

Fort Bend County Jury Plan

BE IT KNOWN that there is hereby enacted by the Board of District Judges of Fort Bend County, Texas under Section 62.011 of the Texas Government Code the following ***Fort Bend County Jury Plan***. Further, such Fort Bend County Jury Plan has been received and acknowledged by the Statutory County Court Judges of Fort Bend County, Texas. The Fort Bend Board of Judges recommends that the Commissioners' Court of Fort Bend County adopts this Fort Bend County Jury Plan.

I. Commissioners' Court

- A. Determines the daily amount of reimbursement for expenses for jurors (Government Code Sec. 61.001b)
- B. Adopts the *Fort Bend County Jury Plan* and future amendments (Government Code Sec. 62.011)
- C. Approve charities to which jurors may donate their juror pay (Government Code Sec. 61.003)
- D. Provides adequate facilities (Government Code Sec. 62.018)
- E. Provides proper equipment (Government Code Sec. 62.018)
- F. Provides necessary furnishing (Government Code Sec. 62.018)
- G. Provides reasonable accommodations for the deaf or hard of hearing (Government Code Sec. 62.0141d)

II. Board of Judges

- A. Approves the *Fort Bend County Jury Plan* and future amendments (Government Code Sec. 62.011)
- B. Appoints a District Judge as Jury Management Judge for the next year (Government Code Sec. 62.016c)
- C. Determines approximate number of jurors necessary for each week for a general pool of jurors to be used interchangeably for the following year for (Government Code Sec. 62.016a)
 - 1. Justice Courts
 - 2. Statutory County Courts
 - 3. District Court

III. Administrative Judge

Manages the Jury Assembly Room(s) with the assistance of the District Clerk and the Courts Administrator

IV. Jury Management Judge

A. Annually

- a. Prepares/Amends the *Fort Bend County Jury Plan* as required and presents the *Fort Bend County Jury Plan* to the Board of Judges and Commissioners' Court (Government Code Sec. 62.011)
 - b. Implements the approved *Fort Bend County Jury Plan*
 - c. Provides to the District Clerk by October 1 of each year a schedule with date, time, location and total number of jurors needed for next year's jury trials for the District Courts, the Statutory County Courts, and the Justice of the Peace Courts (Government Code Sec. 62.012)
 - d. Provides to the District Clerk by October 1 of each year a schedule of District Court Judges and Statutory County Court Judges who will be responsible for giving statutorily mandated admonishments and instructions to prospective jurors
 - e. Provides to the District Clerk by October 1 of each year a weekly schedule of judges who will be responsible for ruling on requests for excuses (excluding exemptions and disqualifications) or subsequent postponements
 - f. Provides to the District Clerk by October 1 of each year the *Order for Petit Jurors* (Government Code Sec. 62.016b)
- B. Approves/Amends jury trial court schedule as per the requesting judge and notifies the District Clerk
- C. Makes arrangements with the assistance of the Courts Administrator for space and time for Special Jury Pools, the Grand Jury and Incoming Transfer of Venue Cases so that arrangements do not interfere with regularly scheduled jury trial arrangements
- D. Manages the Jury Assembly Room(s) with the assistance of the District Clerk and the Courts Administrator
- E. District Court Judges, the Statutory County Court Judges, the Justices of the Peace, the District Clerk, Information Technology Department and the Courts Administrator will all work together with the Jury Management Judge serving as liaison (Government Code Sec. 62.016c)

V. Trial Judge

- A. Provides by September 1 of each year a schedule showing date, time, location and number of jurors needed for jury trial weeks/days to the Jury Management Judge (Government Code Sec. 62.012)
- B. Notifies the Jury Management Judge and the District Clerk of the need to call multiple panels for a trial week at least 8 weeks in advance
- C. Notifies the Jury Management Judge and District Clerk of any changes to the jury schedule or number of jurors needed at least 8 weeks in advance
- D. Notifies the District Clerk of cancellations as soon as possible when cancellations occur before the scheduled jury day
- E. Jury Day Duties

- a. Notifies Jury Management Judge of the Judge's inability to appear for the Judge's court assignment and finds a replacement to fulfill the Judge's assigned duties
- b. District Court Judges will give admonishments, instructions and administer the oath to empaneled jurors for District Court pools. If unable to appear, the assigned judge will locate a replacement judge and notify the Jury Management Judge and District Clerk prior to the date of assignment
- c. Statutory County Court Judges will give admonishments, instructions and administer the oath to empaneled jurors for County Court pools. If unable to appear, the assigned judge will locate a replacement judge and notify the Jury Management Judge and District Clerk prior to the date of assignment
- d. Justices of the Peace will give admonishments, instructions and administer the oath to empaneled jurors for Justice Court pools (Government Code Sec. 62.412b)
- e. Justices of the Peace will notify the District Clerk of any juror who is excused or needs to be postponed due to late arrival
- f. Dismisses prospective jurors when they are no longer needed: cancellations, plea bargains, etc.
- g. The assigned judge shall be responsible for ruling on all excuses (Government Code Sec. 62.109, Government Code Sec. 62.110, and Government Code Sec. 62.112) (excluding statutory exemptions and disqualifications Government Code Sec. 62.102 and Government Code Sec. 62.106) and subsequent postponements from prospective summoned jurors (Government Code Sec. 62.016d).
- h. Notifies the District Clerk of the number of jurors needed on their panel as soon as possible on jury selection days
- i. Notifies the assigned Judge and the District Clerk as soon as possible of the need to use unassigned prospective jurors
- j. A District or County Court at Law Judge may designate any qualified magistrate to perform the duties set out in this Plan.

F. Special Venires

- a. Notifies the Jury Management Judge and the District Clerk *at least 8 weeks in advance* of the need for a special panel of jurors (Code of Criminal Procedure Art. 34)
 - 1. date and time of special venire
 - 2. number of jurors needed for voir dire
 - 3. special requirements needed (ex: individual voir dire, death penalty, etc.)
 - 4. special questionnaire
- b. Provides questionnaire(s) to the District Clerk at least one week in advance

- c. Judge requesting a special panel shall be responsible for administering admonishments, instructions and administer the oath to special panel of jurors
- G. District Court Judges, the Statutory County Court Judges, the Justices of the Peace, the District Clerk, Information Technology Department and the Courts Administrator will all work together with the Jury Management Judge serving as liaison (Government Code Sec. 62.016c)

VI. District Clerk

- A. Provides personnel and equipment to carry out the *Fort Bend County Jury Plan* at the Justice Center
- B. Provides a telephone number and e-mail address for prospective jurors to make contact regarding postponements, excuses, and exemptions prior to the date of service
- C. Requests Jury Wheel from Secretary of State (Government Code Sec. 62.001g)
- D. Creates and maintains an acceptable jury summons (Government Code Sec. 62.0131 and 62.0132)
- E. Creates and maintains an appropriate juror donation form (Government Code Sec. 61.003)
- F. Calls a sufficient number of prospective jurors on scheduled jury days to meet the needs of the requesting judges as determined by the Jury Management Judge (Government Code Sec. 62.012b)
- G. Summons prospective jurors for the Justice of the Peace Courts
- H. Prepares a list of the special panel in a capital case in which the state seeks the death penalty in accordance with Code of Criminal Procedure Art. 34.04
- I. Processes exemptions, disqualifications and initial postponements (Government Code Sec. 62.106) (Government Code Sec. 62.102) (Government Code Sec. 62.0143)
- J. Summons jurors to appear as required
- K. Processes prospective jurors into the Jury Assembly Room(s) and takes attendance
- L. Provides necessary forms and writing materials for prospective jurors who failed to report to duty with properly completed juror profiles
- M. Provides sign language interpreters for pooled jurors (Government Code Sec. 62.1041c)
- N. Administers hearing devices for pooled jurors (Government Code Sec. 62.1041c)
- O. Administers oaths and instructions as permitted by law
- P. Electronically pulls panels as requested by the Trial Judge randomly from the qualified prospective jurors remaining in the Jury Assembly Room(s)
- Q. Prepares at least 7 copies of the randomized panel packet and corresponding Juror Profiles
- R. Prepares a confidential second randomized panel packet and corresponding juror profiles, in case there is a request for a jury shuffle,

and sends this alternate list with the panel to the respective court (Not done for Justice of the Peace courts)

- S. Collaborate with the District Judges to make the decision regarding when to reconstitute the jury wheel
- T. Accounts for jurors time in service
- U. Prepares certificates of service for jurors whose service is not needed
- V. Provides information needed for payment of the appropriate amount to each juror
- W. Retains, at the conclusion of voir dire, all Juror Profiles and questionnaires
- X. Collects and enters juror donations (Government Code Sec. 61.003)
- Y. Prepares and submits statutorily required jury reports (Government Code Sec. 62.113 and Sec. 62.114)
- Z. All official records of the jury division of the District Clerk's Office shall be preserved according to the Texas State Library and Archives Commission retention schedule
- AA. District Court Judges, the Statutory County Court Judges, the Justices of the Peace, the District Clerk, Information Technology Department and the Courts Administrator will all work together with the Jury Management Judge serving as liaison (Government Code Sec. 62.016c)

VII. Courts Administrator

- A. Manages the Jury Assembly Room(s) with the assistance of the District Clerk and the Jury Management Judge
- B. The Courts Interpreter/Director of the Language Access Plan provides sign language interpreters for empaneled jurors (Government Code Sec. 62.1041c)
- C. Administers hearing devices for empaneled jurors (Government Code Sec. 62.1041c)
- D. District Court Judges, the Statutory County Court Judges, the Justices of the Peace, the District Clerk, Information Technology Department and the Courts Administrator will all work together with the Jury Management Judge serving as liaison (Government Code Sec. 62.016c)

VIII. Court Clerk

- A. Takes attendance and accounts for jurors time in service and provide to the District Clerk
- B. Prepares certificate of service for jurors whose service is no longer needed and provides to the District Clerk
- C. Provides to the District Clerk necessary information needed to make appropriate payment to each juror
- D. Ensures the return of all Juror Profiles and questionnaires at the conclusion of voir dire and provides these returned items to the District Clerk
- E. Collects juror donations forms, if needed, and provides donation forms to the District Clerk (Government Code Sec. 61.003)
- F. Swears-in empaneled jurors at the request of the presiding judge

IX. Sheriff/ Bailiff

- A. Assigns one or more deputies as Central Jury Bailiffs (Government Code Sec. 62.019a)
- B. Provides security and evacuation instructions
- C. Calls panel roll
- D. Notifies Court Bailiffs when prospective jurors are ready to be released to the courts
- E. Escorts jurors from the Jury Assembly Room(s) to the assigned trial court

X. Information Technology

- A. Tests prospective juror data for:
 - a. Goodness of fit
 - b. A reasonable and fair distribution of selected names from each geographical area of the county
 - c. A reasonable and equal distribution of selected names from each segment of the alphabet
 - d. Ensure randomness of the jury pool
- B. District Court Judges, the Statutory County Court Judges, the Justices of the Peace, the District Clerk, Information Technology Department and the Courts Administrator will all work together with the Jury Management Judge serving as liaison (Government Code Sec. 62.016c)
- C. Contact the Secretary of State at the request of the District Clerk
- D. Download the jury wheel from the Secretary of State
- E. Upload jury wheel into the jury database
- F. Ensure randomization
- G. Maintain the jury system and any updates to the jury system
- H. Provide and maintain hearing devices for hard of hearing jurors (Government Code Sec. 62.1041c)

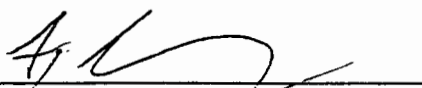
XI. District Clerk/Auditor/Treasurer

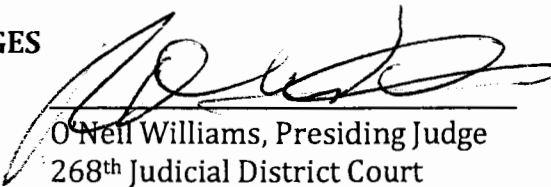
- A. Pays petit jurors \$6 for their initial day of service and \$40 for each subsequent day of actual attendance regardless of whether they serve a whole day or a fraction of the day (Government Code Sec. 61.001) (Government Code Sec. 61.0011)
- B. Pays grand jurors \$6 for their initial day of service and \$50 for each subsequent day of actual attendance regardless of whether they serve a whole day or a fraction of the day (Government Code Sec. 61.001) (Government Code Sec. 61.0011)

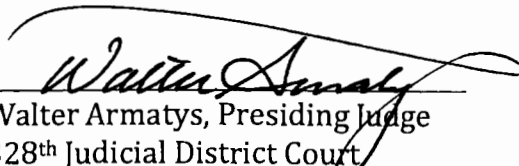
This *Fort Bend County Jury Plan* may be further amended or modified from time to time upon the recommendation of a majority of the District Judges. No partial invalidity of this *Fort Bend County Central Jury Plan* shall affect the remainder.

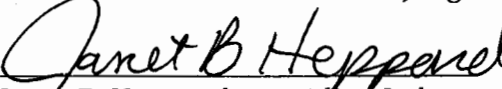
This *Fort Bend County Jury Plan*, upon its adoption by the Fort Bend County Board of District Judges, shall be recorded in the minutes of the District Courts and Statutory County Courts of Fort Bend County and shall become effective on this 14th day of December, 2022.

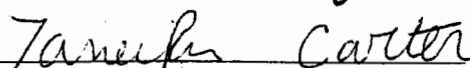
BOARD OF JUDGES

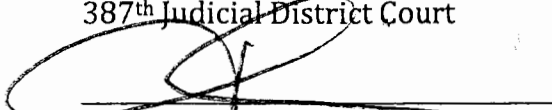

Frank J. Fraley, Presiding Judge
240th Judicial District Court

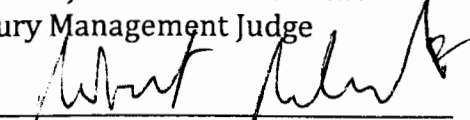

O'Neil Williams, Presiding Judge
268th Judicial District Court
Local Administrative District Judge

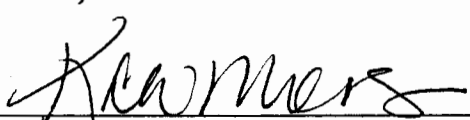

Walter Armatys, Presiding Judge
328th Judicial District Court


Janet B. Heppard, Presiding Judge
387th Judicial District Court


Tameika Carter, Presiding Judge
400th Judicial District Court
Jury Management Judge

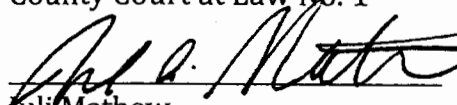

Christian Becerra, Presiding Judge
434th Judicial District Court

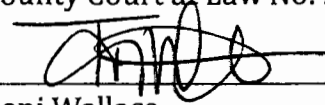

Robert L. Rolnick, Presiding Judge
458th Judicial District Court


Kali Morgan, Presiding Judge
505th Judicial District Court

RECEIVED AND ACKNOWLEDGED

This *Fort Bend County Central Jury Plan*, upon its adoption of the Board of District Judges, is hereby **RECEIVED AND ACKNOWLEDGED** by the County Court at Law Judges of Fort Bend County, Texas, on this day of _____, _____.

Christopher G. Morales
County Court at Law No. 1

Juli Mathew
County Court at Law No. 3
Local Administrative County Court at Law Judge

Jeffrey A. McMeans
County Court at Law No. 2

Toni Wallace
County Court at Law No. 4

Teana Watson
County Court at Law No. 5

Sherman Hatton, Jr.
County Court at Law No. 6

FILED
DEC 22 2022
AT 9:15 AM.
Beverly McGrew Walker
CLERK DISTRICT COURT, FORT BEND CO., TX

Courtesy of Fort Bend District Clerk, Beverley McGrew Walker, and the Jury Management Team: Michelle Jochen, Chief Deputy and Courtney Paterson, Jury Division Supervisor