

Are you ready for some **JURY TRIALS?**

So a defendant wants a jury trial....

DO WE HAVE TO GIVE HIM ONE?

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed...

- 6th Amendment, U.S. Constitution

In all criminal prosecutions the accused shall have a speedy public trial by an impartial jury.

- Article I § 10, Texas Constitution
- Article 1.02, Code of Criminal Procedure

The right of trial by jury shall remain inviolate.

- Article 1.12, Code of Criminal Procedure

The defendant may waive a trial by jury in writing.

- Article 45.025, Code of Criminal Procedure



ANSWER: _____



So let's meet the **PLAYERS**:

the JUDGE: _____

the BAILIFF: _____

the JURORS: _____

the CLERK: _____

the OFFICER: _____

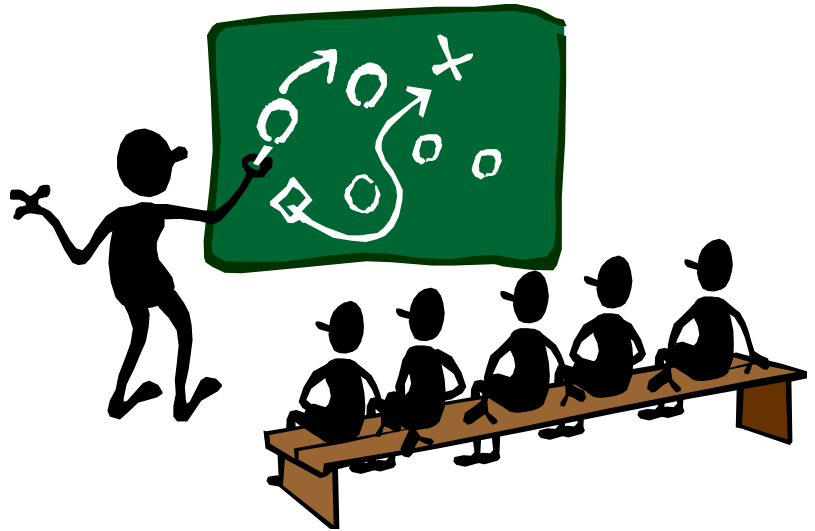
the PROSECUTOR: _____

the DEFENSE (defendant and/or defense counsel): _____

the WITNESSES: _____

What is the **PROCESS**?

Defendant enters a plea of not guilty and does not waive a jury trial



● **BEFORE THE TRIAL**

For courts that conduct jury trials infrequently, it is recommended that a pretrial hearing be conducted to ensure that the parties are in agreement on all possible issues and that the risk for procedural surprises during the trial is minimized. This is especially true for jury trials involving pro se defendants who may not understand trial processes.

Step 1: Case is set for trial

Things to Do

- Prepare complaint
 - Send copy to defendant/attorney
 - Send copy of file to prosecutor
- Send trial setting form to defendant/attorney (*see Jury Trial Setting form*)
- Post docket online or in a designated public place in the courthouse as soon as notified of the setting (Art. 17.085, CCP)

Step 2: Summons the jury

Things to Do

- Issue writ of venire (Art. 45.027, CCP) (*see Order to Summon Venire form*)
- Summons prospective jurors – 30 to 40 for a misdemeanor trial, depending on how many trials are set for that docket
 - Print juror summons (*see Jury Service Cover Letter, Juror Information Sheet, and/or Official Model Jury Summons and Questionnaire forms*)
 - Mail regular mail at least 3-4 weeks prior to trial setting
 - Possible sources for potential jurors:
 - Voter registration records
 - Property tax listings
 - Driver license records
 - Utility billing accounts
 - Remember: to be eligible to serve on a municipal court jury, a person must be a resident of the municipality (Sec. 62.501, Gov't Code)**
 - Print and keep a list of the potential jurors

- Take and keep track of potential jurors requesting postponement, exemption, or giving excuses
 - Requesting postponement (Sec. 62.0143, GC)
 - Requesting exemption (Secs. 62.106 – 62.109, GC)
 - Providing excuses (Secs. 62.110 and 62.112, GC)
- Mark out the names of the jurors requesting postponement, exemptions, or excuses
- If claiming exemption based on lack of residence in the county or lack of citizenship, must notify the county voter registrar (SOS & DA) on a monthly basis (Secs. 62.113 and 62.114, GC)
- Make note of returns on bad addresses or other returns
- Notify the judge to appoint an interpreter for prospective jurors who notify the court that he/she is hearing-impaired and wants to serve on the jury (Sec. 57.001(4), GC)
- Prepare excuse letters and/or certificates of appreciation to be handed out after jury service for jurors to take back to work (*see Juror/Witness/Defendant excuse letter and Certificate forms*)
- Copy the returned juror information sheets for the prosecution, defendant, and judge
- Prepare a list of jury panel for prosecution, defense, judge, and clerk
- Prepare a verdict form (*see Verdict: Election for Jury Punishment form*)
- Prepare form for defendant to elect jury punishment (Art. 37.07, CCP) and send to defendant to return (*see Election for Jury to Assess Punishment form*)

● TRIAL DAY

Things to Do

- Sign jurors in and assign jurors to a seat
- Give a numbered list of jurors to each side (Art. 35.11, CCP)
- May ask each side to read and sign an admonishment against distributing juror information contained on the juror information cards to the media (Art. 35.29, CCP)
- Give jurors an information handout

Trial Proceeding:

- Opening ceremony and remarks
- Case called for trial
- Judge's opening statement and waivers
- Form the jury [see Art. 45.030 and Ch. 35, CCP]**
- Jury panel roll called
- Prospective jurors sworn (Art. 35.02, CCP)
- Challenge to the array (if so challenged) (Art. 35.09, CCP)
- Determining Juror Qualifications (Art. 35.10, CCP)
- Determine Juror Exemptions (Secs. 62.106 – 62.109, GC)
- Determine Juror Excuses (Art. 35.03, CCP)
- Seat the Panel
- Shuffle the Jurors (if requested) (Art. 35.11, CCP)
- Announce the case and introduce parties
- Voir Dire – both sides (Art. 35.17, CCP)
- Challenge Jurors for Cause (Arts. 35.16, 35.18, 35.19 & 35.21 CCP)
- Peremptory Challenges – 3 strikes each (Arts. 35.15 & 45.029, CCP)
 - If there are not enough jurors, issue order for pick up jury (Art. 45.028, CCP) (*see Other Jurors Summoned form*)
 - First 6 jurors not struck comprise the jury panel (Arts. 35.20 & 35.26, CCP)
 - Re-print the jury list with the 6 juror names only

- Jurors sworn (Art. 35.22, CCP)
- Complaint Read
- Defendant Enters Plea
- Witnesses Placed Under the Rule (if requested)
- Opening Statements
 - Prosecution
 - Defense
- Presentation of Evidence
 - Prosecution's Case
 - Direct Examination
 - Defense's Cross
 - Redirect
 - Recross
 - Prosecution Rests
 - Motion for Directed Verdict
 - Defendant's Case
 - Direct Examination
 - Prosecution's Cross
 - Redirect
 - Recross
 - Prosecution's Rebuttal
- Prosecution Closes
 - Defense's Rebuttal
- Defense Closes
- Jury Charges
- Closing Arguments
 - Prosecution
 - Defense
 - Prosecution Closes
- Case Submitted to the Jury
- Jury Renders Verdict
- Punishment Assessed
- Judgment Rendered

After the trial:

Things to Do

- Pick up juror information sheets from defense and prosecution
These are confidential (Art. 35.29, CCP)
- Add any applicable jury fees/costs
- Pay the jurors – no statutory requirement to do so
- Process the case as normal (judgment entered, etc.)

JURY TRIAL SETTING FORM (Defendant Appears by Mail Pursuant to Art. 27.16(b), C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF _____
_____	§	_____ COUNTY, TEXAS

YOU HAVE EXERCISED YOUR RIGHT TO A JURY TRIAL.

NOTICE IS HEREBY GIVEN of the jury trial court date of the above numbered and styled cause. The date of trial is set on the _____ day of _____, 20____, at _____ o'clock ____m.* **Failure to Appear for this court date or on any date for which this case is scheduled before this Court may result in a Failure to Appear charge being filed against you and warrants bring issued for your arrest. Furthermore, you may be assessed the costs of summoning the jurors if you fail to appear.**

This notice mailed on _____, 20__.

(Court Clerk)(Deputy Clerk) Date

***Notice:** To request a continuance to reset the above court date, a written Motion for Continuance stating the reason (good cause) for the continuance must be filed with this Court _____ hours prior to the time and date of above court date. **Failure to comply with this notice requirement may result in your motion for continuance being denied.**

(municipal court seal)

JURY TRIAL SETTING FORM (Defendant Appears in Person Pursuant to Art. 27.16(a), C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF _____
_____	§	_____ COUNTY, TEXAS

NOTICE IS HEREBY GIVEN of the jury trial court date of the above numbered and styled cause. The date of trial is set on the _____ day of _____, 20____, at _____ o'clock __.m.*

I PROMISE TO APPEAR, in person, in the _____ Municipal Court on or before the aforementioned date and on any date for which this case is scheduled before this Court. I understand that if I do not appear anytime I am required to appear for this case, a Failure to Appear charge may be filed and warrants may be issued for my arrest. Furthermore, I understand that if I fail to appear, I may be assessed the costs of summoning the jurors.

_____	_____	_____	_____
Defendant's Signature	Date	(Court Clerk)(Deputy Clerk)	Date

_____	_____
Address	Telephone Number

***Notice:** To request a continuance to reset the above court date, a written Motion for Continuance stating the reason (good cause) for the continuance must be filed with this Court _____ hours prior to the time and date of above court date. **Failure to comply with this notice requirement may result in your motion for continuance being denied.**

(municipal court seal)

CAUSE NUMBER: _____

STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF _____
_____	§	_____ COUNTY, TEXAS

GREETINGS:

According to Court records, you have entered a plea of **not guilty** and have requested a **trial by jury** in the above entitled and numbered cause.

While the Texas Constitution ensures you the right to a trial by jury, you do not have a constitutional right to jury sentencing. Rather, the right to jury sentencing is purely statutory in origin. To invoke this statutory right, you must make a timely election of jury sentencing.

If you do not make a timely election for the jury to assess punishment, and are found guilty by the jury, the Court will assess the punishment.

For your election to be timely, you are hereby **ordered** by the Court to make your election in writing:

- At a pre-trial hearing (if one is ordered by the Court); or
- Prior to beginning the voir dire examination of the jury panel.

You may make your election by providing the Court with a copy of the attached motion.

MOTION FOR THE JURY TO ASSESS PUNISHMENT

To the Honorable Judge of said Court:

Now comes the Defendant, in the above entitled and numbered cause, and in accordance with Article 37.07, Code of Criminal Procedure, and before the commencement of the voir dire examination of the jury panel, elects in writing that the punishment, if any, in this cause be assessed by the jury.

Respectfully submitted,

Defendant

Attorney for Defendant

ORDER

On this _____ day of _____, 20____, came on to be heard the foregoing motion, and the same having been timely filed is granted.

Judge Presiding

(municipal court seal)

ORDER TO SUMMON VENIRE (Art. 45.027, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF _____
_____	§	_____ COUNTY, TEXAS

TO _____ – GREETINGS:
(person ordered to summon jurors)

You are hereby **Ordered** to summon _____ (number) persons who are qualified jurors in the city, to appear before this Court on the ___ day of _____, 20__ at _____ o'clock ____m., then and there to serve as jurors in the trial of such cause or causes as are then set for jury trial.

Signed and entered this ____ day of _____, 20__.

(municipal court seal)

Judge Presiding

RETURN OF JURY VENIRE

Came into hand on _____, 20__, at _____ o'clock ____m. The following persons are summoned by mailing notice on _____:

	<u>Name</u>	<u>Date and Time Summoned</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____

*Add additional pages as needed for more jurors.

Signature of Person Summoning Jury

JURY SERVICE COVER LETTER

To the City of _____ Jurors:

You have been selected for **jury service** in the Municipal Court of the City of _____. Jury service is an obligation of citizenship that is essential to the judicial process. It is an opportunity for you to make a meaningful contribution to ensure that justice is provided in our community.

The Judge of the Municipal Court recognizes that jury service entails an imposition on the citizens called for jury service. In order to minimize the burden caused by your jury service, report promptly at the date and time indicated on the enclosed **JUROR INFORMATION** form. The _____ Municipal Court building is located at _____.

Parking information: _____.

JUROR INFORMATION FORM: This information is needed for the jury selection process. Please complete this enclosed form and bring it with you when you report for jury service. Generally, your jury service will be for no longer than one day.

We hope that you will find the opportunity to serve to be a pleasant and rewarding experience. Your service as a juror is appreciated.

Municipal Court, City of _____

NOTICES

- 1. Failure to appear for jury service may result in a \$100 fine for contempt (Code of Criminal Procedure, Article 45.027).**
- 2. If you fail to attend court in obedience to the notice without reasonable excuse or file a false claim of exemption, you can be fined not less than \$100 or more than \$500 (Government Code, Section 62.111).**
- 3. If you do not comply with the summons or knowingly provide false information in a request for an exemption to be excused from jury service, you are subject to a contempt action punishable by a fine of not less than \$100 or more than \$1,000 (Government Code, Section 62.0141).**
- 4. If you claim to be disqualified based on a lack of citizenship, you will no longer be eligible to vote if you fail to provide proof of citizenship. If you claim a disqualification or exemption based on lack of residence in this county, you may no longer be eligible to vote in this county.**

Note: Effective September 1, 1999, Texas Civil Practice & Remedies Code, Section 122.002, makes terminating an employee because he or she performs jury duty a Class B misdemeanor.

JUROR INFORMATION SHEET

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ **COUNTY, TEXAS**

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Home Telephone Number: _____ Length of time at current address: _____

Date of Birth: _____ Place of Birth: _____

Driver's License Number: _____

Place of Employment: _____

Type of Work: _____ Length of time at current job: _____

Employer's Address: _____

Business Telephone Number: _____

Military Service Yes No Are you on active duty deployed outside of your county of residence? Yes No

College Graduate Yes No Attended College Yes No Post Graduate Degree Yes No

High School Graduate Yes No Professional Degree Yes No

Married Single Widowed Divorced Number of Children _____ Ages: _____

Name of Spouse or Nearest Living Relative: _____ Relationship _____

Address: _____

Spouse's Employer: _____ Type of Work: _____

Spouse's Employer's Address: _____

Do you have any relatives or friends who are peace officers? No Yes

Have you ever been called for jury service? No Yes Date(s) _____ Where? _____

Did you actually serve as a juror? Yes No Court where jury service performed _____

Criminal Case? When? _____ Verdict reached Yes No

Civil Case? When? _____ Verdict reached Yes No

Been party to a lawsuit? Yes No As plaintiff? Yes No As a Defendant? Yes No

Served on a Grand Jury? Yes No Where? _____ When? _____

Has any accidental bodily injury ever been suffered by you? Yes No By a member of your family? Yes No

Have you ever been interested in the outcome of a criminal case as a Defendant, victim, or witness? Yes No

Where and What? _____

Date: _____

Juror's Signature

TEXAS MUNICIPAL COURTS EDUCATION CENTER

1609 Shoal Creek Boulevard, Suite 302
Austin, Texas 78701

Telephone: (512) 320-8274
Toll Free: (800) 252-3718
FAX: (512) 435-6118

TO: Municipal Judges, Clerks, and Court Administrators
FROM: Texas Municipal Courts Education Center
RE: Instructions for using the Official Model Jury Summons and Questionnaire
DATE: August 2011

In September 2000, the Office of Court Administration (OCA) completed its work on the *Official Uniform Model Jury Summons & Questionnaire* mandated by Chapter 62 of the Government Code. All counties were required to conform their written jury summons and questionnaires to the *Official Uniform Model Jury Summons & Questionnaire* no later than January 1, 2001.

In May 2001, the Texas Municipal Courts Education Center adapted the *Official Uniform Model Jury Summons and Questionnaire* for use in municipal courts. There were three *Official Municipal Court Jury Summons & Juror Questionnaires*. The models differed only in respect to the population bracket exemptions:

- Applicable to cities with a county population of under 200,000 residents.
- Applicable to cities with a county population of at least 200,000 but fewer than 250,000 residents.
- Applicable to cities with a county population of at least 250,000 residents.

In August 2009, OCA revised the *Official Uniform Model Jury Summons and Questionnaire* to create one model that can be used by all counties, regardless of population. This form was again revised in 2011 to incorporate changes in exemptions and disqualifications enacted by the 82nd Legislature.

Pursuant to Sections 62.0131 and 62.0132, Government Code, each model includes: 1) a mandatory jury questionnaire that solicits basic demographic information about the juror; 2) notice regarding the juror's right to reemployment; 3) notice concerning the consequences to the juror for failure to obey the summons; 4) notice to the juror concerning appropriate dress in the courtroom; 5) notice to the juror concerning the statutory qualifications for jury service; and 6) notice to jurors concerning statutory exemptions from jury service, including active duty military deployment.

In adapting the *Official Model Jury Summons and Questionnaire* for municipal court use, the following modifications were made: 1) In addition to providing notice regarding a juror's right to reemployment, criminal penalties for employers are defined; 2) The consequences to the juror for failure to obey the summons refer to the specific provisions of Chapter 45 of the Code of Criminal Procedure; 3) The general qualifications for jury service are supplemented by the specific requirement that the juror be a resident of the municipality for which the Court is established.

Information contained in the completed juror questionnaire is confidential and not subject to the public information provisions contained in Chapter 552 of the Government Code. The information contained in the completed juror questionnaire may only be disclosed to: 1) a judge assigned to hear a cause of action in which the respondent to the questionnaire is a potential juror; 2) court personnel; and 3) a litigant and a litigant's attorney in a cause of action in which the respondent to the questionnaire is a potential juror.

While the model forms provided contain statutorily mandated language, each model may be supplemented to meet the needs of your court (e.g., maps, parking information, internet access, etc.). Additional questions may be added to the juror questionnaire as deemed relevant by the trial judge. However, neither the OCA nor TMCEC is empowered to determine the efficacy of any supplemental information added to the summons or questionnaire.

OFFICE OF COURT ADMINISTRATION

TO: Texas Court Clerks, Court Administrators, Court Coordinators, Justices of the Peace, and Voter Registrars
FROM: Office of Court Administration
RE: Instructions Concerning the Official Model Jury Summons and Questionnaire
DATE: August 1, 2011

The Office of Court Administration (OCA) is required by Sections 62.0131 and 62.0132 of the Government Code to develop and maintain a model for a uniform written jury summons and questionnaire. In response to suggestions from clerks, judges and attorneys, OCA has revised the model jury summons and questionnaire. Your county is required to use a written jury summons and questionnaire that conforms with the OCA model. The model can be used by all counties regardless of their population.

The model is designed to be printed on an 8 ½" by 11" card with a fold in the middle to result in an 8 ½" by 5 ½" mail piece. Page one of the model is designed to be on the front of the card while page 2 is designed to be on the back.

Please note the following instructions to ensure that you modify the model in an appropriate manner for your county:

- (1) The four blanks in the sentences on the top of page 2 should be filled in with the title of the appropriate clerk (e.g., district clerk);**
- (2) Exemptions 8 and 9 should not be listed in counties with populations of less than 200,000;**
- (3) Exemption 9 should not be listed in counties with populations of less than 250,000;**
- (4) Exemption 8 should not be listed in any county in which the county uses a jury plan under Government Code, Section 62.011 and the period authorized under Section 62.011(b) exceeds two years;**
- (5) Exemption 9 should not be listed in any county in which the county's jury wheel has been reconstituted prior to the time that a person who has previously served as a petit juror in the county has again been summoned for jury service; and**
- (6) Complete the contact information in the area designated as "Clerk Contact Information" on the top of page two.**

Understanding that each Texas county is different, OCA believes counties may format the text of the model to meet their particular needs. Maps, parking information, internet access information, and other similar information may be added to the model. The top portion of page one is especially flexible. Please feel free to adjust this portion of the form to your county's particular needs.

If you have any questions or suggestions concerning the *Official Model Jury Summons and Questionnaire*, please contact Ted Wood, Assistant General Counsel for OCA.

Ted Wood
Assistant General Counsel
Office of Court Administration
P. O. Box 12066
Austin, Texas 78711-2066
(512) 936-1183
Fax: (512) 463-1648
ted.wood@courts.state.tx.us

_____ County, Texas

JURY SUMMONS NO. _____

Dear Prospective Juror:

You are hereby summoned for jury service as set out below:

Time: _____

Date: _____

Place: _____

If undeliverable, please return to:
 (name or office)
 (address)
 (city, state, zip code)

POSTMASTER DELIVER TO: Prospective Juror's Name
 Prospective Juror's Address
 Prospective Juror's City, State, Zip Code

THE FOLLOWING "JUROR QUESTIONNAIRE" IS MANDATED BY GOVERNMENT CODE, SECTION 62.0132.
Your answers are CONFIDENTIAL and may be disclosed only to the judge, court personnel, the litigant, and the litigant's attorney.

PLEASE TYPE OR PRINT WITH INK ONLY		JUROR QUESTIONNAIRE		
<input type="checkbox"/> Male <input type="checkbox"/> Female	Race (required by State Law):	Age:	Date of Birth:	Are you a U.S. Citizen? <input type="checkbox"/> Y <input type="checkbox"/> N <i>(Please see "note" below)</i>
Your Name: Home Address:			Please check highest level of education completed: <input type="checkbox"/> No H.S. Diploma or GED <input type="checkbox"/> GED <input type="checkbox"/> H.S. Diploma <input type="checkbox"/> 2yr College <input type="checkbox"/> 4yr College/University <input type="checkbox"/> Post-Graduate <input type="checkbox"/> Other _____	
Mailing Address (if different from home):				
Primary Phone:	Alternate Phone:	County of Residence:		
Your Occupation:				
Your Employer:		How Long?		Current Marital Status: <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced
Spouse's Name:		Spouse's Occupation:		
Spouse's Employer:		How Long?		
Have you ever served on a civil jury? <input type="checkbox"/> Y <input type="checkbox"/> N		Have you ever served on a criminal jury? <input type="checkbox"/> Y <input type="checkbox"/> N		Number of Children: _____
I CERTIFY THAT ALL ANSWERS ARE TRUE AND CORRECT. Please sign here: _____			Ranges of Age: from _____ years to _____ years	

NOTE: If you state that you are not a U.S. citizen, you will no longer be eligible to vote if you fail to provide proof of U.S. citizenship to your county voter registrar.

OFFICIAL MODEL JURY SUMMONS AND QUESTIONNAIRE (Page 2 of 2)

Directions: You must report for jury service unless you: (1) claim an **exemption**; (2) are **disqualified**; or (3) choose to **postpone** your service.

To claim an Exemption: Circle the exemption(s) that you claim. Sign the form. Mail or take the form to the _____ clerk's office. NOTE: You do not have to claim an exemption and may instead choose to serve.

If you are Disqualified: Circle the qualification(s) that you do not meet. Sign the form. Mail or take the form to the _____ clerk. NOTE: If you claim to be disqualified because you are not a resident of this county, you may become ineligible to vote in this county. If you state that you are not a U.S. citizen, you will no longer be eligible to vote if you fail to provide proof of U.S. citizenship to your county voter registrar.

To Postpone your Service: Contact the _____ clerk's office before your scheduled date of service.

Before Reporting for Jury Service: Please complete the juror questionnaire. Bring the questionnaire with you when you report.

Questions or Special Accommodations: Please contact the _____ clerk's office.

(Clerk)

(Contact Information)

EXEMPTIONS FROM JURY SERVICE (Texas Government Code, Section 62.106)

1. You are over 70 years of age.
2. You have legal custody of a child or children younger than 12 years of age and service on the jury would require leaving the child or children without adequate supervision.
3. You are a student at a public or private high school.
4. You are enrolled and in actual attendance at an institution of higher education.
5. You are an officer or an employee of the senate, the house of representatives, or any department, commission, board, office, or other agency in the legislative branch of state government.
6. You are the primary caretaker of a person who is an invalid unable to care for himself or herself. (This exemption does not apply to you if you are a primary caretaker only in your capacity as a health care worker.)
7. You are a member of the United States military forces serving on active duty and deployed to a location away from your home station and out of your county of residence.
8. You have served as a juror in this county during the 24-month period prior to the date you are required to appear by this summons.
9. You have been summoned for jury service in this county and you have served as a petit juror in this county during the three-year period prior to the date you are required to appear by this summons.

QUALIFICATIONS FOR JURY SERVICE (Texas Government Code, Section 62.102, except where noted)

To be qualified to serve as a juror you *must*:

1. be at least 18 years of age;
2. be a citizen of this state and a resident of the county in which you are to serve as a juror;
3. be qualified under the Constitution and laws to vote in the county in which you are to serve as a juror (*Note: You do not have to be registered to vote to be qualified to vote*);
4. be of sound mind and good moral character;
5. be able to read and write;
6. not have served as a juror for six days during the preceding three months in the county court or during the preceding six months in the district court;
7. not have been convicted of, or be under indictment or other legal accusation for, misdemeanor theft or a felony; and
8. be a resident of the municipality for which the court is established (Government Code, Section 62.501; specific to municipal courts).

I certify that I am exempt or disqualified from jury service for the reasons circled above.

Signature

Date

Right to Reemployment: A private employer may not terminate the employment of a permanent employee because the employee serves as a juror. An employee whose employment is terminated in violation of this section is entitled to return to the same employment that the employee held when summoned for jury service if the employee, as soon as practical after release from jury service, gives the employer actual notice that the employee intends to return. (Civil Practice and Remedies Code, Section 122.001). Terminating an employee for performing jury duty is punishable by up to 180 days in jail and/or a fine not to exceed \$2,000. (Civil Practice and Remedies Code, Section 122.002).

Failure to Answer Summons and Provision of False Information: Any person summoned who fails to attend or who fails to remain in attendance until discharged by the Court may be fined an amount not to exceed \$100 for contempt (Code of Criminal Procedure, Article 45.027). A person shall be fined not less than \$100 nor more than \$500 if the person: (1) fails to attend court in obedience to this summons without reasonable excuse; or (2) files a false claim of exemption from jury service (Government Code, Section 62.111; *see also* Code of Criminal Procedure, Article 35.01). A person who fails to comply with this summons, or who knowingly provides false information in a request for an exemption or to be excused from jury service, is subject to a contempt action punishable by a fine of not less than \$100 nor more than \$1,000 (Government Code, Section 62.0141).

Proper Clothing Required: All persons entering the courtroom should be dressed in clothing reasonably befitting the dignity and solemnity of the court proceedings.

JURY PANEL LIST (Venire Panel)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ **COUNTY, TEXAS**

The following persons have been selected as the jury panel (venire panel)*:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____

*Add additional sheets as necessary.

OTHER JURORS SUMMONED ("PICK UP JURY") (Art. 45.028, C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

TO THE (Chief of Police of the City of _____) (Sheriff of _____ County) –
GREETINGS:

You are hereby Ordered to summon _____ (number) persons who are qualified jurors in the city, to appear before this Court (instanter on the ___ day of _____, 20__ at _____ o'clock ____m.), then and there to serve as jurors in the trial of such cause or causes as are then set for jury trial.

You are further Ordered that the summons shall be verbal and in person to each person so summoned (and that you shall command each person so summoned to proceed immediately to this Court).

Signed and entered this _____ day of _____, 20__.

(municipal court seal)

Judge Presiding

RETURN OF JURY VENIRE

Came into hand on _____, 20__, at _____ o'clock ____m. and executed as to the following persons by verbally summoning each of them in person*:

	<u>Name</u>	<u>Date and Time Summoned</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____
11.	_____	_____
12.	_____	_____

*Add additional pages as needed for more jurors.

Officer Executing Return

JURY LIST

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE MUNICIPAL COURT

VS.

§

CITY OF _____

§

_____ COUNTY, TEXAS

The following persons have been selected as the jury:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

VERDICT: ELECTION FOR JURY PUNISHMENT

CAUSE NUMBER: _____

STATE OF TEXAS	§	IN THE MUNICIPAL COURT
VS.	§	CITY OF _____
_____	§	_____ COUNTY, TEXAS

VERDICT

GUILTY

We, the jury, find the above named Defendant **guilty** as charged in the complaint and assess a fine of \$ _____.

Jury Foreperson

Date: _____

.....

NOT GUILTY

We, the jury, find the above named Defendant **not guilty**.

Jury Foreperson

Date: _____

JUROR/WITNESS/DEFENDANT EXCUSE LETTER

(municipal court seal)

Date: _____

To Whom It May Concern:

Please be advised that _____ was in our court the _____ day of _____, 20 __, from _____ o'clock __.m. until _____ o'clock __.m. as a (Defendant)(witness)(juror).

Thank you,

(Bailiff)(Clerk), Municipal Court

City of _____

_____ County, Texas

Note: Effective September 1, 1999, Texas Civil Practice & Remedies Code, Section 122.002, makes terminating an employee because he or she performs jury duty a Class B misdemeanor.

Certificate of Appreciation for Jury Service

“The right of trial by jury shall remain inviolate.”

Constitution of the State of Texas, Article I, Section 15

“...we believe that trial by jury ... is fundamental to the American scheme of justice”

“...trial by jury is more than an instrument of justice and more than one wheel of the Constitution: it is the lamp that shows that freedom lives”

Duncan vs. Louisiana, 391 U.S. 145 at 149 & 156 (1967)

This certificate is given in appreciation to

_____ Municipal Court on

_____.

(municipal court seal)

Judge, Municipal Court

City of _____

County, Texas