

**Senate Bill No. 405**

(By Senators Cookman, Miller and Plymale)

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[Introduced January 22, 2014; referred to the Committee on the  
Judiciary.]  
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A BILL to amend and reenact §52-1-9 of the Code of West Virginia,  
1931, as amended, relating to availability of jury  
qualification forms; and limiting availability after  
conclusion of trial.

*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.**

(a) The jurors drawn for jury service shall be assigned at  
random by the clerk to each jury panel in a manner prescribed by  
the court.

(b) If there is an unanticipated shortage of available petit

1 jurors drawn from the jury wheel or jury box the court may require  
2 the sheriff to summon a sufficient number of petit jurors selected  
3 at random by the clerk from the jury wheel or jury box in a manner  
4 prescribed by the circuit court.

5 (c) The names of the qualified jurors drawn from the jury  
6 wheel or jury box and the contents of jury qualification forms  
7 completed by those jurors shall be made available ~~to the public~~  
8 until the conclusion of the trial. After the conclusion of the  
9 trial, the jury qualification forms may only be released if the  
10 trial court judge presiding over the case grants permission for  
11 release of the forms.

NOTE: The purpose of this bill is to require the permission of the presiding judge in order for jury qualification forms to be released after the conclusion of a trial.

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