR JURY SERVICE SHALL BE AS PROVIDED IN SECTION 62.001 OF THE TEXAS GOVERNMENT CODE. IN ACCORDANCE WITH GOVERNMENT CODE SECTION 62.001, THE SOURCE OF NAMES SHALL BE THE CURRENT VOTER REGISTRATION LISTS FROM ALL PRECINCTS IN EL PASO COUNTY AS CONTAINED IN THE VOTER REGISTRATION ELECTRONIC FILE OF ALL PRECINCTS IN EL PASO COUNTY, EXCLUDING THE NAMES OF PERSONS WHO ARE DISQUALIFIED OR WHO ARE EXEMPT FROM JURY SERVICE AS PROVIDED BY SECTIONS 62.108 AND 62.109 OF THE GOVERNMENT CODE. THE SOURCE OF NAMES SHALL ALSO INCLUDE ALL NAMES ON A CURRENT LIST, TO BE FURNISHED BY THE TEXAS DEPARTMENT OF PUBLIC SAFETY, SHOWING THE CITIZENS OF EL PASO COUNTY HOLDING A VALID TEXAS DRIVER'S LICENSE AND THE CITIZENS OF EL PASO COUNTY, OTHER THAN THOSE WHO ARE DISQUALIFIED FROM JURY SERVICE, WHO HOLD A VALID PERSONAL

IDENTIFICATION CARD OR CERTIFICATE ISSUED BY THE TEXAS DEPARTMENT OF PUBLIC SAFETY.

THE DISTRICT CLERK OF EL PASO COUNTY SHALL NOTIFY THE SECRETARY OF STATE, NOT LATER THAN 90 DAYS BEFORE A COMBINED LIST OF NAMES IS NEEDED, TO RECONSTITUTE THE LIST OF NAMES OF PERSONS FOR JURY SERVICE IN EL PASO COUNTY, WHEN SUCH A LIST WILL BE REQUIRED AND THE FORMAT REQUIRED. THE DISTRICT CLERK SHALL ALSO NOTIFY THE VOTER REGISTRAR OF EL PASO COUNTY, WHEN TO SEND THE REQUIRED INFORMATION TO THE SECRETARY OF STATE, AND SHALL PROVIDE TO THE VOTER REGISTRAR A CERTIFIED LIST CONTAINING THE NAMES OF PERSONS CONVICTED OF FELONIES IN EL PASO COUNTY.

UPON NOTIFICATION BY THE DISTRICT CLERK, THE VOTER REGISTRAR SHALL CERTIFY AND PROVIDE TO THE SECRETARY OF STATE A CURRENT VOTER REGISTRATION FILE FROM ALL PRECINCTS IN EL PASO COUNTY CONTAINING THE INFORMATION REQUIRED BY SECTION 62.001 (c) OF THE GOVERNMENT CODE. THE CURRENT VOTER REGISTRATION LIST MAY EXCLUDE, AT THE OPTION OF THE VOTER REGISTRAR OF THE COUNTY, THE NAMES OF PERSONS ON THE SUSPENSION LIST (S-1) MAINTAINED UNDER SECTION 15.081, ELECTION CODE. THE NAMES OF CONVICTED FELONS AND PERSONS EXEMPT FROM JURY SERVICE UNDER SECTIONS 62.108 AND 62.109 OF THE GOVERNMENT CODE SHALL BE EXCLUDED FROM THE LIST, UNLESS THE SECRETARY OF STATE REQUESTS THAT THE NAMES OF CONVICTED FELONS AND PERSONS EXEMPT FROM JURY SERVICE BE INCLUDED ON THE LIST, AND BE MARKED IN A MANNER WHICH WILL INDICATE WHICH PERSONS ARE EXEMPT OR ARE CONVICTED FELONS. IF THE REGISTRAR EXCLUDES NAMES FROM (S-1) THE VOTER REGISTRATION LIST, A LIST OR LISTS OF THE EXCLUDED NAMES SHALL ALSO

BE SENT TO THE SECRETARY OF STATE UPON REQUEST OF THE SECRETARY OF STATE.

THE VOTER REGISTRAR SHALL INCLUDE ON THE FILES, IF POSSIBLE, ANY INFORMATION REQUESTED BY THE SECRETARY OF STATE WHICH WOULD AID IN THE ELIMINATION OF DUPLICATE NAMES FROM THE COMBINED LIST OR WHICH WOULD AID IN THE ELIMINATION OF THE NAMES OF PERSONS EXEMPT OR DISQUALIFIED FROM JURY SERVICE FROM THE LIST PROVIDED BY THE DEPARTMENT OF PUBLIC SAFETY.

THE VOTER REGISTRAR SHALL COOPERATE, WHERE FEASIBLE, WITH THE SECRETARY OF STATE IN PROVIDING REQUESTED INFORMATION AND THE REQUIRED DATA TO THE SECRETARY OF STATE IN A MANNER, AND IN THE FORMAT REQUESTED BY THE SECRETARY OF STATE.

AFTER THE FILES HAVE BEEN COMBINED, AS PROVIDED IN SECTION 62.001 OF THE GOVERNMENT CODE, THE DISTRICT CLERK SHALL RECEIVE THE CERTIFIED COMBINED LIST FROM THE SECRETARY OF STATE.

HOWEVER, THE COMMISSIONERS COURT MAY, INSTEAD OF USING THE METHOD PROVIDED BY SUBSECTION (c) THROUGH (h) OF SECTION 62.001, GOVERNMENT CODE, CONTRACT WITH ANOTHER GOVERNMENTAL UNIT, OR A PRIVATE PERSON, TO COMBINE THE VOTER REGISTRAR LIST WITH THE LIST FURNISHED BY THE DEPARTMENT OF PUBLIC SAFETY. THE NAMES ON THE COMBINED FILES FROM THE SECRETARY OF STATE, ON THE TAPE, OR IN SUCH OTHER FORM AS THEY ARE RECEIVED FROM THE SECRETARY OF STATE, OR IN SUCH OTHER FORM AS IS REQUIRED TO MAKE THEM COMPATIBLE WITH THE COMPUTER EQUIPMENT AVAILABLE TO EL PASO COUNTY FOR THE SELECTION PROCESS, SHALL BECOME THE ELECTRONIC

COPY FOR THE COMPUTER PROCESS, AND SHALL BE THE "RECORD OF NAMES" UNDER THIS PLAN.

2.2 RANDOMIZATION

AS PROVIDED IN SECTION 62.011(a), GOVERNMENT CODE, THE SELECTION OF PERSONS FOR JURY SERVICE WILL BE ACCOMPLISHED ELECTRONICALLY WITH THE AID OF COMPUTER PROGRAMS AND EQUIPMENT. THE SELECTION OF NAMES WILL BE BY RANDOMIZATION SO THAT THERE IS A FAIR, IMPARTIAL, AND OBJECTIVE SELECTION OF NAMES OF PERSONS FOR JURY SERVICE.

2.3 DURATION AND HOLD OVER JURORS

THE METHOD OF JURY SELECTION WILL USE THE SAME RECORD OF NAMES FOR THE SELECTION OF PERSONS FOR JURY SERVICE UNTIL STATUS CODE 00 AND 05 IN THAT RECORD ARE EXHAUSTED. JURORS, WHO ARE SUMMONED FOR JURY SERVICE FROM A CURRENT RECORD OF NAMES, WHOSE COURT APPEARANCE DATE IS AFTER THE EFFECTIVE DATE OF A NEW RECORD OF NAMES, SHALL APPEAR FOR SERVICE AS ORDERED AND THOSE WHO FAIL TO APPEAR WILL BE GIVEN A NEW APPEARANCE DATE.

2.4 DISQUALIFICATIONS AND EXEMPTION

DISQUALIFICATIONS AND EXEMPTIONS SHALL BE AS PROVIDED BY LAW. THE NAMES OF 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 IS SELECTED, AS PROVIDED IN SECTIONS 62.108 AND 62.109 OF THE GOVERNMENT CODE.

2.5 JUROR QUALIFICATION QUESTIONNAIRE

ALL NAMES IN THE RECORD OF NAMES SHALL HAVE A STATUS CODE OF 00 EXCEPT AS OTHERWISE PROVIDED IN THE COMPUTER DATABASE. THE COMPUTER SHALL BE DIRECTED, FROM TIME TO TIME, TO RANDOMLY SELECT NAMES FROM THE RECORD OF NAMES AND THOSE PERSONS RANDOMLY SELECTED FROM STATUS CODE 00 SHALL BE SENT BY MAIL A "JURY QUALIFICATION QUESTIONNAIRE". A COPY OF THE CURRENT QUESTIONNAIRE IS ATTACHED OR EXHIBITED "A". THE RETURNED QUESTIONNAIRES ARE SCANNED INTO THE COMPUTER DATABASE AND A STATUS CODE WILL BE AUTOMATICALLY ASSIGNED TO THE JUROR ACCORDING TO HOW THEY ANSWERED THE QUESTIONS ON THEIR QUALIFICATION QUESTIONNAIRE. THOSE PERSONS FOUND TO BE QUALIFIED FOR JURY SERVICE SHALL BE ASSIGNED STATUS CODE 05.

2.6 WRITTEN JURY SUMMONS AND QUESTIONNAIRES

PERSONS WITH A STATUS CODE OF 05 ARE RANDOMLY SUMMONED FOR JURY SERVICE, AT WHICH TIME THEIR STATUS CODE IS CHANGED TO 07. A PERSON WHO RECEIVES A WRITTEN JURY SUMMONS, AND A WRITTEN JURY SUMMONS QUESTIONNAIRE, SHALL IMMEDIATELY COMPLETE THE QUESTIONNAIRE AND MAIL IT BACK TO THE JURY BAILIFF. JURY QUESTIONNAIRES, RECEIVED BY THE JURY BAILIFF, ARE SCANNED INTO THE COMPUTER DATABASE AS RECEIVED, AND THE DATABASE IS SO MARKED. A COPY OF THE CURRENT SUMMONS AND QUESTIONNAIRE ARE ATTACHED AS EXHIBIT "B". UNDER THIS PROCESS, THE WRITTEN JURY QUESTIONNAIRE IS AVAILABLE TO THE COURT AND ATTORNEYS BEFORE THE PROSPECTIVE JURORS REPORT FOR JURY DUTY.

2.61 THE SUMMONING OF JURORS

THE JURY SUMMONS SHALL BE DELIVERED BY GIVING PERSONAL NOTICE TO EACH PERSON, OR BY LEAVING A WRITTEN NOTICE TO THAT EFFECT AT THE PERSON'S PLACE OF RESIDENCE, WITH SOME PERSON OR PROPER AGE AND DISCRETION, BY TELEPHONE OR BY MAILING SUCH NOTICE BY FIRST CLASS MAIL, REGISTERD MAIL OR CERTIFIED MAIL.

UNLESS THE JURY SELECTION OFFICE OF THE COUNTY IS OTHERWISE NOTIFIED, A PERSON'S RESIDENCE SHALL BE DETERMINED BY THE CURRENT ADDRESS THAT IS REQUIRED BY LAW TO BE LISTED ON THE PERSON'S TEXAS DRIVER'S LICENSE OR TEXAS IDENTIFICATION CERTIFICATE, OR THE CURRENT VOTER REGISTRATION LIST OF THE COUNTY.

IF A PERSON TEMPORARILY LEAVES THE COUNTY FOR EMPLOYMENT OR OTHER PURPOSES FOR MORE THAN ONE MONTH, THE PERSON MAY PROVIDE AN AFFIDAVIT INDICATING LENGTH OF ABSENCE, NAME, PHONE NUMBER AND ADDRESS OF EMPLOYER, ADDRESS OF WORK OR VISITATION LOCATION, AND VACATION OR RETURN TIMES, TELEPHONE NUMBER AND NAME OF SPOUSE AND CHILDREN, EL PASO COUNTY ADDRESS, AND IF APPROVED BY THE ADMINISTRATIVE JUDGE OR JUDGE OF THE JURY DUTY COURT, THE PERSON WILL BE EXCUSED FROM JURY SERVICE DURING THAT TIME.

2.7 JURORS ASSIGNED TO A COURT

EACH COURT WILL REQUEST THE NUMBER OF JURORS NEEDED FOR A CERTAIN DATE, THEN ON AN APPROPRIATE DAY BEFORE THE TRIAL DATE, THE JURY BAILIFF SHALL HAVE THE COMPUTER PRINT A (VENIRE) STRIKE LIST BY RANDOM SELECTION FROM THOSE PERSONS WITH A 07 STATUS CODE FOR THE DATE OF THE TRIAL, AND WHO HAVE RETURNED THEIR JURY QUESTIONNAIRE.

2.8 CHANGE OR UPDATE OF ADDRESSES AND SELECTION OF NAMES

IF A QUALIFICATION QUESTIONNAIRE OR SUMMONS FOR JURY SERVICE IS RETURNED WITH A NOTATION FROM THE UNITED STATES POSTAL SERVICE (USPS) OF A CHANGE OF ADDRESS FOR THE PERSON, OR IF SUCH A CHANGE OF ADDRESS IS OTHERWISE OBTAINED, SUCH DATA SHALL BE UPDATED INTO THE COMPUTER TO REFLECT THE NEW ADDRESS, OR TO DELETE THE PERSON'S NAME IN THE EVENT THE NEW ADDRESS IS NOT WITHIN EL PASO COUNTY. IF A QUALIFICATION QUESTIONNAIRE OR JURY SUMMONS IS UNDELIVERABLE, THE JUROR'S NAME MAY BE REMOVED FROM THE RECORD OF NAMES. A USPS APPROVED ADDRESS UPDATE TOOL SHALL BE USED FROM TIME TO TIME TO UPDATE ADDRESSES OF JURORS IN THE RECORD OF NAMES. SOME OF THESE TOOLS ARE: ADDRESS CHANGE SERVICE (ACS), NATIONAL CHANGE OF ADDRESS (CPA), FAST FORWARD, OR THE APPROPRIATE ANCILLARY SERVICE ENDORSEMENT.

2.9 WHEN A RECONSTITUTED SOURCE OF NAMES IS PREPARED

WHEN, FROM TIME TO TIME, A RECONSTITUTED SOURCE OF NAMES (NEW RECORD OF NAMES) IS PREPARED, IT SHALL BE RUN AGAINST THE PRIOR RECORD OF NAMES, AND IF A NAME IS ON BOTH LISTS, AND SUCH NAME HAS A STATUS CODE 02, 03, 05,

08, 18, 21, 22, 23, 24, 25, 40, 50, 51, 52, 53, 60, 64, 66, 67, 95, 97 AND 99, ON THE OLD LIST, THEN SAID NAME SHALL BE GIVEN THE SAME STATUS CODE ON THE NEW RECORD OF NAMES, EXCEPT STATUS CODE 64 WILL BE DELETED EVERY OTHER YEAR. ALL OTHER NAMES ON THE NEW LIST HAVE A 00 STATUS CODE. THIS PROCEDURE WILL CAUSE THE NEW RECONSTITUTED SOURCE OF NAMES TO START OFF WITH QUALIFIED JURORS. A LIST OF CURRENT STATUS CODES IS ATTACHED AS EXHIBIT "C". STATUS CODES MAY BE ADDED TO, DELETED OR CHANGED, FROM TIME TO TIME AS NEEDED, WITH THE APPROVAL OF THE LOCAL ADMINISTRATIVE JUDGE. IN THAT CASE, THIS PLAN IS AMENDED AUTOMATICALLY TO CONFORM TO SUCH CHANGE, ADDITION OR DELETION. THE JUROR IDENTIFICATION NUMBER, IN THE COMPUTER, SHALL BE CARRIED OVER FROM RECORD OF NAMES TO RECORD OF JURORS, AS IS PRACTICAL.

2.10 JURORS WHO FAILED TO RETURN JURY QUESTIONNAIRE

JURORS WHO FAIL TO RETURN THEIR JURY QUESTIONNAIRE, WHO APPEAR FOR JURY SERVICE, SHALL COMPLETE THEIR JURY QUESTIONNAIRE AT LIBERTY HALL. THEY WILL BE GIVEN A NEW JURY APPEARANCE DATE (POSTPONEMENT) IN WRITING AND RELEASED.

2.11 COURT BAILIFF TO CALL JURORS WHEN TRIAL CANCELLED

WHEN A JURY TRIAL IS CANCELLED, THE TRIAL COURT SHALL INFORM THE JURY BAILIFF BY FAX THAT A JURY SHALL NOT BE NEEDED. IF THE JURY PANEL IS CANCELLED BEFORE THE APPEARANCE DATE FOR THE JURY, THEN THE BAILIFF OF THE COURT THAT HAS CANCELLED THE JURY TRIAL SHALL CALL THE JURY HALL BAILIFF, WHO SHALL THEN CALL EACH JUROR WHOSE TELEPHONE NUMBER IS AVAILABLE ON (VENIRE) STRIKE LIST (JURY PANEL) TO INFORM THE JUROR THAT THE

TRIAL HAS BEEN CANCELLED OR NOTICE OF CANCELLATION MAY BE SENT BY MAIL. THAT JUROR WILL BE RETURNED TO THE POOL OF QUALIFIED JURORS TO BE SUMMONED IN THE FUTURE. THE JURY BAILIFF SHALL NOTIFY A COURT AND LOCAL PRESIDING JUDGE IF THE COURT BAILIFF FAILS TO COMPLY WITH THIS SUBSECTION. THIS SUBSECTION APPLIES TO COURT REFEREES AND JUSTICES OF THE PEACE.

2.12 EXCUSED JURORS – BAILIFF’S DUTIES

IF A TRIAL COURT, OR THE PERSONNEL OF THAT COURT, INCLUDING THE BAILIFF, EXCUSES AN INDIVIDUAL JUROR ON THEIR STRIKE LIST (JURY PANEL) FROM JURY SERVICE, THE TRIAL COURT BAILIFF SHALL INFORM THE JURY BAILIFF BY FAX OF THE NAME AND JURY NUMBER OF THE JUROR WHO WAS EXCUSED. IF COURT PERSONNEL FAIL TO COMPLY WITH THIS SUBSECTION AND JUROR IS IN "NO SHOW" PROCESS, TRIAL COURT BAILIFF MUST CONTACT JURY DUTY COURT PERSONNEL IN ORDER TO EXCUSE JUROR.

2.13 CREDIT FOR JURY SERVICE

ONCE A JUROR HAS BEEN SUMMONED AND HAS TIMELY REPORTED TO LIBERTY HALL IN ACCORDANCE WITH THAT SUMMONS, THE JUROR WILL NOT BE SUMMONED AGAIN UNTIL THE JURY SOURCE IS RE-CONSTITUTED.

A JUROR, WHO HAS THREE TIMES BEEN SUMMONED AND CANCELLED WHETHER BY LETTER OF CANCELLATION OR AN AUTOMATED TELEPHONE CALL CANCELLING SAME, WITHIN THE SPAN OF ONE JURY SOURCE COMPOSITION, WILL HAVE COMPLETED JURY SERVICE AND WILL NOT BE SUMMONED AGAIN UNTIL THE JURY SOURCE HAS BEEN RECONSTITUTED.

A JUROR WHO HAS PROPERLY CLAIMED AN EXEMPTION SHALL NOT BE RESUMMONED UNTIL THE JURY SOURCE IS RECONSTITUTED. (THE "OVER 70 YEARS OF AGE EXEMPTION" AND "MEDICAL EXEMPTIONS" WILL ONLY BE RESUMMONED IN ACCORDANCE WITH THE LAW)."

3.0 JURY SERVICE

3.4 POSTPONEMENTS

(I)

- (A) A PERSON SUMMONED FOR JURY SERVICE MAY REQUEST A POSTPONEMENT OF THE PERSON'S INITIAL APPEARANCE FOR JURY SERVICE. THE PERSON MAY REQUEST THE POSTPONEMENT BY CONTACTING THE **ADMINISTRATIVE JUDGE OR THE JURY DUTY COURT JUDGE**, IN PERSON, IN WRITING, OR BY TELEPHONE IF THE PERSON DOES SO MORE THAN ONE WEEK BEFORE THE DATE ON WHICH THE PERSON IS SUMMONED TO APPEAR.
- (B) A PERSON MAY REQUEST A POSTPONEMENT OF THE PERSON'S INITIAL APPEARANCE FOR JURY SERVICE WITHIN ONE WEEK BEFORE THE DATE ON WHICH THE PERSON IS SUMMONED TO APPEAR BY CONTACTING THE **PRESIDING JUDGE OF THE COURT TO WHICH THAT PERSON HAS BEEN ASSIGNED OR THE ADMINISTRATIVE JUDGE OR JURY DUTY COURT JUDGE**, AND RECEIVING THAT JUDGE'S PERMISSION.

ON RECEIPT OF A REQUEST UNDER SUBSECTION (A), THE CLERK OF THE COURT OR JURY BAILIFF SHALL GRANT THE PERSON A POSTPONEMENT IF:

- (1) THE PERSON HAS NOT BEEN GRANTED A POSTPONEMENT IN THAT COUNTY DURING THE ONE-YEAR PERIOD PRECEDING THE DATE ON WHICH THE PERSON IS SUMMONED TO APPEAR; AND
- (2) THE PERSON AND THE CLERK OR JURY BAILIFF DETERMINE A SUBSTITUTE DATE ON WHICH THE PERSON WILL APPEAR FOR JURY SERVICE THAT IS NOT LATER THAN SIX MONTHS AFTER THE DATE ON WHICH THE PERSON WAS ORIGINALLY SUMMONED TO APPEAR AND;
- (3) IT IS MORE THAN ONE WEEK BEFORE THE JUROR IS TO REPORT.

(II)

A PERSON WHO RECEIVES A POSTPONEMENT UNDER SECTION 3.41 (I) MAY REQUEST A SUBSEQUENT POSTPONEMENT BY CONTACTING, IN WRITING, THE PRESIDING JUDGE OF THE COUNCIL OF JUDGES, OR THE PRESIDING JUDGE OF THE JURY DUTY COURT, TO RECEIVE THAT JUDGE'S PERMISSION FOR THIS SUBSEQUENT POSTPONEMENT, HOWEVER, IF THIS SUBSEQUENT REQUEST IS MADE AFTER THE REQUESTING JUROR IS ASSIGNED TO A COURT, THEN ONLY THE PRESIDING JUDGE OF THAT PARTICULAR COURT CAN GRANT THE SUBSEQUENT POSTPONEMENT. THE CLERK OF THE COURT OR THE JURY BAIULIFF SHALL SUBMIT THE WRITTEN REQUEST TOGETHER WITH THE JUROR'S HISTORY OF JURY SERVICE TO THE JUDGE FOR HIS OR HER CONSIDERATION.

3.41 EXCUSALS

JUDGES SHALL RETAIN THEIR EXCUSAL POWERS UNDER TEX. GOV'T CODE SECTION 61.110, WHICH IS SET FORTH AS FOLLOWS:

§62.110.JUDICIAL EXCUSE OF JUROR:

- (A) EXCEPT AS PROVIDED BY THIS SECTION, A COURT MAY HEAR ANY REASONABLE SWORN EXCUSE OF A PROSPECTIVE JUROR, INCLUDING ANY CLAIM OF AN EXEMPTION OR A LACK OF QUALIFICATION, AND IF THE EXCUSE IS CONSIDERED SUFFICIENT SHALL RELEASE HIM/HER FROM JURY SERVICE ENTIRELY OR UNTIL ANOTHER DAY OF THE TERM, AS APPROPRIATE.
- (B) PURSUANT TO PLAN APPROVED BY THE COMMISSIONERS COURT OF EL PASO COUNTY IN THE SAME MANNER AS A PLAN IS APPROVED FOR JURY SELECTION UNDER SECTION 62.011, THE COURT'S DESIGNEE MAY:
 - (1) HEAR ANY REASONABLE EXCUSE OF A PROSPECTIVE JUROR, INCLUDING ANY CLAIM OF AN EXEMPTION OR A LACK OF QUALIFICATION; AND
 - (2) DISCHARGE THE JUROR OR RELEASE HIM FROM JURY SERVICE UNTIL A SPECIFIED DAY OF THE TERM, AS APPROPRIATE, IF:
 - (A) THE EXCUSE IS CONSIDERED SUFFICIENT; AND
 - (B) THE JUROR SUBMITS TO THE COURT'S DESIGNEE A STATEMENT OF THE GROUND OF THE EXEMPTION OR LACK OF QUALIFICATION OR OTHER EXCUSE.
 - (C) THE COURT OR THE COURT'S DESIGNEE AS PROVIDED BY THIS SECTION MAY NOT EXCUSE A PROSPECTIVE JUROR FOR AN ECONOMIC REASON UNLESS EACH PARTY OR RECORD IS PRESENT AND APPROVES THE RELEASE OF THE JUROR FOR THAT REASON.

3.5 IMPANELING THE JURY

PROCEDURES FOR REQUESTING JURY PANELS, AND THE IMPANELING OF JURORS, SHALL BE AS PROVIDED BY LAW, AND IN ACCORDANCE WITH THE POLICIES AND PROCEDURES OF THE COUNCIL OF JUDGES, AND AS DIRECT BY THE LOCAL ADMINISTRATIVE JUDGE.

3.6 DEFAULTING JURORS

PENALTIES FOR FAILURE TO COMPLY WITH A JURY SUMMONS, OR FILING A FALSE CLAIM OF EXEMPTION FROM JURY SERVICE, SHALL BE AS PROVIDED BY LAW.

3.6 AUDIT OF ASSIGNED STATUS CODE

AN AUDIT BY A JUDGE, FROM TIME TO TIME, MAY BE CONDUCTED ON ANY PART OF THE RECORD OF NAMES TO DETERMINE IF THE CORRECT STATUS CODE HAS BEEN ASSIGNED TO A NAME.

4.0 AMENDMENTS

THIS PLAN MAY BE AMENDED AT ANY TIME BY THE COMMISSIONERS COURT OF EL PASO COUNTY, TEXAS, UPON THE RECOMMENDATION OF A MAJORITY OF THE DISTRICT JUDGES OF EL PASO COUNTY, TEXAS. SHOULD ANY CHANGE IN THE LAW RENDER ANY PORTION OF THIS PLAN INVALID, UNLAWFUL, OR OTHERWISE IN CONFLICT WITH A NEW LAW, THIS PLAN SHALL AUTOMATICALLY BE AMENDED WITHOUT FURTHER ACTION BY THE DISTRICT JUDGES OR THE COMMISSIONERS COURT TO CONFORM THE AFFECTED PROVISION OF THIS PLAN TO THE LAW AS AMENDED OR AS OTHERWISE REQUIRED BY LAW.

NOT LATER THAN EVERY THREE YEARS FROM THE EFFECTIVE DATE OF THIS PLAN, THE LOCAL PRESIDING JUDGE SHALL CALL A MEETING FOR THE PURPOSE OF REVIEWING THIS PLAN. THE LOCAL PRESIDING JUDGE SHALL APPOINT A COMMITTEE CONSISTING OF PERSONS INVOLVED IN THE JURY SELECTION PROCESS TO ATTEND SAID MEETING AND EVALUATE THE JURY PLAN.

5.0 VALIDATION

ALL PROCEDURES IN THE SELECTION PROCESS FOR PROSPECTIVE JURORS THAT WERE HERETOFORE FOLLOWED, AND THAT PRODUCED A FAIR, IMPARTIAL, AND

OBJECTIVE SELECTION OF NAMES OF JURORS FOR JURY SERVICE, ARE HEREBY
VALIDATED.

**6.0 THE EL PASO JURY PLANS ADOPTED IN JUNE OF 1993, DECEMBER OF 2002,
MARCH OF 2005, AUGUST OF 2008 AND APRIL OF 2010 ARE HEREBY SET
ASIDE, REPEALED AND REPLACED BY THIS ONE.**

7.0 CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING RECOMMENDATION WAS ADOPTED BY THE
DISTRICT JUDGES OF EL PASO COUNTY AND THE COUNCIL OF JUDGES AT A MEETING
CALLED FOR THAT PURPOSE ON THE 29TH DAY OF NOVEMBER, 2012

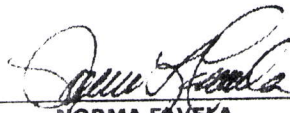
SIGNED: NOVEMBER 29, 2012.



JUDGE PATRICK M. GARCIA
LOCAL ADMINISTRATIVE JUDGE
384TH DISTRICT COURT

THE DISTRICT CLERK OF EL PASO COUNTY HEREBY RECOMMENDS THE ADOPTION OF THE
ABOVE JURY PLAN.

SIGNED 17th DAY OF DECEMBER, 2012.


NORMA FAVELA
DISTRICT CLERK



NORMA L. FAVELA DISTRICT CLERK

LIBERTY HALL
200 S. KANSAS STREET, ROOM 104
EL PASO, TEXAS 79901-9912

Complete online: www.elpasojury.com
or with a Touchtone Phone: 915.875.8300

SAVE A STAMP!

IS YOUR NAME AND PERMANENT ADDRESS CORRECT? YES NO
IF "NO", MAKE CORRECTIONS ON REVERSE SIDE



D

IMPORTANT DIRECTIONS
FOR MARKING ANSWERS &
SIGNING THIS FORM USE
EITHER A NO. 2 PENCIL OR
BLACK OR BLUE INK PEN.

FILL OUT FORM ON HARD
SURFACE

MAKE HEAVY DARK MARKS

ERASE ANY CHANGES
COMPLETELY

MAKE NO STRAY MARKS

DO NOT WRITE IN MARGIN OR
IN OFFICIAL USE ONLY AREAS

RIGHT

WRONG

FOR OFFICIAL USE
JURORS: PLEASE DO NOT
WRITE IN THIS SPACE

QUAL
 XCUSE
 INELG.
 DEC
 MOVED

12071701

ELECTRONIC
SIGNATURE

10983

JUROR I.D.

821529



JUROR QUALIFICATION QUESTIONNAIRE

PLEASE READ LETTER ON OTHER SIDE BEFORE COMPLETING

COMPLETE AND RETURN BY **07/30/2012**

SECTION A - QUALIFICATIONS

USING A NO.2 PENCIL OR BLACK OR BLUE INK PEN, FILL IN
COMPLETELY YOUR RESPONSE TO EACH QUESTION.

IF ANOTHER PERSON FILLS OUT THIS FORM, PLEASE INDICATE THAT
PERSON'S NAME, ADDRESS AND REASON WHY IN REMARKS ON REVERSE.

1. ARE YOU AT LEAST 18 YEARS OF AGE? YES NO
2. ARE YOU A CITIZEN OF THE UNITED STATES? YES NO
3. ARE YOU A CURRENT RESIDENT OF: STATE OF TEXAS? YES NO
EL PASO COUNTY? YES NO
4. ARE YOU QUALIFIED TO VOTE IN EL PASO COUNTY?
(NOTE: YOU DO NOT HAVE TO BE REGISTERED
TO VOTE TO BE QUALIFIED) YES NO
5. DO YOU HAVE A SOUND MIND? YES NO
6. DO YOU READ, WRITE, SPEAK AND UNDERSTAND BASIC
ENGLISH LANGUAGE? YES NO
7. HAVE YOU SERVED MORE THAN SIX DAYS AS A JUROR
IN COUNTY COURT DURING THE LAST THREE MONTHS? YES NO
8. HAVE YOU SERVED MORE THAN SIX DAYS AS A JUROR
IN DISTRICT COURT DURING THE LAST THREE MONTHS? YES NO
9. HAVE YOU EVER BEEN CONVICTED OF: ANY THEFT? YES NO
A FELONY? YES NO
10. ARE YOU CURRENTLY UNDER INDICTMENT OR ANY
OTHER LEGAL ACCUSATION OF: ANY THEFT? YES NO
A FELONY? YES NO
11. DO YOU HAVE ANY PHYSICAL OR MENTAL DISABILITY THAT
WOULD INTERFERE WITH OR PREVENT YOU FROM SERVING AS
A JUROR? (IF "YES", PLEASE EXPLAIN IN DETAIL IN REMARKS
ON REVERSE AND ATTACH MEDICAL VERIFICATION.) YES NO
12. Single Married Widowed Separated or Divorced
 Mr. Mrs. Miss Ms.

I declare under penalty of perjury that all answers are true to the
best of my knowledge and belief.

SIGN
HERE _____ DATE _____

SECTION B - EXEMPTIONS

13. IF YOU ARE QUALIFIED TO SERVE AS A JUROR, YOU MUST SERVE WHEN
SUMMONED UNLESS YOU ARE EXEMPT FROM SERVICE AND WISH TO CLAIM
SUCH EXEMPTION. YOU DO NOT HAVE TO CLAIM AN EXEMPTION. IF YOU
WISH TO CLAIM AN EXEMPTION, FILL IN COMPLETELY YOUR RESPONSE
FOR THE LETTER OF YOUR CATEGORY HERE.

A B C D E F

- A. I AM A MEMBER OF THE UNITED STATES MILITARY FORCES
SERVING ON ACTIVE DUTY AND AM DEPLOYED.
- B. I AM 70 YEARS OF AGE OR OLDER, AND I WISH TO
CLAIM PERMANENT EXEMPTION FROM JURY SERVICE.
- C. I HAVE LEGAL CUSTODY OF A CHILD UNDER 12 YEARS
OF AGE, AND JURY SERVICE WILL LEAVE CHILD WITHOUT
ADEQUATE CARE.
- D. I AM A HIGH SCHOOL STUDENT OR ENROLLED IN AND
ACTUALLY ATTENDING COLLEGE.
- E. I AM AN OFFICER OR EMPLOYEE OF THE LEGISLATIVE
BRANCH OF STATE GOVERNMENT.
- F. I AM THE PRIMARY CARETAKER OF A PERSON UNABLE TO CARE FOR
THEMSELVES AND I AM REQUIRED TO STAY WITH THEM DURING THE DAY.

14. RACE - FILL IN THE RESPONSE WHICH BEST DESCRIBES YOUR RACE.
TO ASSIST IN ENSURING THAT ALL PEOPLE ARE REPRESENTED ON
JURIES, PLEASE INDICATE WHICH OF THE FOLLOWING APPLIES TO YOU.
NOTHING DISCLOSED WILL AFFECT YOUR SELECTION FOR JURY SERVICE.

BLACK ASIAN AMERICAN INDIAN
 WHITE OTHER

15. ARE YOU HISPANIC? YES NO

16. SEX: MALE FEMALE


17. SHOW THE EXTENT OF YOUR EDUCATION BY GIVING THE NUMBER OF
YEARS COMPLETED?
HIGH SCHOOL TRADE/VOCATIONAL ABOVE HIGH SCHOOL
1 2 3 4 1 2 3 4 5 6 1 2 3 4

18. DATE OF BIRTH:
MONTH _____ DAY _____ YEAR _____ AGE _____

IF YOU HAVE ANY QUESTIONS ABOUT THIS FORM, PLEASE CALL: 546-8102
SI TIENE ALGUNA PREGUNTA ACERCA DE ESTE FORMULARIO, LLAME POR FAVOR AL NUMERO: 546-8102

**SUMMONS FOR JURY SERVICE
IN THE
STATE OF TEXAS COUNTY OF EL PASO**

[Empty box for summons details]



JUROR BADGE

JUROR NO. _____ PANEL NO. _____

PLEASE CUT OUT BUS PASS ALONG DOTTED LINE

JUROR BUS PASS

JUROR NAME: _____
 DATE TO APPEAR: _____
 BAR NUMBER: _____

(NOTE: ONLY VALID FOR DATE ISSUED ABOVE)

JUROR BUS PASS

JUROR NAME: _____
 DATE TO APPEAR: _____
 BAR NUMBER: _____

(NOTE: ONLY VALID FOR DATE ISSUED ABOVE)

FAILURE TO ANSWER JURY SUMMONS: In addition to any criminal penalty prescribed by law, a person summoned for jury service who does not comply with the summons as required by law is subject to contempt action punishable by a fine not less than \$100.00 nor more than \$1,500. (Section 62.0141 Government Code.)

INFORMATION

YOUR REPORTING DATE IS:

Month	Day	Year	Time

You will report to Liberty Hall located in

[Empty box for reporting location]

If you have any questions,
call the Jury Coordinator

I HEREBY SUMMON YOU to be and appear before the Presiding Judge of the District & County Courts of El Paso County, Texas, at EL PASO COUNTY LIBERTY HALL, 200 S. Kansas, Room 104 thereof, in the city of El Paso, Texas, on the reporting date and time shown above to serve as Juror, your name having been drawn according to law, RICHARD D. WILES, SHERIFF, El Paso County, Texas.

COMPLETE THE JUROR QUESTIONNAIRE BELOW IN INK AND RETURN TO DISTRICT CLERK ON OR BEFORE _____
IN THE PRE-ADDRESSED ENVELOPE PROVIDED.

---DETACH HERE --- DETACH HERE --- DETACH HERE --- DETACH HERE --- DETACH HERE --- DETACH HERE ---

JUROR QUESTIONNAIRE

Juror Name	Marital Status	Reg No:
City & Zip		Juror No:

ATTIRE

Jurors are required to dress appropriately. No tank-tops, shorts, low-cut or "spaghetti strap" blouses.

SECURITY

When you enter the building you will be required to go through a magnetometer. All briefcases, purses and packages will be X-rayed by Security. You may be required to remove belts with large metal buckles to gain admittance. The following items are prohibited in the building:

- Firearms
- Knives
- Scissors
- Any other type of weapon

CERTIFICATE OF SERVICE

If your employer requires proof of attendance, you may obtain a certificate in the Jury Assembly Room. Please wait until your service has been completed before requesting certificate.

LENGTH OF SERVICE

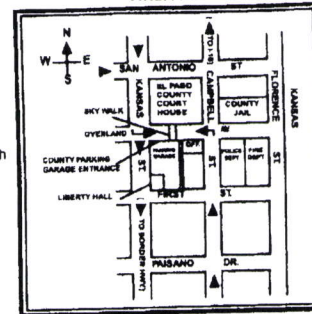
There is no set period of time. It may vary from one to several days depending on which trial you were picked for. You will serve for the entire length of the trial.

FEES:

ATTENDANCE:
\$6.00 per day, \$40.00 if empaneled.

If excused at Liberty Hall, you will not be compensated for your jury service.
C.C.P. 61001

AREA MAP



JUROR BUS PASS

JUROR BUS PASS

PARKING INSTRUCTIONS FOR JURORS

Jurors may **PARK** at the **EL PASO COUNTY COURTHOUSE PARKING GARAGE** located at 500 E. OVERLAND AVE. Entrance is on Overland Ave. (SEE MAP) **The garage is limited to vehicles with a seven foot clearance.** Parking vouchers will be provided at Liberty Hall or by the court bailiff for those who are not empaneled.

PARKING TICKETS:

WARNING! Tickets Received for unauthorized parking will not be the responsibility of the court. You are welcome to park at a city meter. Parking ticket waivers will be provided at the end of your service. Private parking tickets will not be validated, it will be at your own expense.

PUBLIC TRANSPORTATION FOR JURORS

The City and County of El Paso have joined together to make Jury Service more convenient for you. If you are interested, please cut out Bus Passes for free round trip downtown. Attached Bus Passes valid only for date indicated. If you are chosen as a juror and would like additional Bus Passes, please request from Bailiff of court you are assigned to. Please call Sun Metro for Bus information at 533-3333.

EXEMPTIONS / EXCUSES

If your status has changed and you wish to claim an exemption, please check mark the exemption you may qualify under.
Do not assume your request will be granted, you will be notified accordingly.

- I am 70 years of age or older and wish to claim a permanent exemption (This exemption may be waived in the future by notifying the District Clerk you wish to resume jury service)
- I have legal Custody of a child under 15 years of age, and have the care, custody and control of the child during the work day. If called to jury service, the child would be left without adequate supervision (Legal custody means you are the parent of the child whose custody rights have not been limited by court order, or a person who has legal custody of the child pursuant to a court order)
- I am a person enrolled and in actual attendance at an institution of higher education (Please attach a copy of school schedule)
- I am an officer or employee of the Senate, the House of Representatives, or any department, commission, board, office or agency in the legislative branch of state government (Please attach an addendum describing the nature of your service)
- I am a member of the United States military forces serving on active duty and deployed to a location away from home station and out of the county residence (Please attach a copy of your orders)
- I am the primary caretaker of a person unable to care for themselves, and I am required to stay with them during the day (Please attach a note stating the disabled person's name and address, the nature of disability, and name of the physician who is treating the disabled person)
- I have a mental or physical disability that prevents me from serving on a jury (Please call our office at 546-8102 in order to provide you with medical exemption forms)

WARNING: FALSELY CLAIMING AN EXEMPTION CAN BE PUNISHED BY A FINE OF UP TO \$500 AND/OR INCARCERATION IN THE COUNTY JAIL FOR A PERIOD OF UP TO SIX MONTHS

THIS ATTACHMENT IS AN INSERT THAT AMENDS THE SECOND LINE OF THE
"EXEMPTIONS/EXCUSES" PERTAINING TO A CHILD UNDER "12" YEARS OF AGE.

THE SUMMONS WERE PRE-PRINTED WITH THE "UNDER 15 YEARS OF AGE" PRIOR
TO THE 2010 CHANGE OF THE JURY PLAN. THIS INSERT IS ATTACHED TO EVERY
SUMMONS GOING OUT TO JURORS UNTIL THE PRE-PRINTED SUMMONS FORMS
ARE EXHAUSTED IN APPROXIMATELY FOUR MONTHS.

Notice: Pursuant to HB 2717, which was passed by the Texas Legislature in the
regular session and signed by the Governor on June 17, 2011: The age for the
child exemption has been changed from children under 15 years of age to
children under 12 years of age.

(✓) I have legal Custody of a child under 12 years of age, and have
the care, custody and control of the child during the work day. If
called to jury service, the child would be left without adequate
supervision. (Legal custody means you are the parent of the child
whose custody rights have not been limited by court order, or a person
who has legal custody of the child pursuant to a court order).

Status Code Listing

Status Code	Status Code Description
02	QUESTIONNAIRE SENT NOT RETURNED
03	SECOND REQUEST SENT TO NON-RETURNS
05	QUALIFIED
07	SUMMONS SENT
09	.
11	JURORS RELEASED NOT NEEDED
12	.
13	.
18	JUROR SUMMONSED BUT FAILED TO APPEAR FOR SERVICE
20	NOT A RESIDENT 18 YEARS OF AGE OR OLDER
21	NOT A CITIZEN OF THE UNITED STATES
22	UNABLE TO READ,WRITE & UNDERSTAND ENGLISH
23	DISQUALIFIED UNABLE TO SPEAK ENGLISH (PERMANENT)
24	PHYSICALLY OR MENTALLY INCAPABLE TO SERVE AS JUROR
25	ARREST RECORD W/O CIVIL RIGHTS RESTORATION
26	.
28	DUPLICATE NAME
30	ACTIVE BENCH WARRANT

Status Code Listing

Status Code	Status Code Description
31	.
32	.
34	ACTIVE CARE AND CUSTODY OF A CHILD UNDER 12 YEARS
36	.
38	.
40	MILITARY EXCUSED BY COMMANDER ARMY REGULATION
41	OFR OR EMPLOYEE OF THE LEGISLATIVE BRANCH OF GOV'T
43	.
50	CONVICTED OF THEFT
51	CONVICTED OF FELONY
52	UNDER INDICTMENT FOR THEFT
53	UNDER INDICTMENT FOR FELONY
55	.
56	EXCUSED BY JUDGE
60	70 YEARS OF AGE AND REQUESTED PERM EXEMPTION
61	.
62	.
63	.

Status Code Listing

Status Code	Status Code Description
64	STUDENT ENROLLED AND ATTENDING SCHOOL
65	PRIMARY CARETAKER OF INVALID PERSON
66	MEDICAL EXCUSE (PERMANENT)
67	MEDICAL EXCUSE (TEMPORARY)
90	NCOA Moved out of County
91	UNDELIVERABLE AS ADDRESSED
92	2:30 NO SHOW JURY DUTY COURT
93	
94	RE-EVALUATE
95	MOVED OUT OF THIS JURISDICTION
96	NCOA Moved no forwarding address
97	NCOA ADDRESS OUT OF JURISDICTION
98	NO LONGER ON WHEEL
99	DECEASED