

SENATE BILL REPORT

ESHB 1729

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, APRIL 4, 1991

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

**SPONSORS:** House Committee on Judiciary (originally sponsored by Representatives Wineberry, Vance, Inslee, Dellwo, Wang, Forner and Anderson; by request of Administrator for the Courts).

**HOUSE JUDICIARY COMMITTEE**

**HOUSE COMMITTEE ON APPROPRIATIONS**

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** Do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, Hayner, Madsen, Newhouse, and A. Smith.

**Staff:** Jon Carlson (786-7459)

**Hearing Dates:** April 2, 1991; April 4, 1991

**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:**

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.

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.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

This measure would increase the overall number of persons available to serve as jurors, and likely reflect a better cross section of the population.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Representative Jesse Wineberry, original sponsor; Mark Muenster, Washington Association of Criminal Defense Lawyers; Kip Stilz, District and Municipal Court Judges' Association; Carolyn Failing, Thurston County Superior Court; Doug Tuffley, Washington State Bar Association; Jim Goche, Washington Association of County Officials