

IN THE 32ND JUDICIAL CIRCUIT
STATE OF ALABAMA

ADMINISTRATIVE ORDER 2020-11

An Order Relating to Electronic Juror Selection and Qualification

Whereas, Rule 46, Alabama Rules of Judicial Administration, has recently been amended to permit electronic selection and qualification of potential jurors through an internet-based data processing program maintained by the Administrative Office of Courts; and

Whereas, Rule 46 Alabama Rules of Judicial Administration grants discretion to the presiding circuit judge of each judicial circuit in this State to authorize such electronic selection and qualification of potential jurors, subject to the provisions of Rule 46;

Now, therefore, it is hereby ORDERED that after the date of this order, each juror summons issued for a jury trial to be held in the 32nd Judicial Circuit of the State of Alabama shall include instructions for a prospective juror to, if possible, electronically verify his or her qualifications to serve on a jury through a centralized internet-based data-processing program maintained by the Administrative Office of Courts ("AOC").

Verification of Qualifications to Serve as Jurors

Each prospective juror completing an electronic juror qualification form, as adopted by the Alabama Administrative Office of Courts, shall declare, to the best of his or her ability, that he or she meets each of the following qualifications to serve on a jury in this judicial circuit:

(1) Is a citizen of the United States, has been a resident of Cullman County for more than 12 months, and is 19 years old or older;

(2) Is able to read, speak, understand, and follow instructions given by a judge in the English language;

(3) Is capable by reason of physical and mental ability to render satisfactory jury service and is not afflicted with any permanent disease or physical weakness whereby the prospective juror is unfit to discharge the duties of a juror even with reasonable accommodation;

(4) Has not lost the right to vote by conviction for any offense involving moral turpitude; and

(5) Does not display any signs and symptoms associated with diseases known to be transmitted through respiration;

Sworn Verification of Qualifications Required

It is further ORDERED that, upon the completion of an electronic form showing his or her qualifications to serve on a jury, each prospective juror shall be required to affirm or disaffirm the following oath:

"Do you solemnly swear (or affirm) that you have well and truly answered all questions propounded to you touching on your qualifications as a juror, so help you God?"

A prospective juror that affirms the required oath shall indicate his or her affirmation of the oath by electronically signing his or her name to the oath and returning it according to the instructions provided. The electronic signature contained on the electronic juror qualification form adopted by AOC shall constitute a sworn acknowledgment by the individual who is electronically signing the form as to the truth of the declarations contained therein. The receipt and acceptance of a qualified prospective juror's affirmation of the above oath by the clerk of

court or a circuit court judge sitting in this judicial circuit shall be deemed an acknowledgment of the prospective juror's affirmation of the oath.

Electronic Signature Authorized.

The electronic signature of a prospective juror shall conform to the requirements of Rule 30(G) of the Alabama Rules of Judicial Administration or as otherwise authorized by the rules or statutes adopted in this State for the use of electronic signatures.

Qualification of Prospective Jurors.

The receipt and acceptance of a prospective juror's affirmation of the oath by the clerk of court or by a circuit judge sitting in this judicial circuit shall be deemed an acknowledgment of the prospective juror's affirmation of the oath. However, even if an affirmation of the oath has been received electronically prior to the day prospective jurors are instructed to appear for court, a judge shall orally question prospective jurors regarding their qualifications to serve as jurors in this judicial circuit before *voir dire* begins to ensure that all prospective jurors continue to meet the minimum requirements to serve.

Disqualification of Prospective Juror.

If a prospective juror completing an electronic juror qualification form does not meet the minimum qualifications for serving as a juror or disaffirms the oath, the clerk or the court shall notify the prospective juror that he or she is not qualified to serve on a jury and/or inform the prospective juror that his or her service is not required.

Other Methods of Verification of Qualifications to Serve as Juror

If a prospective juror is unable or elects not to electronically verify his or her qualifications to serve as a juror in this judicial circuit as set forth in this order and as authorized by Rule 46, Alabama Rules of Judicial Administration, the court may determine the prospective juror's qualifications to serve on a jury as otherwise provided by law and, if qualified, shall administer the oath to the prospective juror as otherwise provided by law.

The Circuit Court Clerk shall post a copy of this order on the court's official website, cullmancourts.org and shall also provide a copy of this order to the Alabama Administrative Office of Courts.

Done this the 15th day of July, 2020.

/s/ Gregory A. Nicholas _____
Gregory A. Nicholas
Presiding Circuit Judge
32nd Judicial Circuit
State of Alabama