

IN THE SUPERIOR COURT OF GILMER COUNTY

STATE OF GEORGIA

INTERNAL OPERATING PROCEDURE 2000-21 (Revised May 8, 2002)

IN RE: PLAN FOR SELECTION OF JURORS BY ELECTRONIC MEANS

The Order of the Court dated October 30, 1987, and filed of record September 15, 1988, is hereby **continued** and adopted as the Internal Operating Procedure of the Appalachian Judicial Circuit regarding the Plan for Selection of Jurors By Electronic Means for Gilmer County except for the modifications herein authorized by this Order.

Pursuant to the authority of Title 15 of the Official Code of Georgia Annotated, the following plan is established by rule of the Court for the drawing of jurors by electronic means from the master lists assembled by the Jury Commissioners to serve as jurors in the Superior Court of Gilmer County.

As provided by the laws of Georgia:

1. There shall be a Board of Jury Commissioners, hereinafter referred to as the Board, composed of six discreet persons appointed by the Chief Judge of the Superior Court or her designee as provided by law.
2. The Clerk of the Superior Court shall serve as Clerk of the Board and shall implement and maintain the jury selection and jury drawing process in accordance with the law and the rules of this court.
3. The county shall provide necessary funding for adequate staff, equipment and supplies to insure expeditious implementation and continuation of this plan through operations of the Clerk's office on a year to year basis.

4. The computer program designated "Jury Selection Program" designed by Harris Custom Programming, Inc. shall be used for this plan. This program is hereby designated a necessary component of this plan and Harris Custom Programming, Inc. is hereby ordered to cooperate, assist and participate with the Board and the Courts in the implementation, continuation and operation of the plan in a reasonable manner.
5. The Board shall compile and maintain two master lists, one for the Grand Jury and one for the Trial Jury box, of intelligent and upright citizens of the county to serve as Grand and Trial Jurors. The Board shall select a master list of the most experienced, most intelligent and upright citizens to serve as Grand Jurors. The number of Grand Jurors selected shall contain, as a minimum, a number equal to four times the number of Grand Jurors expected to be drawn in the county annually, not to exceed 5,000 jurors. The master lists, one for Trial Jurors, and one for Grand Jurors, so compiled, shall constitute the jury boxes of the county from which the juries in all the courts of the county shall be drawn. The boxes shall be updated periodically by the Board or the clerk as hereinafter set out.
6. The Board shall prepare the jury lists as to represent a fairly representative cross-section of the intelligent and upright citizens of Gilmer County, said list to be taken from all sources as specified in O.C.G.A. § 15-12-40 as to assure the jury list is a fairly representative cross-section of the intelligent and upright citizens of the county.
7. The lists of Grand and Trial Jurors shall be entered into the "Juror Selection Program" in the Clerk's office. Back up copies shall be saved to diskettes which will be placed in the vault of the Clerk's office for safekeeping for purposes of restoring files in case of loss for any reason.

8. The “Jury Selection Program” shall provide a printout of the lists (boxes), one Grand, and one Trial, of Jurors for the Clerk of Court to bind, which will then be filed as the official jury lists of the county.
9. The latest decennial census shall be used for the statistical computation of this plan.
10. The drawing or computer selection system for prospective jurors for Trial and Grand Jury service shall be accomplished through a random number generated program of the “Jury Selection Program” designed to provide each eligible juror in the box, either Grand or Trial, an equal chance of being selected. The selection process shall be conducted in response to an order of the court specifying the number of jurors required, the type of jurors, Grand or Trial, and the date and time of the required service. The Clerk of Court is authorized to enter the required data, to start the selection process, and to provide the required lists of jurors drawn to the Judge, the Sheriff, and to be filed in the Clerk’s office.
11. Names of persons drawn from the jury boxes, either Grand or Trial, shall be coded so as to not be returned to the master lists for subsequent drawings, until the box is exhausted, reset or the Court so orders.
12. The Board may authorize and the Court hereby directly authorizes the Registrar to notify the Clerk when the death of a registered voter occurs. This notification may be made electronically. If that voter is on the Grand Jury and/or Trial Jury Lists the Clerk shall code that name as having served to prevent that name from being subsequently selected. The name shall be deleted from the Jury Lists by the Board when it revises the Jury List.
13. The Board may authorize and the Court hereby directly authorizes the Clerk to code,

as having served, all permanently disabled persons and persons over the age of 70 years who request that their names be removed from the Jury Lists and all those who have moved from the county. The names of the persons in these categories shall be deleted from the Jury Lists by the Board when it revises the Jury List.

14. As per the authorization granted to the clerk by the sheriff filed July 7, 1998, pursuant to the provisions of O.C.G.A. § 15-12-65(b) the Clerk of the Superior Court shall mail all summons for jury service by first class mail addressed to the juror's most notorious place of abode at least twenty five (25) days prior to the week of the term of the court the jurors were drawn to attend.
15. Update of the Jury Lists will be accomplished by the Board on an annual basis by removing all those persons who are deceased or have moved away and replacing these names with the names jurors of like race and sex. Each time the boxes are updated or revised, a new jury certificate shall be completed and recorded in the Clerk's office.
16. Address changes only may be made by personnel in the Clerk's office as authorized by the Clerk without the need for new certificates.

The above and foregoing is hereby approved and adopted by the Superior Court of Gilmer County as the plan of this Court in accordance with O.C.G.A. § 15-12-42. The Clerk of the Court is ordered to spread same on the minutes of the court.

So ORDERED, this 8th day of May, 2002.

Brenda S. Weaver, Chief Judge
Superior Court of Gilmer County
Appalachian Judicial Circuit