

FILED

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WEST VIRGINIA LEGISLATURE

SEVENTY-EIGHTH LEGISLATURE

REGULAR SESSION, 2008

SECRETARY OF STATE

COMMITTEE SUBSTITUTE

FOR

COMMITTEE SUBSTITUTE

FOR

ENROLLED

Senate Bill No. 311

(SENATORS KESSLER, PLYMALE, LOVE AND
OLIVERIO, *original sponsors*)

[Passed March 6, 2008; in effect ninety days from passage.]

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[Passed March 6, 2008; in effect ninety days from passage.]

AN ACT to amend and reenact §52-1-14 of the Code of West Virginia, 1931, as amended, relating to authorizing judges to order jurors be drawn from another county or counties in certain cases; providing contents of court orders directing the summoning of jurors; and providing that the county for which the jurors served shall compensate the jurors.

Be it enacted by the Legislature of West Virginia:

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That §52-1-14 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1. PETIT JURIES.

§52-1-14. When and how jurors are to be summoned from a county to serve in another county.

1 (a) In any criminal case or any civil case referred to
2 the Mass Litigation Panel, in any court, if qualified
3 jurors, not exempt from serving, cannot be conveniently
4 found in the county in which the trial is to be held, the
5 judge of the court shall enter an order directing as many
6 jurors as necessary be summoned from any other county
7 or counties: *Provided*, That for those cases referred to
8 the Mass Litigation Panel, jurors may only be
9 summoned from any contiguous county.

10 (b) The court order shall include the following:

11 (1) The date on which the jurors are required to
12 attend;

13 (2) The county or counties from which the jurors shall
14 be drawn; and

15 (3) The number of jurors to be drawn.

16 (c) The judge issuing the order shall direct his or her
17 circuit clerk to forward a certified copy of the order to
18 the circuit clerk in the county or counties from which
19 the jurors are to be drawn.

20 (d) The circuit clerk of the court conducting the
21 drawing shall do so in the manner provided by law for
22 the drawing of petit jurors. The circuit clerk shall draw
23 a separate jury pool specifically designated for the
24 purpose of complying with the court order. The
25 proceedings for drawing the jurors and the names of the
26 jurors drawn shall be certified by the clerk of the circuit
27 court of the county or counties designated to conduct
28 the drawing and a copy of the certification shall be
29 forwarded to the clerk of the circuit court in the county

30 where the trial is to be held. After forwarding a copy of
31 the certification, the clerk of the circuit court of the
32 county or counties from which the jurors were drawn
33 shall summon the jurors to appear for jury service in the
34 county where the trial is to be held pursuant to the
35 provisions of section nine of this article.

36 (e) Jurors summoned from a county to serve in another
37 county shall be reimbursed expenses and compensated
38 by the county for which the juror actually served.



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The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


.....
Chairman Senate Committee



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Chairman House Committee

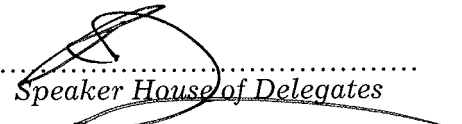
Originated in the Senate.

In effect ninety days from passage.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker House of Delegates

The within *is approved* this
the *20th* Day of *March*, 2008.


.....
Governor

PRESENTED TO THE
GOVERNOR

MAR 17 2008

Time 11:10 am