

IN THE SUPERIOR COURT OF CHATHAM COUNTY, GEORGIA

FILED IN OFFICE

EASTERN JUDICIAL CIRCUIT

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CLERK, SUPERIOR CT.  
CHATHAM COUNTY, GA

In Re: Standing Order # \_\_\_\_\_

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ORDER

The Superior Court of Chatham County, Eastern Judicial Circuit of Georgia, with the concurrence of the State Court of Chatham County and the Probate Court of Chatham County, by and through the chief judges of the respective courts, do hereby establish the following Standing Order relating to the summoning, selection and management of grand and petit juries in this judicial circuit. The rules and procedures for summoning, selection and management of said juries are contained in the Standard Operating Procedure attached hereto and incorporated herein. Such rules and procedures may be amended from time to time with the approval of the chief judges of the respective courts. This rule and the attached operating procedure are designed to comply with OCGA § 15-12-40 et. seq., U.S.C.R. 1, U.St.C.R. 1 and U.R.P.C. 10.11.

This Order and the attached Standard Operating Procedure supersede the Order Adopting Standard Operating Procedure filed on June 28, 2012.

A copy of this Order and the attached Standard Operating Procedure shall be kept on file in the Clerk's office of each of the courts and in the office of the Court Administrator of each court.

SO ORDERED this 6 day of November 2014.



Michael L. Karpf, Chief Judge, Superior Court,  
Eastern Judicial Circuit of Georgia



H. Gregory Fowler, Chief Judge,  
State Court of Chatham County,  
Georgia



Harris Lewis, Judge, Probate Court of  
Chatham County, Georgia

# STANDARD OPERATING PROCEDURES

FOR THE MANAGEMENT OF THE GRAND AND PETIT JURIES IN CHATHAM COUNTY, GEORGIA  
SUPERIOR, STATE, AND PROBATE COURTS, EASTERN JUDICIAL CIRCUIT (EJC)

## 1. AUTHORITY.

Pursuant to the authority of Title 15 of the Official Code of Georgia Annotated and the rules of the Supreme Court of Georgia, these Standard Operating Procedures are established to provide for the efficient and orderly management of jury operations in the Superior, State, and Probate Courts of Chatham County, Georgia. Pursuant to O.C.G.A. §15-12-12(a), authority to defer and excuse jurors according to the guidelines as set forth in this Order is hereby delegated to the Superior Court Administrator's Deputy Court Administrator (Jury Manager) and to such members of the Jury Service Division staff as may be designated by the Jury Manager.

### 1.1 PURPOSE. The purpose of this plan is to: (1) implement applicable jury statutes; (2) document the operation of the circuit's jury system; (3) identify the responsibilities of each person functioning within the circuit's jury system; and (4) describe procedures for the collection and analysis of data necessary for the efficient and effective management of the circuit's jury system.

### 1.2 ANNUAL REVIEW. Once every year, the Jury Manager will review this plan. When changes to the plan are required a committee comprised of the Superior Court Administrator, the Clerk of Superior Court, the State Court Administrator, and the Jury Manager shall prepare a plan which includes recommendations with respect to the necessity and desirability of modifications to this plan. These recommendations will then be submitted to the Chief jury trial Judges of the circuit for approval.

## 2. SOURCE LIST.

### 2.1 ANNUAL REVIEW. The master jury list for Chatham County, EJC, shall be provided by the Council of Superior Court Clerks (CSCC) once every year according to O.C. G.A. § 15-12-40.1. Upon delivery of the county master jury list, the Jury Manager will be sent an invoice for the assessed fee for the master list. The County shall remit payment within 30 days of the invoice. If the certification indicates that the inclusiveness measure is less than the required 85%, the Chief Judge of the Superior Court of Chatham County will determine how to proceed as stated in The Jury Composition Rule.

### 2.2 SOURCE LISTS USED. Starting on or before July 1, 2012 and annually thereafter, the Jury Manager shall receive the Chatham County Master Jury List. The new Chatham County Master Jury List will be implemented into the county's jury system and shall constitute the jury list for Chatham County each subsequent year. Effective July 1, 2012, all juries in all the courts of Chatham County shall be drawn from this Master Jury List.



- 2.3 ELIMINATION OF DISQUALIFIED NAMES. Yearly the list of those citizens inactivated because they are 70 years of age or older, have a permanent medical condition preventing them from serving as a juror, have moved out of Chatham County, are deceased, are not citizens of the United States, have been convicted of a felony offense without having their civil and political rights restored and were not sentenced under the First Offender Act, and who have submitted the appropriate signed disqualification forms for exemption are provided to the CSCC and transmitted according to their specifications and subsequently eliminated from the master jury list for Chatham County. When the master list still contains records exempted for the above listed reasons during a previous year, once the record is confirmed to be the same exempted constituent, it will be flagged as inactive in the new master jury list. After the yearly list is sent to the Council, those constituents who are found to be exempt by submitting the appropriate forms for exemption or by other verification methods, will be flagged or marked as inactive from service and their disqualification information will be kept and transmitted to the Council the next year. When duplicate records are found and verified, the record with the least current information will be flagged as inactive. Completed duplicate verification forms will be kept on file. Those exempted prior to July 2012 whose exemption can be matched to the appropriate constituent's record in the master jury list provided by the CSCC will also be considered inactive and therefore, not summoned. When possible, the voter registration and drivers' license numbers will be utilized to insure the correct citizen is inactivated. The completed and signed Juror Exemption/Deferral Form (2) (which is provided on the petit or trial jury summons or the Grand Juror Disqualification /Exemption/Excusal/Deferral Request form printed on the Grand Jury summons) containing the statement, "I declare under penalty of perjury that the statements contained herein are true," will be considered equal to an affidavit. For death penalty trials certification by a notary will be required as specified in OCGA § 15-12-1.1.
- 2.4 MASTER LIST UPDATE. Each year the Master List provided by the CSCC will be received and transmitted to the Superior Court Administrator's Office, Jury Services Division, to be installed in the computerized jury system.
- 2.5 PERMANENT JURY BOX. Once the master jury list is received from the CSCC each year, it will be preserved and stored permanently in the jury computer system. Each year before installing the new master list of potential jurors, the past year's jury file records will be stored permanently in the jury computer system.
3. SELECTION/QUALIFICATION/SUMMONING.
- 3.1 QUALIFICATION PROCESS. Prospective jurors will be found in the master jury list provided by the CSCC and will remain part of the permanent jury box. Those disqualified in accordance with O.C.G.A § 15-12-40 1.1 will be flagged as inactive in the jury system and not drawn again unless reinstated as qualified.



- 3.2 OVERVIEW OF JURY SELECTION SYSTEM. The jury selection system is custom-developed software which resides on a personal computer based network for the purpose of selecting and maintaining petit and grand jury records. This automated jury system will provide the user with the ability to select, print, and perform routine record maintenance, maintain statistics, and keep historical service information on each record spanning several years. The Jury Manager works closely with the Information and Communications Services (ICS) personnel to insure the programs function accurately and meet the needs of the Jury Services Division. Annually, a backup copy of the previous year's Master list shall be stored pursuant to O.C.G.A. § 15-6-61. Regular maintenance and backup of the system will be completed by ICS personnel.
- 3.3 SECURITY OF JURY SELECTION SYSTEM. Access to the jury system requires two levels of security. A user name and password is required to gain entry into the system. Once a user is in the system, she/he may only access those programs to which the Jury Manager has granted access. ICS monitors the security of the system.
- 3.4 METHOD OF SELECTION. Jurors will be selected in a fair, impartial, objective, and random manner from the master jury list by utilizing computer programs designed for that purpose. This selection process will be initiated by the Jury Manager through the use of an access code. Constituents shall be chosen for a term of jury service by the use of a random number generator designed to provide each eligible record in the master list an equal chance of being selected.
- 3.5 SUMMONING PROCESS. Prior to scheduled jury trial weeks, the Jury Manager shall determine the number of potential jurors to summon, based on previous summoning yield and the anticipated court schedule for the judges. The Jury Manager shall initiate the automated jury system as described in Section 3.4 - METHOD OF SELECTION. A similar process will take place quarterly to select potential grand jurors for each term of court: September through November, December through February, March through May and June through August. The number of persons to summon for Grand Jury Service will be determined by the Superior Court Judges who will inform the Jury Manager. A Superior Court Judge will preside over the grand jury under a six-month rotation schedule.
- 3.6 SUMMONS SCHEDULE. Jury summonses will be generated after each selection is completed and mailed in sufficient time prior to the session of court for which the constituents are to be summoned. The Jury Manager will review the list of those summoned to ensure that no anomalies exist.
- 3.7 SPECIFICATIONS OF TRIAL/PETIT AND GRAND JURY SUMMONS. The summons package generated by the computer and sent to prospective trial jurors shall include:
- a summons;
  - an information sheet with questions to be completed and turned in the day



- they report for service;
- a response form for constituents to request disqualification, exemption, or deferral before their summons week;
- information which includes juror duties, facility and parking instructions, emergency contact numbers, etc. The jury summons shall elicit only information necessary to determine the qualification of the prospective jurors.

Summons for grand jury shall include:

- a summons;
- a response form for constituents to request disqualification, exemption, or deferral before their summons week;
- information including grand juror duties, facility and parking instructions, contact numbers, etc. The jury summons shall elicit only information necessary to determine the qualification of the prospective grand jurors.

3.8 DELIVERY. The summonses shall be transmitted by first class mail.

3.9 FOLLOW-UP. Notices shall be sent by mail to potential jurors for failing to appear for jury service. As provided by law, truant jurors may be required to appear before the court in order to show good and sufficient cause for failing to appear as set forth in O.C.G.A. §15-12-10.

#### 4. EXEMPTION, EXCUSAL, AND POSTPONEMENT POLICY.

4.1 EXEMPTIONS. Exemptions shall be as provided for as specified in O.C.G.A. § 15-12-1.1.

4.2 EXCUSAL AUTHORITY. The Jury Manager, or her designee, of the Superior Court Administrator's Office has the authority for granting excusals as outlined by policy established under O.C.G.A § 15-12-1.1. and these Standard Operating Procedures. The presiding Superior Court Judge has the sole authority for granting grand jury requests for excusal and will respond to all written requests received in a timely manner.

4.3 EXCUSAL POLICY. Excusal from jury service will be in accordance with O.C.G.A. §15-12-1(a) and O.C.G.A. §15-12-4 (a). Excuses may be requested only after a person has been summoned for jury service. Excuses will only be granted if a person can show that he or she is engaged in work necessary to the public health, safety, good order, or who may show other good cause why he/she should be excused from jury service. Requests may be made by phone, mail, e-mail, fax, or in person. Those potential jurors granted an excuse will be postponed to a later date while the jury master list from which they were drawn is still in use and before the first session of court utilizing a new jury master list. When determined as appropriate and approved by the Chief Judge of Superior Court, constituents who are summoned and either served as a juror or were available, but not called to report, will not be summoned again until randomly selected



from the next master jury list provided by the CSCC. After appropriate paperwork, notice and hearing on record, and the consent of all parties has been garnered, the Jury Manager (or designee) with judicial approval may issue juror excusals or exemptions for scheduled death penalty trials. Examples of the types of excusal requests are medical, active duty military, student, primary care giver for child under six years of age, primary teacher in a home study program, unpaid primary caregiver of a person over six years of age, person age 70 or older, person who is no longer a resident of the county, felon who has not been pardoned nor had their civil rights restored, and person who is not a U.S. citizen.

4.4 POSTPONEMENT. Requests for postponement of petit or trial jury service to a future date may be granted at the discretion of the Jury Manager (or designee) within the term of court in which a prospective juror was summoned or the next succeeding term of court. Longer postponements will only be granted if written verification and supporting documentation of the extenuating circumstances are provided to the Jury Manager. The Jury Manager will monitor the number of postponements bearing in mind the total assets required in any trial week. During the week of a death-penalty trial, postponements, for that panel, will be granted only with the approval of the judge presiding over that case.

4.5 MONITORING SUMMONING YIELD. The summoning yield computation work sheet will be completed by the Jury Manager. These figures will be included in periodic reports, and variations beyond reasonable limits shall be investigated by the Jury Manager and Court Administrator.

## 5. ORIENTATION.

5.1 CHECK-IN PROCEDURES. Potential juror check-in and orientation should be a rapid process completed in approximately sixty or ninety minutes on the first day of attendance for anticipated assignment to "*voir dire*" for petit or trial jurors. The number of potential jurors required and the selection process start time will determine the amount of time required for check-in and orientation. The amount of time devoted to check-in and orientation procedures by potential jurors, judges, and/or other court staff shall be monitored by the Jury Manager to ensure a smooth, well-executed presentation of the necessary information. As they report, prospective jurors shall be required to show their summons and surrender their completed information form (1). The completed information forms shall be used to provide a record of those reporting and will be photocopied during orientation to create a panel list for each judge requiring jurors. When more jurors report than were required for petit jury service, the extra jurors will be released within the first hour after their reporting time, whenever possible. Jurors released as extras are those who reported on time, whose assigned juror numbers are the highest juror numbers required to report that day, and who have waived compensation for service that day. The time they are released is documented and verifiable. If extra jurors elect to stay and serve, the juror with the next lower juror number will be given the opportunity to leave as an extra juror. Grand jurors will report the first day of the



summons term as instructed on their summons.

- 5.2 JURY ASSEMBLY ROOM. The jury assembly room shall provide comfortable accommodations for those summoned. Jurors shall not be required to remain in the courthouse longer than necessary and shall be dismissed when no longer needed. The venire or assembly of prospective jurors in the jury assembly room shall be the responsibility of the Jury Manager and staff. Friends and relatives of jurors are not allowed to remain in the jury assembly room when seating space is limited. The courthouse does not have accommodations for childcare; therefore, children are not allowed in the jury assembly room.
- 5.3 ORIENTATION. A juror pamphlet will be available for all jurors. After the prospective jurors submit their information sheet and are seated in the jury assembly room, they are welcomed by the Jury Manager or designee and given preliminary information followed by a brief video. The video will inform the jurors of trial procedures and expectations during their term of service. Additional questionnaires (as approved by the trial's presiding judge) may be distributed to the members of a panel of potential jurors for completion during orientation. Questionnaires less than four pages will be distributed and administered by the jury staff and provided to the court prior to the start of "voir dire." Attorneys are responsible for providing the required number of questionnaires (usually two questionnaires per panel member), any further photocopying, and any required supplies (pens, pencils, etc...). Longer questionnaires will require further arrangements for completion and photocopying and will be the responsibility of the requesting attorney.
6. TERM OF SERVICE.
- 6.1 TERM. The term of service in this circuit shall not normally exceed one week unless a juror is accountable to fulfill his/her obligation to a trial which he/she has been selected. Jurors, in accordance with O.C.G.A. § 15-12-3, may be required to serve up to four (4) weeks in any one year.
7. JURY POOL OPERATION/JUROR PAYMENT.
- 7.1 JURY POOL PROCEDURES. The number of jurors in a pool shall be only as large as necessary.
- 7.2 JUROR PAYMENT. Each person who reports for jury service shall receive a daily expense allowance as set by the Grand Jury. Jurors who are instructed via the phone call-in system not to appear and are not needed that day shall not be paid, even if they appear. Extra jurors are released within the first hour of reporting without receiving compensation (see Section 5.1). Potential jurors will be issued a "Bearer" check prior to reporting to a courtroom, and the Jury Manager will provide a monthly accounting to the Finance Department of the checks issued to potential and sworn jurors. Constituents



reporting for grand jury service will be issued a "Bearer" check the first day they report and if chosen, will receive a check sent to them upon completion of the three month term of service.

8. JURY PANELS.

8.1 PANEL LISTS. Panel lists will be prepared by the jury staff during orientation. The necessary number of copies of the panel list shall accompany the panel to the courtrooms; one copy shall be annotated by a courtroom deputy sheriff identifying jurors chosen and challenged during "*voir dire*." This list shall be returned to the Jury Manager for recording. Panel lists not utilized shall be shredded or returned to the jury staff to be shredded as per the Standing Order Sealing Juror Questionnaires filed on October 29, 2007.

8.2 PANEL SIZES. Procedures for trials with extraordinary media coverage may require larger than standard panels and will be discussed on an individual basis with the Jury Manager. Prior notification of the need for a special panel is imperative in order to determine the appropriate number of potential jurors to summon to provide an adequate jury pool. Extraordinarily large panels may be called in increments and scheduled to start during off-peak hours.

8.3 PANEL SIZES. In the cases listed below, a panel will normally be constituted as follows:

<u>TYPES OF CASES</u>	<u># OF JURORS</u>
➤ Criminal cases (12 member jury):	40
➤ Civil cases (12 member jury):	30
➤ Criminal cases (6 member jury):	18
➤ Civil cases (6 member jury):	18
➤ Special pleas of insanity (12 member jury):	26

9. CALENDAR COORDINATION.

9.1 DETERMINATION OF JUROR CALL-IN. The determination of the number of jurors to call in daily varies upon consideration of

- number of civil cases and criminal cases scheduled,
- size of each panel required,
- measures of court activity,
- juror reporting yield from prior weeks.

9.2 JUROR CALL-IN FORMULA. Once the number of trials and required panel sizes have been established, and the excused and exempted jurors are eliminated, the Jury



Manager will follow an established prediction formula to determine the number of jurors to call to report for service:

$$\frac{\# \text{ of jurors required}}{\text{the attendance rate (historically between 49\% \& 70\%)}} = \text{Total \# to call to report (i.e., } 40/.54 = 74\text{)}.$$

9.3 TRIAL START ACCURACY. The Jury Manager shall maintain daily records of the number of trials anticipated versus trial starts and the efficiency of the juror call-in procedures. The data will be analyzed periodically to determine whether predictions of juror call-in requirements are accurate or require revision.

10. MONITORING AND CONTROL.

10.1 MAINTENANCE OF JURY SYSTEM RECORDS. The data collection forms listed below shall be maintained by the Jury Manager or designee for the purposes of ensuring the effectiveness and efficiency of the jury system. Other forms may be added when determined necessary.

- Weekly Juror Profile
- Weekly Juror Utilization Report
- Check log to record juror check distribution
- Monthly report of juror yield
- Quarterly or six month and yearly Jury Division statistical reports
- Other forms as deemed appropriate

10.2 JURY SYSTEM PERFORMANCE. In order to measure the level of jury system performance in this circuit, the data collected will be analyzed and compared to other systems in the State and Country from utilizing information gathered through the Council of Superior Court Clerks of Georgia, the Administrative Office of the Courts of Georgia, the National Center for State Courts, and the National Association of Court Administrators. If necessary, corrective action instigating potential improvement will be considered and presented to the Superior Court Administrator, State Court Administrator, and the Chief Judges of the jury trial courts for their consideration and approval.

10.3 PERIODIC REPORTS. Information on jury system performance will be provided to the Superior and State Court Judges and the Superior and State Court Administrators through periodic reports prepared by the Jury Manager and her staff.