

HOUSE BILL REPORT

HB 1729

*As Reported By House Committee on:
Judiciary
Appropriations*

Title: An act relating to the jury source list.

Brief Description: Preparing a plan for an expanded juror list.

Sponsor(s): Representatives Wineberry, Vance, Inslee, Dellwo, Wang, Forner and Anderson; by request of Administrator for the Courts.

Brief History:

Reported by House Committee on:
Judiciary, March 1, 1991, DPS;
Appropriations, March 9, 1991, DPS(JUD)-A.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *That Substitute House Bill No. 1729 be substituted therefor, and the substitute bill do pass.*
Signed by 17 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Staff: Bill Perry (786-7123).

Background: The master list from which jurors are selected consists exclusively of registered voters. This use of voter registration lists as the sole source of jurors has received criticism on at least two grounds. First, it may reduce the likelihood that a jury will represent a fair cross section of the community, one of the goals of the American jury system. Second, a significant number of citizens may choose not to register to vote simply to avoid jury duty, thereby frustrating one of the goals of a participatory democracy.

Various groups, including the Washington Judicial Council and the Commission on Washington Courts, have recommended expansion of the jury source list. One recommended addition to the list is persons with drivers' licenses. The merging

of the lists of licensed drivers with the lists of registered voters requires care to avoid double counting and other problems. At least nine other states have merged these two lists to compile their jury source lists.

Summary of Substitute Bill: A group of entities is directed to prepare a plan for the merging of the lists of registered voters and licensed drivers (including persons issued identification cards instead of drivers' licenses) in order to compile a jury source list. The group consists of:

- o the Office of the Administrator for the Courts;
- o the Superior Court Judges Association;
- o the District and Municipal Court Judges Association;
- o the Association of County Clerks;
- o the Office of Financial Management;
- o the Secretary of State;
- o the Association of County Auditors;
- o the Department of Licensing;
- o the State Bar Association;
- o the Association of Superior Court Administrators; and
- o the Association for Court Administration.

An appropriation of \$35,000 is made to the Office of the Administrator for the Courts for plan development.

The plan and proposed legislation are to be submitted to the Legislature by January 1, 1992. The plan is to be designed for implementation by January 1, 1993.

Substitute Bill Compared to Original Bill: The substitute adds the requirement that the plan include proposed legislation for implementation by January 1, 1993.

Fiscal Note: Not requested.

Appropriation: Yes.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The expansion of the jury source list will create a better cross-section of citizens to select jurors from, and will remove a disincentive to register to vote.

Testimony Against: None.

Witnesses: William Gates, Washington Commission on Trial Courts (in favor); Ralph Munro, Secretary of State (in favor); Clark Holloway, Department of Licensing (in favor); Michele Radosevich, Washington State Trial Lawyers Association (in favor); Rick Wickman, Association of

Washington Counties (in favor); David Kerruish, Seattle-King County Bar Association (in favor); Donna Karvia, County Clerks Association (in favor); and Siri Woods, County Clerks Association (in favor).

**HOUSE COMMITTEE ON
APPROPRIATIONS**

Majority Report: *The substitute by Committee on Judiciary be substituted therefor and the substitute bill as amended by Committee on Appropriations do pass.* Signed by 25 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; May; Mielke; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Staff: Susan Kavanaugh (786-7130).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Judiciary: The \$35,000 General Fund appropriation is removed.

Fiscal Note: Not requested.

Appropriation: Removed.

Effective Date of Substitute Bill as Amended: Ninety days after adjournment of session in which bill is passed.

Testimony For: Same as in the Judiciary Committee.

Testimony Against: None.

Witnesses: Michele Radosevich, Washington State Trial Lawyers.