CASS COUNTY COURTS

Access to Juror Questionnaires

Effective 12/18/2023

ADMINISTRATIVE ORDER

43rd Circuit Court, 2023 -3J
4th District Court, 2023-5J
Cass County Probate Court, 2023-2J

Rescinds: Administrative Orders 2016-4 J (43rd Circuit Court), 2016-4 J (4th District Court), and 2016-4 J (Cass County Probate Court).

This administrative order is issued in accordance with Michigan Supreme Court Administrative Order 1987-1, effective April 1, 1987. The purpose of this order is to regulate access to juror questionnaires upon approval by the State Court Administrative Office.

IT IS ORDERED:

1. Juror Qualification Questionnaires, MCL 600.1315; MSA 27A.1315

    a. Juror Qualification Questionnaires are confidential and are not public records.
    b. Juror Qualification Questionnaires shall be kept on file by the Clerk for a period of 3 years from the time they are filled out.
    c. The only persons allowed to examine Juror Qualification Questionnaires are:
        i. the judges of the court;
        ii. judicial assistants/bailiffs;
        iii. the Clerk and deputy clerks;
        iv. court administrators; and
        v. persons authorized access by court order.
    d. The answers contained on any Juror Qualification Questionnaire shall not be publicly disclosed.

2. Juror Personal History Questionnaire, MCR 2.510

    a. Juror Personal History Questionnaires are confidential and are not public records.
    b. Juror Personal History Questionnaires shall be kept on file by the court clerk for a period of 3 years from the time they are filled out.
    c. The only persons allowed to examine Juror Personal History Questionnaires are:
        i. the judges of the court;
        ii. judicial assistants/bailiffs;
        iii. the court clerk and deputy clerks;
        iv. court administrators;
        v. parties to actions in which the juror is called to serve and their

attorneys; and

vi. persons authorized access by court order.

d. Attorneys of record and parties in pro per may examine Juror Personal History Questionnaires of jurors anticipated to be called for voir dire by presenting a written, signed request to the Circuit Court File Room located in the Law & Courts Building at 60296 M-62, Cassopolis, Michigan or to the Clerk Register's Office located in the County Building at 120 N. Broadway, Suite 123, Cassopolis, Michigan prior to commencement of voir dire. Neither photocopies nor verbatim handwritten copies of Juror Personal History Questionnaires may be made by the person examining the questionnaires. However, summary notes of pertinent information may be recorded.

e. Examination of Juror Personal History Questionnaires may only be conducted in an area designated by the court clerk except upon the order of the chief judge or trial judge in an assigned case.

f. Upon request, attorneys of record or parties in pro per shall be provided copies of Juror Personal History Questionnaires for all jurors anticipated to be called for voir dire in a specific case. The request must be in writing to the Circuit Court File Room located in the Law & Courts Building at 60296 M-62, Cassopolis, Michigan or to the Clerk Register's Office located in the County Building at 120 N. Broadway, Suite 123, Cassopolis, Michigan and contain the following information:

   i. The attorney's or party's name and business address;
   ii. The parties' names and the case number;
   iii. The date the trial is scheduled;
   iv. Statements including:
      1. Agreement to pay the cost of reproduction of the questionnaires requested and necessary postage;
      2. That no unauthorized person will be allowed to examine the questionnaires;
      3. That the copies of the questionnaires will not be copied; and
      4. That the questionnaires will be returned to the court clerk after voir dire.
   v. The date the request is made.
   vi. The signature of the attorney or party making the request.

g. Where a request from an attorney or party in pro per has been submitted in accordance with section 2f of this order the following shall apply:

   i. Copies of the juror questionnaires will be prepared by the Clerk Register's Office and made available to the requesting party on the day of trial in the Courtroom the trial is scheduled to take place unless otherwise ordered by the Court.
   ii. Should the Clerk Register be able to establish a secure SharePoint location to share the juror questionnaires with outside attorneys and/or parties in pro per, the questionnaires may be shared in this manner up to two weeks prior to the jury trial to allow for preparation. Any access granted in this manner will be terminated at the end of voir dire.

iii. The reproduction cost for jury questionnaires shall be set at the flat rate of $20.

iv. The Court shall assign a court staff responsible for ensuring that the juror questionnaires do not leave the courtroom, are secured during any breaks during voir dire, and for collecting the juror questionnaires at the end of voir dire to ensure they are returned to the Clerk Register. In the absence of a specific assignment, the Circuit Court Paralegal/Bailiff shall assume this duty for the Circuit and Probate Courts and the Bailiff/Magistrate shall assume this duty for the District Court.

h. Given the volume of trials conducted and prepared for by the Cass County Prosecuting Attorney's Office and the Cass County MIDC Attorneys, upon receipt from the Prosecuting Attorney and/or the Cass County MIDC Attorneys in compliance with section 2f, the Clerk Register shall establish an internal, secure SharePoint location where the jury questionnaires will be uploaded and released to the Prosecuting Attorney's Office and/or Cass County MIDC Attorneys at no cost.

i. This request can be a blanket request for all assigned jury trials from the date of the request forward until revoked to minimize administrative paperwork.

ii. If a blanket request is made, the Clerk Register's Office will ensure that the applicable juror questionnaires are uploaded to the secure SharePoint location every two weeks to ensure that the Prosecuting Attorney's Office and/or MIDC Attorneys have access to the juror questionnaires for the upcoming trials they are preparing for.

iii. Binders of jury questionnaires will not be prepared and placed in the courtroom for these blanket requests as the Prosecuting Attorney's Office and MIDC Attorneys will have access to this information through the secure SharePoint link.

iv. Should either the Prosecuting Attorney's Office or MIDC Attorneys have a specific case in which they believe a binder of juror questionnaires in the courtroom is needed, they may submit a case-specific request in accordance with section 2f.

3. A standard request form shall be drafted and uploaded to the Court's website to assist parties in completing their request for access.

Effective Date: 12/18/23

Carol M Bealor

Honorable Carol M. Bealor
Chief Judge