

Senate Bill No. 426

(By Senator Kessler (Acting President))

[Introduced February 4, 2011; referred to
the Committee on the Judiciary.]

A BILL to amend and reenact §52-1-9 of the Code of West Virginia, 1931, as amended, relating to requiring a judge's permission before a juror's information can be released.

Be it enacted by the Legislature of West Virginia:

That §52-1-9 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 1. PETIT JURIES.

§52-1-9. Assignment of jurors to jury panels; drawing of additional jurors upon shortage of qualified jurors.

1 (a) The jurors drawn for jury service shall be assigned at
2 random by the clerk to each jury panel in a manner pre-
3 scribed by the court.

4 (b) If there is an unanticipated shortage of available petit
5 jurors drawn from the jury wheel or jury box the court may

6 require the sheriff to summon a sufficient number of petit
7 jurors selected at random by the clerk from the jury wheel or
8 jury box in a manner prescribed by the circuit court.

9 (c) The names of the qualified jurors drawn from the jury
10 wheel or jury box and the contents of jury qualification
11 forms completed by those jurors shall be made available to
12 the public if the trial court judge presiding over the case
13 grants permission for its release after the trial has concluded.

(NOTE: The purpose of this bill is to require a trial judge to agree before certain juror information is released to the public after trial.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.)