

Report on Public Policy Position

Name of section:

Criminal Law Section

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Bill Number:

[HB 4931](#) (Lemmons) Courts; juries; lists of persons available for creating juror pools; expand. Amends sec. 1304 of [1961 PA 236](#) (MCL [600.1304](#)) & adds secs. 1310a, 1310b, 1310c & 1310d.

[HB 4932](#) (Lemmons) Courts; juries; names and addresses of persons receiving unemployment benefits; allow to be disclosed to jury boards for selecting jury pools. Amends 1936 (Ex Sess) PA 1 (MCL [421.1](#) - [421.75](#)) by adding sec. 54d.

[HB 4933](#) (Lemmons) Courts; juries; names of persons receiving public assistance; allow to be disclosed to jury boards for selecting jury pools. Amends sec. 64 of [1939 PA 280](#) (MCL [400.64](#)).

[HB 4934](#) (Lemmons) Courts; juries; names and addresses of taxpayers; allow to be disclosed to jury boards for selecting jury pools. Amends sec. 28 of [1941 PA 122](#) (MCL [205.28](#)).

[HB 4755](#) (Cushingberry) Courts; juries; names and addresses of taxpayers; allow to be given to jury boards for purposes of selecting juror pools. Amends sec. 28 of [1941 PA 122](#) (MCL [205.28](#)).

[HB 4859](#) (Cushingberry) Courts; juries; jury pool selection process; revise. Amends secs. 1304, 1312 & 1321 of [1961 PA 236](#) (MCL [600.1304](#) et seq.) & adds secs. 1301c, 1310a & 1310b.

Date position was adopted:

December 18, 2007

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

20

Number who voted in favor and opposed to the position:

16 Voted for position

2 Voted against position

0 Did not vote

Position:

Other:

The Criminal Law Section of the State Bar of Michigan supports in principle the expansion of jury lists to include as many eligible persons as possible, including persons registered to vote and persons who receive tax refunds, unemployment benefits, public assistance, or any other public benefit.

The Criminal Law Section of the State Bar of Michigan supports allowing courts the discretion to balance jury pools by the geographic location of potential jurors' residences, or other non-gender or race specific criteria.

Explanation of the position, including any recommended amendments:

There was recognition of the technical difficulty in merging such lists, but it was determined that this was better left to others and that the Section should endorse the goal of the proposed legislation. The view is based not only upon the rights of an accused, but also the integrity of the process. The justice system cannot function well when the citizenry does not believe in it.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2007-HB-4931>

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<http://legislature.mi.gov/doc.aspx?2007-HB-4934>

<http://legislature.mi.gov/doc.aspx?2007-HB-4755>

<http://legislature.mi.gov/doc.aspx?2007-HB-4859>