

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF ILLINOIS

**PLAN FOR THE RANDOM SELECTION OF JURORS**

Pursuant to the Jury Selection and Service Act of 1968, Title 28, United States Code, Sections 1861, et seq., the following plan is hereby adopted by this Court, subject to approval by the reviewing panel for the Seventh Circuit and to such rules and regulations as may be adopted from time to time by the Judicial Conference of the United States.

**APPLICABILITY OF THE PLAN**

The Central District of Illinois is hereby divided, for jury selection purposes, pursuant to Section 1869 of the Act, as follows:

The Peoria Division, consisting of the counties of: Bureau, Fulton, Hancock, Knox, Livingston, Marshall, McDonough, McLean, Peoria, Putnam, Stark, Tazewell and Woodford.

The Springfield Division, consisting of the counties of: Adams, Brown, Cass, Christian, DeWitt, Greene, Logan, Macoupin, Mason, Menard, Montgomery, Morgan, Pike, Sangamon, Schuyler, Scott and Shelby.

The Rock Island Division, consisting of the counties of: Henderson, Henry, Mercer, Rock Island and Warren.

The Urbana Division, consisting of the counties of: Champaign, Coles, Douglas, Edgar, Ford, Iroquois, Kankakee, Macon, Moultrie, Piatt, and Vermilion.

The provisions of this plan apply to all divisions in the District, unless specifically indicated to the contrary.

## DECLARATION OF POLICY

It is the policy of the Court that all litigants in this Court, entitled to trial by jury, shall have the right to grand and petit juries selected at random from a fair cross section of the community in each division wherein the Court convenes and that all citizens residing within the District shall have the opportunity to be considered for service on grand and petit juries and shall have an obligation to serve as jurors when summoned for that purpose.

## DISCRIMINATION PROHIBITED

No citizen shall be excluded from service as a grand or petit juror in this Court on account of race, color, religion, sex, national origin or economic status.

## MANAGEMENT AND SUPERVISION OF THE JURY SELECTION PROCESS

The Clerk of the Court shall manage the jury selection process under the supervision and control of the Chief Judge.

## JURY SELECTION SOURCES

The judges of the Court find that the source from which the names of grand and petit jurors shall be selected at random shall be from the gubernatorial general election voter registration lists. The judges do further find that such lists represent a fair cross section of the communities in the district.

Accordingly, names of grand and petit jurors serving in this court shall be selected by randomized procedure from the registered voter lists of the counties within each Division of the District. The registered voter lists shall consist of those individuals who are of record as registered voters in each general election as maintained in the books or lists of (1.) the office of the County Clerk in each county, (2.) the office of the City Clerk in those cities which have separate registration lists or (3.) the office of the State Board of Elections of the State of Illinois.

This plan's references to voter lists shall be to registered voter lists.

This plan's reference to random selection shall mean that in any selection procedure only the first names shall be chosen by a purely random method and that each subsequent name for that drawing may be systematically taken at regular intervals throughout the remainder of the source lists or that selection shall be accomplished by use of a purely randomized process through a properly programmed electronic data processing system. These randomized selection procedures, which are described in the next sections, insure: (1.) that names chosen will represent all segments of the source file from which drawn, (2.) that the mathematical odds of any single name being picked are substantially equalized, and (3.) that the possibility of human discretion or choice affecting the selection of any individual's name is eliminated.

#### INITIAL SELECTION OF NAMES FOR THE MASTER JURY WHEEL

The judges of the Court find that the initial selection of persons to be considered for service as grand and petit jurors from the voter lists shall be made at random in such a total number as may be deemed sufficient for a four (4) year period.

The number of names drawn from each county shall be substantially in the same proportion to the total number drawn from all counties within the Division as the number of names on that county's voter list bears to the total number of names on the voter lists for all counties within the Division. For example, if there are exactly 240,000 names on the voter lists of all counties within the Division, and there are 48,000 names on County "A's" list (twenty per cent of the total), then the number of County "A's" names initially selected should be substantially twenty per cent of the total number selected from all counties within the Division.

For the purpose of calculating from the voter lists the total number of voters in the respective Divisions within the District, the Clerk will add together the totals obtained for each county. The number taken as the total for each county may be based, at the Clerk's option, upon either a manual or a mechanized count of names on the county's voter list.

After first determining the total number of names needed for the master jury wheel, and then the proportionate share of names to be drawn from the voter list for each particular county, the Clerk shall proceed either manually or through the use of a properly programmed data computer - or through a combination of manual and computer methods - to make the initial selection of names from the voter list of each county.

#### METHOD AND MANNER OF RANDOM SELECTION

1. Determining a "quotient." For each Division, the Clerk shall make the randomized selection by taking the total number of voters from the voter lists of the counties in that Division of the Court and dividing that number by the minimum number of names to be placed in the master jury wheel, and the number obtained will be the "quotient." The quotient is the ratio of selected to unselected names. For example, if the Clerk should determine that to supply court jury requirements for four (4) years he will need 10,000 names in the master wheel, and if there are a total of 1,000,000 names on all county voter lists, the "quotient" to be used would be 10,000 divided into 1,000,000 or 100, and the Clerk would therefore take every 100th name from the voter list for the master wheel.

2. Determining a "starting number." After determining the "quotient," the Clerk shall establish a starting number. This number will locate on the voter list, or on the data computer's tape, disc or punched card record of such voter lists, the first name to be selected. The starting number will be manually drawn by lot from numbered cards placed in a jury wheel, drum or box. Cards used for this drawing should begin with a card bearing number one and end with a card bearing the same number as the "quotient." In other words, the range of numbers from which a starting number is drawn is exactly the same as the range between number one and whatever the "quotient" number happens to be. As an example of how both the starting number and quotient are used, if we suppose the quotient to be 100 and the starting number drawn is 12, the first name chosen for each county would be the 12th name on its voter list, the second name would be the 112th, the third the 212th, etc., and continued thusly to the end of the list.

At the clerk's option, and after consultation with the court, the selection of names from complete source list databases in electronic media for the master jury wheels may be accomplished by a purely randomized process through a properly programmed electronic data processing system. Similarly, at the option of the clerk and after consultation with the court, a properly programmed electronic data processing system for pure randomized selection may be used to select names from the master wheels for the purpose of determining qualification for jury service, and from the qualified wheels for summoning persons to serve as grand or petit jurors. Such random selections of names from the source list for inclusion in the master wheel by data computer personnel must insure that each county within the jury division is substantially proportionally represented in the master jury wheel in accordance with 28 U.S.C. § 1863 (b)(3). The selections of names from the source list, the master wheel, and the qualified wheel must also insure that the mathematical odds of any single name being picked are substantially equal.

### SELECTING THE NAMES BY MACHINE METHODS

The judges of this Court find that electronic data processing methods can be advantageously used for selecting and copying names from the voters lists furnished by counties or the State Board of Elections which are submitted in machine readable forms such as punched cards, magnetic tapes or magnetic discs. It is further found that for smaller counties currently maintaining their voter lists in handwritten or printed form, it may be advantageous to record those names in punched cards, on tapes, or magnetic discs for subsequent handling and copying of these names by electronic machine methods.

Therefore, a properly programmed electronic data processing system or a combination system employing both manual and electronic machine methods may, at the Clerk's option and after consultation with the Chief Judge, be used to select master wheel names from voter lists of any or all counties in the District, provided that the required proportions of names for each county are maintained and that the above described "quotient" and "starting number" formula or the above described purely randomized selection process are followed.

Similarly, the Judges of the Court find that an electronic data processing system may, at the option of the Clerk and the Chief Judge, be used to select names from the master wheel of persons to be mailed qualification questionnaires, from the qualified wheel of persons to be summoned to serve as grand or petit jurors, and for the recording of names of prospective jurors on any papers and records needed by the Court to administer the selection and payment of jurors.

If the Court elects to use electronic machine methods in connection with any or all of the district's voter records, source lists, master jury wheels, or qualified jury wheels, the name selection system shall be planned and programmed according to a "starting number" and "quotient" formula or by using a purely randomized process.

### MAINTAINING MASTER JURY WHEELS

The Clerk shall maintain a master jury wheel for each of the Divisions within the District. The names and addresses of all persons randomly selected from the lists of voters at the last gubernatorial general election shall be placed in the master jury wheel for that Division. The physical form of record on which names for the master wheel(s) are kept may include such electronic data storage devices as punched cards, magnetic tapes, or magnetic disc files. Pursuant to Section 1863(b)(4) of the Act, the minimum number of names to be placed in the master jury wheels shall be at least ½ of 1% of the total number of names on the voter lists. Therefore, the number of names to be taken for each Division's master wheel will be as follows:

The Peoria Division	30,000
The Springfield Division	30,000
The Rock Island Division	6,000
The Urbana Division	30,000

The presiding judge in each said Division may order additional names to be placed in the master jury wheel for said Division from time to time, as necessary, and in accordance with the formula herein above described. The master jury wheels currently in full force and effect shall be emptied and refilled every four years, not later than June 1 of the year following a gubernatorial general election year.

## DRAWING NAMES FROM THE MASTER JURY WHEELS; COMPLETION OF JUROR QUALIFICATION FORMS

The Clerk, either all at one time or at periodic intervals, shall publicly draw at random from the master jury wheels the names of as many persons as may be required to maintain an adequate number of names in the qualified jury wheels. The number of names to be drawn shall be determined by the Clerk based upon anticipated juror demands by the Court plus a margin of extra names sufficient to compensate for the estimated number that will turn out to be unavailable or ineligible.

Upon the request of the Court, the Clerk may prepare, by manual or computer means, alphabetized lists of the names drawn. These lists shall not be exhibited to any person except as provided herein and in Sections 1867 and 1868 of the Act, as amended. The Clerk shall prepare and have mailed to every person whose name is so drawn, a juror qualification questionnaire form accompanied by instructions to execute and return the questionnaire duly signed and sworn to the Clerk by mail within ten days, in accordance with Section 1864(a) of the Act, as amended.

## EXCUSES ON INDIVIDUAL REQUEST

The Judges of this Court find that jury service by members of the following occupational classes or groups of persons may entail undue hardship or extreme inconvenience to the members thereof, and the excuse of such members will not be inconsistent with the Act, as amended, and may be granted upon individual request:

1. Persons over 70 years of age.
2. Persons who have, within the past two years, served on a Federal grand or petit jury panel. See 28 U.S.C. §1866(e).
3. Persons having active care and custody of a child or children under 10 years of age whose health and/or safety would be jeopardized by their absence for jury service; or a person who is essential to the care of aged or infirm persons.
4. Any person whose services are so essential to the operation of a business, commercial, or agricultural enterprise that said enterprise must close if such person were required to perform jury duty.

5. Persons actively practicing or engaged full-time in one of the following: attorney or physician.
6. Persons who are members of a volunteer fire department, rescue squad or ambulance crew.

The Clerk, under the supervision of the Court, is authorized to grant excuses to prospective jurors on the grounds of undue hardship or extreme inconvenience.

#### EXEMPTION FROM JURY SERVICE

The Judges of the Court find that members of the following occupational classes or groups of persons shall be exempt from jury service and the exemption of such persons is in the public interest and would not be inconsistent with Sections 1861 and 1862 of the Act, as amended:

1. Members in active service in the Armed Forces of the United States,
2. members of the fire or police departments of any State, district, territory or possession or subdivision thereof,
3. public officers in the executive, legislative or judicial branches of the Government of the United States, or any State, district, territory, or possession or subdivision thereof, who are actively engaged in the performance of official duties.

The Clerk, under the supervision of the Court, is authorized to exempt prospective jurors who are members of the above-stated occupational classes or groups.

#### QUALIFICATIONS FOR JURY SERVICE

The presiding judges in each division, (on their own initiative or upon recommendation of the Clerk) or the Clerk, under the supervision of the Court, shall determine solely on the basis of the information provided on the juror qualification questionnaire, and other competent evidence, whether a person is unqualified for, or exempt, or to be excused from jury service. The Clerk shall enter such determination in the space provided on the juror qualification questionnaire or the alphabetical list of names drawn from the master jury wheel, or on the Court's computer data base. If a person did not appear in response to a summons, such fact shall be noted on said list and if any person fails to return a completed juror qualification form as instructed, the Clerk may thereupon pursue the matters each and all in accordance with the provisions of Section 1864 of the Act, as amended.

In making such determination the District Judge or the Clerk shall deem any person qualified to serve on grand and petit juries in the District unless the person:

1. Is not a citizen of the United States eighteen (18) years old who has resided for a period of one year within the judicial district;
2. Is unable to read, write, and understand the English language with a degree of proficiency sufficient to fill out satisfactorily the juror qualification form;
3. Is unable to speak the English language;
4. Is incapable, by reason of mental or physical infirmity, to render satisfactory jury services; or
5. Has a charge pending against him for the commission of, or has been convicted in a State or Federal Court of record of a crime punishable by imprisonment for more than one year and his civil rights have not been restored by pardon or amnesty.

Notice of persons who identify themselves as non-citizens through the juror qualification process will be provided to appropriate election officials for verifying voter registration eligibility.

#### QUALIFIED JURY WHEEL

The Clerk shall maintain separate qualified jury wheels for each Division and shall place in such wheels the names of all persons drawn from the master jury wheel and not disqualified, exempt, or excused pursuant to this plan. The clerk shall select publicly at random from the qualified jury wheel for each Division the names of as many persons as required for assignment to petit or grand jury panels. He shall insure that at all times an adequate number of names are contained in each such jury wheel.

From time to time, as grand juries are required, the Clerk shall order the drawing from the appropriate divisions' qualified wheels, a pro rata share of the total number of grand jurors needed to be summoned. Prospective grand jurors summoned to the Peoria division shall be drawn from the Peoria and Rock Island qualified wheels. Prospective grand jurors summoned to the Springfield division shall be drawn from the Springfield and Urbana qualified wheels.

The Clerk shall prepare an alphabetized list of persons summoned. These lists shall not be exhibited to any person except as provided herein and in Sections 1867 and 1868 of the Act, as amended.

Completed summons forms, at the option of the Clerk of the Court, may be mailed to jurors by the Clerk's office, or by a commercial mailing service.

#### PUBLIC ANNOUNCEMENT OF THE PLACE AND TIME OF AUTOMATED SELECTION OF NAMES BY COMPUTER CENTER

Random drawings of starting numbers, when utilized, shall be publicly made in the office of the Clerk of Court at times to be publicly announced on the Court bulletin board.

Drawing of names of prospective jurors by automated selection methods shall be publicly made at the designated computer center. The location and approximate time of such drawings shall be publicly announced in a public place such as the Court's bulletin board.

The office of the Clerk of the Court shall retain and, when requested, provide public access to the following documents:

1. The Court's "Juror Selection Plan," including the Plan's verbatim description of the method used in determining the "quotient" and "starting number," and of the purely random selection procedure.
2. A verbal or geographically charted description of the procedure employed in the automated selection system, and

3. A copy of the Court's authorization and instruction order to the person or computer service organization which carries out automated name selection tasks for the Court.

### IMPANELING JURORS

Names of persons summoned and appearing for service may be inserted in a panel assignment wheel, from which separate trial panels will be selected by lot. The Clerk shall prepare for the use of the Court and counsel a separate list of names of persons assigned to each petit jury panel.

### PUBLIC RELEASE OF JUROR INFORMATION

Information on jurors drawn from the qualified jury wheel and impaneled for criminal and civil trials shall be made public only upon approval of the presiding judge and only upon formal request. The presiding judge may keep juror information confidential in any case where the interests of justice so require. In cases in which the court has authorized the release of juror information only the names will be released without further identifying information.

### FREQUENCY OF SERVICE

In any two year period, no person shall be required to (1.) serve or attend court for prospective service as a petit juror for a total of more than thirty (30) days, except when necessary to complete service in a particular case, or (2.) serve on more than one grand jury, or (3.) serve as both a grand and petit juror.

### DEFINITION

The term "Clerk" and "Clerk of Court" as used in this plan shall mean the Clerk of the District Court of the United States for the Central District of Illinois, any authorized deputy clerk, or any other person authorized by the Court to assist the Clerk in the performance of jury selection functions.

The term "computer center" as used in this plan shall mean any data processing vendor employed by the Court to provide automated jury services or the Court's Information Services Division.

## EFFECTIVE DATE

Court personnel responsible shall proceed to take action necessary for the implementation of this plan as revised in order that it may be placed in operation on or after November 1, 2006, and utilized in all juror selection procedures relating to master jury wheels established after November 1, 2006, subject to the approval of the Reviewing Panel of the Seventh Circuit, and in accordance with the Jury Selection and Service Act of 1968, as amended.