

STATE OF TEXAS

RESOLUTION

of the

TEXAS JUDICIAL COUNCIL

Jury Wheel Reconstitution Revisions

WHEREAS, the Texas Judicial Council is the policymaking body for the Texas Judicial Branch, created under chapter 71, Texas Government Code; and

WHEREAS, the Council is charged with improving the administration of justice; and

WHEREAS, the Secretary of State is the chief election officer for the State of Texas, and, through its Elections Division, reconstitutes jury wheels for all 254 counties on an annual or multiyear basis and provides a jury management tool for 117 counties to manage jurors and jury selection; and

WHEREAS, the Secretary of State has convened a working group of interested officials to examine improvements to the jury wheel reconstitution provisions; and

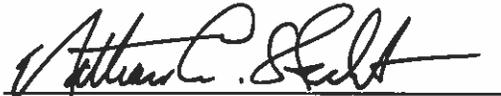
WHEREAS, Chapter 62 of the Government Code sets forth the law regarding use of the jury wheel and jury service; and

WHEREAS, several amendments to Chapter 62 of the Government Code are necessary to achieve uniformity with the Election Code, to comply with federal legislation, to clarify the use of a single source for jury wheel reconstitutions, to provide more accurate jury information and lists, to require a single, updated jury plan for counties using alternative methods of jury selection, and to update language when it comes to the flow of information to counties to reflect current practices.

NOW THEREFORE, BE IT RESOLVED that the Texas Judicial Council supports the Secretary of State's request for following amendments to the Government Code:

- Amend Section 62.001(a) to achieve uniformity with the Election Code and materials generated by the Secretary of State by striking the word "citizens" and replacing it with the word "residents";
- Amend Section 62.001(a), (c), and (e) in order to comply with the Help America Vote Act's (HAVA) mandate that the official list of registered voters be maintained in a state voter registration system rather than requiring counties to submit separate voter registration lists to the Secretary of State in order to reconstitute their jury wheels;
- Amend Section 62.001(d) and (e) should be amended to require counties to exclude the names of persons on a suspense list maintained under Section 15.081 of the Election Code for registered voters with potential address issues;

- Amend Section 62.001(g) to reflect the current method that information is provided to the counties by the Secretary of State, namely, through electronic means;
- Amend Section 62.011 to require counties to file their respective jury plan, if any, with the Office of Court Administration, and to update the filing if the plan is modified;
- Amend Sections 62.113 and 62.114 to require clerks of the court to submit their respective list of noncitizens, required under Section 62.113, and list of nonresidents, required under Section 62.114, separately to the county voter registrar, in order to avoid confusion or, in the alternative, amend the sections to require clerks of the court to clearly identify the nature of the exclusion or disqualification for each person listed on a single combined list; and
- Amend Section 62.113 to require counties to submit their respective list of noncitizens to the Secretary of State in an electronic format prescribed by the Secretary of State, in order to facilitate the comparison of information on the statewide voter registration list.



Honorable Nathan L. Hecht
Chair, Texas Judicial Council

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