

BILL ANALYSIS

C.S.H.B. 2188
By: Rodriguez
Judicial Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Jury duty is an essential but often widely disliked part of our judicial system. Jurors' complaints generally are not directed against jury service per se, but rather against the inconvenience inherent in the current impaneling and juror management process. Any improvements to the system making jury service more convenient will be a great benefit to both jurors and court administrators.

In March 2002, Travis County implemented the I-Jury pilot program. Under I-Jury, a summoned juror can use a secure web site to complete a form that captures all of the information necessary to qualify the juror, screen for excuses, request scheduling accommodations, and complete the standard juror questionnaire. Those using I-Jury are contacted by email with a specific reporting date and court, and in the event a trial is cancelled, the jurors are released from service without having to appear and spend most of the day waiting at the courthouse.

The I-Jury program has saved Travis County over \$100,000 since its inception, since the county is not obligated to pay jurors who do not appear. It also saves court time, since jury questionnaire information can be provided to the parties well in advance of jury selection and residency issues can be resolved in advance. C.S.H.B. 2188 will permit, but not require, any county in Texas to set up a system similar to I-Jury.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2188 amends the Government Code to provide that a plan for the selection of names of prospective jurors may allow for a prospective juror to appear in response to a summons by contacting the county officer responsible for summoning jurors by computer or calling an automated telephone system in addition to appearing in person. This plan may allow a prospective juror to provide certain information by computer or automated telephone system, including information that permits the court to determine whether the prospective juror is qualified or exempt.

The bill also provides that a prospective juror may submit a request for postponement or excuse by computer or automated telephone system. In addition, such a system may be used by the county officer to provide to or receive from the prospective juror certain information such as a juror's postponement status, residency qualifications, qualifications to serve on a jury in a criminal matter, and certain other notifications and questionnaires. The bill mandates that the county officer purge the electronic mail addresses after certain specified times and conditions.

The bill also provides that to the extent practicable, the ratio of prospective jurors assigned to a particular jury panel who appear in response to a summons by contacting the county officer responsible for summoning jurors by computer or calling an automated telephone system to prospective jurors who appear in person must equal the ratio of all prospective jurors assigned to a jury panel at the same time who appear

by computer or automated telephone system to prospective jurors who appear in person.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute replaces the term “district clerk” with the term “county officer responsible for summoning jurors.” It also replaces the term “clerk” with the term “county officer.”