



Potter County

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District Clerk

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PLAN FOR THE SELECTION OF PROSPECTIVE JURORS

Whereas, Chapter 62 of the Texas Government Code and Article 35.03, Code of Criminal Procedure, provides for the recommendation of a plan for the Selection of Persons for Jury Service to be adopted by the Commissioners' Court;

And whereas, the following plan has been approved by the majority of the District Judges of Potter County, Texas;

It is therefore recommended to the Commissioners' Court of Potter County, Texas, by a majority of the District Courts of Potter County, pursuant to Section 62.011 of the Texas Government Code and Section 35.03, Code of Criminal Procedure, that the following plan for the selection of names of prospective jurors be adopted. Moreover, that the plan heretofore that was adopted April 17, 2019, be set aside and be replaced by the below plan and become effective on date of approval.

I. Duties of the District Clerk

The District Clerk of Potter County, Texas is designated as the officer in charge of the jury selection process and will do so by electronic means. The District Clerk shall perform the duties as specified in this Jury Selection Plan pursuant to Texas Government Code Section 62.011(b) (4), and shall provide Deputy District Clerks as needed to aid and help with duties under this plan. The District Clerk shall review this Selection Plan from time to time and submit written detailed recommendations to the District Judges regarding ways to improve this plan.

II. Source of Jurors

Pursuant to Section 62.001, Texas Government Code, the source from which names of prospective jurors will be taken, will be:

1. The names of all persons on the current voter registration list from all the precincts in Potter County.
2. All names on a current list furnished by the Texas Department of Public Safety, showing the citizens of Potter County who hold a valid Texas driver's license and the

citizens of Potter County who hold a valid personal identification card or certificate issued by the department other than persons who are disqualified from jury service.

The source of names shall not include those persons listed in a register of:

1. Persons exempt from jury service under Govt. Code 62.108, permanent exemption because of age.
2. Persons exempt from jury service under Govt. Code 62.109, permanent exemption for physical or mental impairment or inability to comprehend English.
3. Persons exempt from jury service under Govt. Code 62.113, because the person is not a citizen of the United States.
4. Persons convicted of a misdemeanor theft or a felony, persons residing outside the county, or persons who have been duplicated on the source list as a potential juror, Govt. Code 62.001(f).
5. Persons on a suspended list maintained under Election Code 15.081.

III. Selection of Juror Names

The names, address, and other information that comprise the combined lists shall be placed in an electronic system for purposes of selecting names to receive a jury summons.

The selection of names of persons for jury service will be made with the aid of electronic equipment. The same record of names will be used until such time as the Jury List is reconstituted as provided in Section VII of this plan. The District Clerk will perform the following duties related to the creation of this list of prospective jurors:

- (1) supervise the process through which a computer software program will be used to randomly select the names and addresses of the prospective jurors;
- (2) ensure that the computer program used to select the list of persons called for jury service will be fair, impartial, and objective;
- (3) use any resources of information the District Clerk deems reliable, such as voter registration information, driver's license information, and U.S. Post Office national change of address information, for purposes of updating prospective juror address information in order to ensure delivery of a jury summons. Such updates may be made directly into the electronic jury system or at the time the jury summons is mailed out either directly by the electronic system or through the services of a mail services vendor;
- (4) monitor any revisions to the prospective juror list to prevent the addition of any new individuals to the list outside of the annual reconstitution process;
- (5) maintain a complete audit trail of all changes to the jury wheel data made during its years of use.

IV. The Prospective Jury List – Use, Access and Certification of Data

The prospective jury data will be protected by computer “password” codes only available to the District Clerk and those deputized (Govt. Code §51.309(a) and given full authority by the District Clerk to perform all functions relating to jury service. Upon receiving a request from a District Judge, County Court at Law Judge, Justice of the Peace Judge, or CPS Judge to select jurors for a number of weeks, or in accordance with the schedule of jury weeks determined by said Judges, the District Clerk shall notify those persons with the authority to access the prospective jury data to execute a computer software program to randomly extract the number of persons needed for jury service.

The District Clerk shall certify that the list of prospective jurors selected by the system described herein is a true and complete written list of the names and addresses of persons summoned to begin jury service on a particular date. Additional lists may be produced to facilitate the handling of the necessary paper work in processing the jury list.

V. Additional Jurors

If it is determined by a Judge that the number of jurors previously selected for any designated date is insufficient, he/she shall direct the District Clerk to prepare a supplemental list containing a specified number 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.

VI. Juror Responses to Summons

A. Pursuant to Chapter 62.0111, Texas Government Code, a summonsed juror may select from the following methods of responding to the summons:

(1) by completing the juror pre-qualification form via computer through the official Internet website designated on the jury summons;

(2) by appearing at the Jury Office in person at the location specified on the jury summons;

(3) by contacting the District Clerk’s Jury Office by telephone if the summoned juror is requesting an excuse from jury service due to disqualification or statutory exemption, or

(4) by contacting the District Clerk’s Jury Office by the official Internet website, email, mail, facsimile, or via personal delivery of the written request for excuse if the summoned juror is requesting an excuse from jury service for any reason other than financial hardship.

B. A summonsed juror not excused via methods described in (a) (3) or (4) above shall, via methods described in (a) (1) or (2) above, provide to the District Clerk’s Jury Office the following:

(1) information to determine whether the prospective juror is qualified for jury service under Section 62.102, Texas Government Code;

(2) information to determine whether the prospective juror is exempt from jury service under Section 62.106, Texas Government Code;

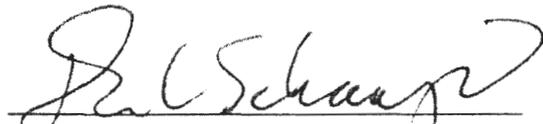
(3) information required for jury panel assignment, including (a) the prospective juror's postponement status; (b) the dates the juror is not available to serve as a juror due to schedule conflicts; (c) description of non-financial hardship upon which the juror is basing a hardship excuse from jury service; (d) completion and submission by the prospective juror of the written jury summons questionnaire described in Section 62.013, Texas Government Code; (e) the prospective juror's electronic mail address; and (f) certification that the information provided is true and correct.

VII. Reconstitution of Jury Source

At a time each year, on or before December 31, and pursuant to Section 62.001(g), Texas Government Code, the District Clerk shall procure from the Secretary of State the combined list of names as described herein for purposes of reconstituting the prospective jury list.

VIII. Adoption

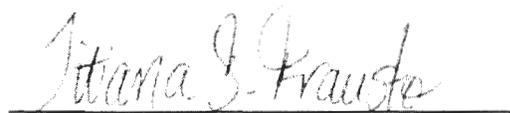
APPROVED AND ADOPTED, by the Council of District Judges on this 1st day of February, 2022.



Hon. Dan Schaap, 47th District Court



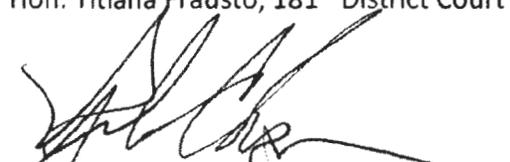
Hon. Doug Woodburn, 108th District Court



Hon. Titiana Frausto, 181st District Court



Hon. Ana Estevez, 251st District Court



Hon. Pamela Sirmon, 320th District Court

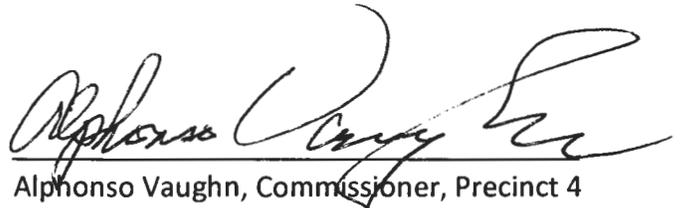
NOW THEREFORE IT IS ORDERED by the Commissioners' Court of Potter County, Texas, that the proposed Jury Selection Plan is hereby officially approved and adopted to become effective upon approval and be recorded in the official minutes of the Court on this the 14th day of February, 2022.


Nancy Tanner, Potter County Judge


H.R. Kelly, Commissioner, Precinct 1


Robert Ruiz, Commissioner, Precinct 2


John Coffee, Commissioner, Precinct 3


Alphonso Vaughn, Commissioner, Precinct 4

Attest:  
Julie Smith, County Clerk