

SECOND AMENDED MONTAGUE COUNTY, TEXAS

JURY SELECTION PLAN

WHEREAS, the State of Texas has adopted Chapter 62 of the Government Code; and
WHEREAS, Montague County has previously adopted a plan for the electronic selection of persons for jury service and such plan needs to be amended; and

IT IS, THEREFORE, recommended to the Commissioners Court of Montague County by the Judge of the District Court of Montague County, and by and through the authority of Chapter 62 of said Government Code and more particularly Section 62.011 of said Code, that the following seconded amended plan for the electronic selection of persons for jury service be adopted;

1. Source of Names

The source from which names shall be taken shall be the same as that provided by Section 62.001 of the Government Code and the names of persons listed in a register of persons exempt from jury service may not be used in preparing the record of names from which a jury list is selected, as provided in Section 62.108 and 62.109 of the Texas Government Code. The list herein provided shall be for 30 days. The current registration list provided pursuant to Section 62.001 shall be updated monthly as to such persons and their addresses.

2. Official in Charge

The District Clerk of the 97th District Court of Montague County, herein called the "Clerk", is designated as the official to be in charge of the selection process. However, the District Clerk may designate an individual to pull juries on behalf of the District Clerk and be named as the senior administrator for that purpose. The District Clerk hereby names the Montague County Elections Administrator to be named senior administrator and gives her authority to pull juries on behalf of the "Clerk".

3. Program for Random Selection

- 3.1** Method. The "Clerk", with the assistance of the computer programmer approved by the County Commissioners, may prepare or otherwise obtain an electronic data processing system programmed with a set of instructions which will cause an electronic data processing machine to select persons to be called for jury service by a fair, impartial and objective method, based on random number tables, or based on random numbers generated by

mathematical equation or equations, or the Clerk may use the jury selection program offered by the office of The Secretary of State which uses an electronic data software known as TEAMS, (Texas Electronic Administration Management System) which selects persons to be called for jury service by a fair, impartial and objective random method and transmits, by electronic data transfer, a list of such persons selected to the computer of the Montague County Election Administrator, or to such other computer operated by the Clerk or under his or her direction.

3.2 List

One list in the English language shall be made showing the names and addresses of persons so selected for designated dates, as hereinafter provided, and the list shall show by number the sequence in which such juror was chosen.

4. Jury Weeks and Jurors

4.1 Selection.

Each Judge or Justice of the Peace shall, prior to the beginning of the calendar year, set the regular jury weeks for the next ensuing calendar year and cause the same to be published by the District Clerk of Montague County. Such adoption shall designate all dates for regular jury weeks in Montague County.

4.2 Number of Jurors.

Unless designated to the contrary, the District Clerk shall cause not less than 150 names to be selected through the program heretofore approved for service on the designated week for District Court jury weeks, 50 names for County Court jury weeks, and 30 for Justice Court jury weeks.

4.3 Capital Murder Cases.

The District Judge, after being assigned a capital murder case, shall direct the Clerk of the District Court to prepare a list at least thirty (30) days prior to the commencement of such case containing the number of persons so designated by said Judge.

5. Judge.

Duties and Authority

The Judge or Justice of the Peace of a jury panel shall have such authority as provided for in Article 62.000 et seq. of the Government Code.

6. Selection of Jurors for Particular Weeks

6.1 Selection

The Clerk shall cause the preparation of lists in accordance with Section 3.2, of persons to be called for jury service for designated dates and shall specify the numbers of persons to be selected for each date so designated. Such lists shall be available at least ten (10) days before the date so designated.

6.2 Certification

The Clerk shall specify that a true and complete written list showing the names and addresses of the persons summoned to begin jury service on a particular date shall be filed of record with the County Clerk at least ten (10) days before the date such persons are to begin such jury service.

6.3 Postponed Jurors

The Clerk shall complete the list by adding to it in typewriting the names of persons previously called for jury service who service has been postponed to such date. The Clerk shall deliver one copy of such completed list to the County Clerk for filing not later than 10 days before such date.

6.4 Additional Jurors

Whenever the Judge determines that the number of jurors previously selected for any designated date is insufficient, he shall direct the Clerk to prepare a supplemental list containing a specified number of persons to be called for jury service in addition to those previously selected. Such additional persons shall be selected, listed and summoned in the same manner as those previously selected.

7. Summoning Jurors

The District Clerk, or the Clerks of the other Courts covered by this plan as may be authorized by law, shall issue a written summons for each prospective juror selected in accordance with this plan in the manner and form required by Article 62.0131 and Article 62.0132 of the Texas Government Code and the other

provisions of Chapter 62 of the Government Code, the Code of Criminal Procedure or the Rules of Civil Procedure as they may be amended from time to time.

The District Clerk may delegate responsibility for notification of, or the issuance of summons for jury service as may be provided by law and shall provide requested jury panel lists and summons to the person or office authorized by law to serve such summons.

The Clerk of the respective court shall send juror summons by ordinary mail delivery/first class mail to all persons randomly selected and listed for a particular day or week in a particular court to appear as jurors.

8. Supervision by Judge

The Judge shall have supervision and control over the panel of persons called for jury service in such Judge's court. He shall cause persons selected, summoned and appearing for jury service as above provided to be sworn and interrogated concerning their qualifications and as may be required or appropriate, and shall cause them to be sworn to make true answers to all questions put to them on voir dire concerning their qualifications to serve as jurors in any particular case.

9. Jurors Used Interchangeably

Jurors selected, qualified, instructed and sworn by the District Judge may constitute a general panel for the week or weeks of service as jurors in the district court in Montague County. Jurors selected, qualified, instructed and sworn by the County Judge may constitute a general panel for the week or weeks of service as jurors in the county court in Montague County. Jurors selected, qualified, instructed and sworn by a Justice of the Peace may constitute a general panel for the week or weeks of service as jurors in the justice court in Montague County. The Clerk, acting under instructions of the Judge, shall assign such jurors in panels to the court as requested by the Judge of said courts.


10. Costs

All costs incident to this plan shall be paid out of the Jury Fund.

11. Amendments

This plan may be amended by the Commissioners Court of Montague County upon recommendation of the District Judge of Montague County, Texas.

The foregoing recommendation was adopted on the **26th** day of **June, 2017.**



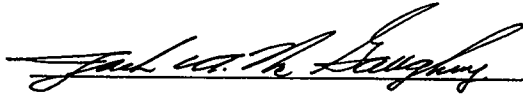
**Jack A. McGaughey, Judge
97th District Court
Montague County, Texas**

Montague County Second Amended Jury Selection Plan

At a meeting on **June 26, 2017**, at 9:00 a.m., called pursuant to Chapter 62 of the Texas Government Code, the sole District Judge for Montague County, considered the Montague County Second Amended Jury Selection Plan for the selection of persons for jury service.

The Montague County Second Amended Jury Selection Plan attached hereto was adopted and was further recommended for approval by the Commissioners' Court of Montague County, Texas.

Certified this the 26th day of June, 2017.



JACK A. MCGAUGHEY

ADMINISTRATIVE JUDGE

MONTAGUE COUNTY, TEXAS

STATE OF TEXAS *

COUNTY OF MONTAGUE *

I, GLENDA HENSON, County Clerk of Montague County, Texas, do hereby certify that the above and foregoing is a true and correct copy of an Order entered in the Minutes of the Commissioner's Court on June 26th, 2017.

WITNESS my hand and seal of office, this the 26th day of June, 2017.

Glenda Henson

Glenda Henson

County Clerk

Montague County, Texas

