
SUBSTITUTE HOUSE BILL 2945

State of Washington

52nd Legislature

1992 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Wineberry, Padden, Appelwick, Inslee, Paris, Wang and Anderson; by request of Administrator for the Courts)

Read first time 02/11/92.

1 AN ACT Relating to jury source lists; amending RCW 2.36.010 and
2 2.36.055; adding new sections to chapter 2.36 RCW; creating new
3 sections; and providing effective dates.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The superior court judges' association,
6 the district and municipal court judges' association, the secretary of
7 state, the department of information services, the association of
8 county clerks, the department of licensing, the association of county
9 auditors, the office of the administrator for the courts, the
10 association of superior court administrators, the Washington state
11 association for court administration, and the Washington state bar
12 association are requested to appoint representatives to a task force,
13 that is hereby created, to develop and recommend methodology and
14 standards for merging the list of registered voters in Washington state

1 with the list of licensed drivers and identicard holders in Washington
2 state for purposes of creating and evaluating the implementation of an
3 expanded jury source list. The task force may appoint an advisory
4 committee consisting of state and county data processing specialists
5 and other specialists as may be appropriate to advise on technical and
6 other issues in developing the methodology and standards.

7 The task force shall report its recommendations on methodology and
8 standards to the supreme court and the legislature by November 2, 1992,
9 and shall make its final report evaluating the implementation of the
10 expanded jury source list to the supreme court and legislature by
11 January 15, 1996.

12 NEW SECTION. **Sec. 2.** The supreme court is requested to adopt
13 rules incorporating as appropriate the methodology and standards
14 developed and recommended by the task force in section 1 of this act by
15 February 1, 1993. In lieu of such a court rule the legislature may
16 review the recommendations of the task force and adopt legislation it
17 deems appropriate to incorporate recommendations of the task force into
18 statute. An expanded jury source list shall be available to the courts
19 for use by July 1, 1994.

20 The secretary of state, the department of licensing, and the
21 department of information services shall adopt administrative rules
22 necessary to provide for the implementation of the methodology and
23 standards developed under this section and section 1 of this act.

24 NEW SECTION. **Sec. 3.** The superior court of each county shall
25 annually notify the department of information services of the intent to
26 use either a jury source list that is merged by the county or furnished
27 by the department of information services. The department of
28 information services shall merge licensed drivers and identicard holder

1 lists as supplied annually by the department of licensing and voter
2 lists as supplied annually by the secretary of state. The department
3 of information services shall annually furnish at no charge to the
4 superior court of each county either a merged list or a list of driver
5 license and identicard holders to each superior court in accordance
6 with its annual notification. The list provided by the department of
7 information services shall be in an electronic format specified by the
8 superior court requesting it.

9 **Sec. 4.** RCW 2.36.010 and 1988 c 188 s 2 are each amended to read
10 as follows:

11 Unless the context clearly requires otherwise the definitions in
12 this section apply throughout this chapter.

13 (1) A jury is a body of persons temporarily selected from the
14 qualified inhabitants of a particular district, and invested with
15 power--

16 (a) To present or indict a person for a public offense.

17 (b) To try a question of fact.

18 (2) "Court" when used without further qualification means any
19 superior court or court of limited jurisdiction in the state of
20 Washington.

21 (3) "Judge" means every judicial officer authorized to hold or
22 preside over a court. For purposes of this chapter "judge" does not
23 include court commissioners or referees.

24 (4) "Juror" means any person summoned for service on a petit jury,
25 grand jury, or jury of inquest as defined in this chapter.

26 (5) "Grand jury" means those twelve persons impaneled by a superior
27 court to hear, examine, and investigate evidence concerning criminal
28 activity and corruption.

1 (6) "Petit jury" means a body of persons twelve or less in number
2 in the superior court and six in number in courts of limited
3 jurisdiction, drawn by lot from the jurors in attendance upon the court
4 at a particular session, and sworn to try and determine a question of
5 fact.

6 (7) "Jury of inquest" means a body of persons six or fewer in
7 number, but not fewer than four persons, summoned before the coroner or
8 other ministerial officer, to inquire of particular facts.

9 (8) "Jury source list" means the list of all registered voters for
10 any county, ~~((as compiled by each county auditor pursuant to the
11 provisions of chapter 29.07 RCW))~~ merged with a list of licensed
12 drivers and identicard holders who reside in the county. The list
13 shall specify each ~~((voter's))~~ person's name~~((,))~~ and residence
14 address~~((,))~~ and ~~((precinct as shown on the original registration card
15 of each qualified voter. The list shall be filed with the superior
16 court by the county auditor))~~ conform to the methodology and standards
17 set under section 2 of this act.

18 (9) "Master jury list" means the list of prospective jurors from
19 which jurors summoned to serve will be randomly selected. The master
20 jury list shall be either randomly selected from the jury source list
21 or may be an exact duplicate of the jury source list.

22 (10) "Jury term" means the period of time a person is required to
23 serve as a juror. A jury term shall begin on the first Monday of each
24 month and shall end on the Saturday immediately preceding the first
25 Monday of each month, unless changed by the court. A jury term may be
26 extended by the court if necessary for the administration of justice.

27 (11) "Jury panel" means those persons randomly selected for jury
28 service for a particular jury term.

1 **Sec. 5.** RCW 2.36.055 and 1988 c 188 s 4 are each amended to read
2 as follows:

3 The (~~county auditor shall prepare and file with the~~) superior
4 court at least annually(~~, at a time or times set forth in an order of~~
5 ~~the judges of the superior court from the original registration files~~
6 ~~of voters of the county a list of all registered voters. The list may~~
7 ~~be divided into the respective voting precincts~~) shall cause a jury
8 source list to be compiled from a list of all registered voters and a
9 list of licensed drivers and identicard holders residing in the county.

10 The superior court upon receipt of the jury source list (~~of~~
11 ~~registered voters filed by the county auditor shall use that list as~~
12 ~~the jury source list and~~) shall compile a master jury list (~~from the~~
13 ~~source list~~). The master jury list shall be certified by the superior
14 court and filed with the county clerk. All previous jury source lists
15 and master jury lists shall be superseded.

16 Upon receipt of amendments to the list of registered voters (~~from~~
17 ~~the county auditor~~) and licensed drivers and identicard holders
18 residing in the county the superior court may update the jury source
19 list and master jury list as maintained by the county clerk
20 accordingly.

21 NEW SECTION. **Sec. 6.** The secretary of state shall reimburse
22 the counties only for the costs resulting directly from standardizing
23 and entering into electronic format such information as is necessary to
24 implement this act.

25 NEW SECTION. **Sec. 7.** If specific funding for section 6 of
26 this act, referencing section 6 of this act by bill and section number,
27 is not provided by June 30, 1992, in the supplemental biennial

1 operating appropriations act, then section 6 of this act shall be null
2 and void.

3 NEW SECTION. **Sec. 8.** Sections 1 through 3 of this act are
4 each added to chapter 2.36 RCW.

5 NEW SECTION. **Sec. 9.** (1) Section 3 of this act shall take
6 effect December 15, 1993.

7 (2) Sections 4 and 5 of this act shall take effect July 1, 1994.